
By: **Delegate Billings**

Introduced and read first time: January 25, 2002

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Environment - Ambient Air Quality - Standards**

3 FOR the purpose of repealing the provision of law that requires the Department of the
4 Environment to set ambient air quality standards for pollutants that are
5 identical to certain federal standards unless certain conditions exist; and
6 generally relating to ambient air quality standards.

7 BY repealing and reenacting, with amendments,
8 Article - Environment
9 Section 2-302
10 Annotated Code of Maryland
11 (1996 Replacement Volume and 2001 Supplement)

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

14 **Article - Environment**

15 2-302.

16 (a) The Department shall determine and may alter air quality control areas
17 into which this State is divided.

18 (b) The Department shall adopt rules and regulations that set emission
19 standards and ambient air quality standards for each of the air quality control areas
20 in this State.

21 (c) (1) [Unless a political subdivision requests a more restrictive standard
22 under § 2-104 of this title, the Department shall set ambient air quality standards for
23 pollutants that are identical to the standards for pollutants for which national
24 primary or secondary ambient air quality standards have been set by the federal
25 government.

26 (2)] To protect the public health, the general welfare, and property of the
27 people of this State, the Department may set State ambient air quality standards for

1 substances for which national ambient air quality standards have not been set by the
2 federal government.

3 [(3)] (2) If the Secretary finds that transportation through the air is a
4 significant factor in the buildup of a pollutant in a substance other than air and that
5 monitoring the substance facilitates control of the pollutant, a State ambient air
6 quality standard may establish a maximum concentration of the pollutant in that
7 substance.

8 (d) (1) Except as provided in paragraph (2) of this subsection, if national
9 ambient air quality standards are attained in an air quality control area, the
10 Department shall set emission standards for that area based on the goal of achieving
11 emission levels that are not more restrictive than necessary to attain and maintain
12 the ambient air quality standards in that area.

13 (2) The limitations of paragraph (1) of this subsection do not apply to the
14 extent that:

15 (i) A political subdivision requests a more restrictive standard
16 under § 2-104 of this title; or

17 (ii) New source performance standards, national prevention of
18 significant deterioration requirements, national emission standards for hazardous
19 pollutants, or any other requirements of the federal Clean Air Act apply.

20 (3) For those emissions for which no national ambient air quality
21 standards have been set, the Secretary may set emission standards and requirements
22 for various classes of sources.

23 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
24 October 1, 2002.