RULEMAKING FACT SHEET
TITLE 5 MRSA § 8057-A

AGENCY: Department of Environmental Protection

NAME, ADDRESS, PHONE NUMBER OF AGENCY CONTACT PERSON:

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CHAPTER NAME AND RULE TITLE: Chapter 109 Emergency Episodes Regulations (Amendments)

STATUTORY AUTHORITY: Title 38 MRSA Section 585-A

DATE AND PLACE OF PUBLIC HEARING: No Public Hearing is Scheduled

COMMENT DEADLINE: August 31, 2012 5 p.m.

PRINCIPAL REASON OR PURPOSE FOR PROPOSING THIS RULE:

The proposed amendments to Chapter 109 are required pursuant to Section 110(a)(2)(G) of the 1990 Clean Air Act Amendments (CAA) and federal regulations which requires states to have the authority to address activities causing imminent danger to public health, including emergency episodes provisions in their SIPs. Chapter 109 was last amended in 1991, and must be updated to reflect the current National Ambient Air Quality Standards and associated Air Quality Index thresholds.

ANALYSIS AND EXPECTED OPERATION OF THE RULE:

These amendments will update Chapter 109 to incorporate the current federal Air Quality Index (AQI) thresholds for Air Pollution Alert, Air Pollution Warning, and Air Pollution Emergency action levels.

FISCAL IMPACT OF THE RULE:

This proposal will not have a fiscal impact on small business, the regulated community or municipalities that is above and beyond existing federal requirements.

BENEFITS OF THE RULE:

Chapter 109 prescribes the actions that may be taken to prevent and address public health threats posed by air quality emergencies. The proposed amendments will update the Department's Chapter 109 to reflect revised action levels for the current national ambient air quality standards.