
By: Delegate Guns

Introduced and read first time: February 3, 1997

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Ozone Transport Assessment Group - Recommendations Requirements**

3 FOR the purpose of requiring statutory approval prior to the adoption of rules or
4 regulations recommended by the Ozone Transport Assessment Group.

5 BY repealing and reenacting, with amendments,

6 Article - Environment

7 Section 2-301

8 Annotated Code of Maryland

9 (1996 Replacement Volume and 1996 Supplement)

10 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
11 MARYLAND, That the Laws of Maryland read as follows:

12 **Article - Environment**

13 2-301.

14 (a) The Department:

15 (1) May adopt rules and regulations for the control of air pollution in this
16 State, including testing, monitoring, recordkeeping, and reporting requirements; and

17 (2) Shall adopt rules and regulations that establish standards and
18 procedures to be followed whenever pollution of the air reaches an emergency condition.

19 (b) In adopting any rule or regulation under this title, the Department shall
20 consider, among other things:

21 (1) The residential, commercial, or industrial nature of the area affected;

22 (2) Zoning;

23 (3) The nature and source of various kinds of air pollution;

24 (4) The problems of any commercial or industrial establishment that may be
25 affected by the rule or regulation; and

26 (5) The environmental conditions, population density, and topography of
27 any area that may be affected by the rule or regulation.

2

1 (c) Any rule or regulation adopted under this title that relates to grain drying
2 operations shall be adopted with the advice and consent of the State Department of
3 Agriculture.

4 (D) ANY RULE OR REGULATION PROPOSED UNDER THIS TITLE THAT IS
5 BASED ON A RECOMMENDATION BY THE OZONE TRANSPORT ASSESSMENT GROUP
6 MAY NOT BE ADOPTED UNLESS THE GENERAL ASSEMBLY SPECIFICALLY
7 AUTHORIZES, BY STATUTE, THE PROPOSED RULE OR REGULATION.

8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
9 October 1, 1997.