

STATE OF OKLAHOMA

1st Session of the 44th Legislature (1993)
COMMITTEE SUBSTITUTE FOR
HOUSE CONCURRENT
RESOLUTION NO. 1008

By: Holt

COMMITTEE SUBSTITUTE

A Concurrent Resolution raising concerns over the emissions standards and monitoring requirements in the Federal Clean Air Act Amendments of 1990; describing the problems of overregulation and the financial burden created by the requirements; urging the Oklahoma Congressional Delegation to work to ensure that further study is given to the provisions and that they are revised; and directing distribution.

WHEREAS, the State of Oklahoma has made significant progress in maintaining and improving the air quality of the state, including achieving compliance with the National Ambient Air Quality Standards throughout the state and is taking action to assume responsibility for the enforcement of regulations by implementing programs required under the Federal Clean Air Act Amendments of 1990; and

WHEREAS, the federal government in the Federal Clean Air Act Amendments of 1990, has promulgated a comprehensive piece of air quality legislation which includes provisions for emissions standards based on the maximum achievable control technology and monitoring requirements which may mandate continuous emissions monitoring by many sources; and

WHEREAS, the federal government in the Clean Air Act Amendments of 1990 has authorized the federal Environmental Protection Agency to set up source categories and promulgate maximum achievable control technologies for new, modified and existing sources in each category, however, the deadlines for establishing the categories are so short that they may prevent the Environmental Protection Agency from thoroughly reviewing the best

scientific data available, which is fundamental to the process;
and

WHEREAS, the federal government in mandating the maximum achievable control technology emissions standards is requiring every new or modified point source of air pollution to meet the maximum standard without allowing for individual circumstances which could, in some cases, result in ill-advised regulation, expense and loss of competitiveness; and

WHEREAS, the Federal Clean Air Act Amendments of 1990 give broad guidelines for continuous emissions monitoring, which could lead to the issuance of requirements which do not reflect the most economical methods of acquiring the necessary information to determine compliance of a particular source; and

WHEREAS, if the mandates on maximum achievable control technology standards and source category deadlines in the Federal Clean Air Act Amendments of 1990 are not properly studied and consideration given to health and economic consequences, the result could be overregulation or equally as bad underregulation, unrealistic costs and failure to utilize the best scientific data, which could defeat the aim and effectiveness of the Act of efficiently and economically protecting the air quality of the nation.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE 1ST SESSION OF THE 44TH OKLAHOMA LEGISLATURE, THE SENATE CONCURRING THEREIN:

THAT the Oklahoma Legislature urges the Oklahoma Delegation to the United States Congress to act to ensure that further study is given to the provisions of the Federal Clean Air Act Amendments of 1990 and that such provisions are revised to:

1. Relax the deadlines for promulgating source categories and for applying maximum achievable control technology standards;
2. Provide more flexibility in the emission standards by authorizing the Environmental Protection Agency to promulgate standards that take into consideration individual source characteristics;

3. Direct the Environmental Protection Agency to ensure that careful consideration is given to cost-effectiveness in the issuance of continuous emissions monitoring standards, and that such standards consider all possible methods of such monitoring; and

4. Provide adequate opportunity for industry and other interested parties to review and comment on the issues that may arise upon further study.

THAT a copy of this resolution be distributed to each member of the Oklahoma Congressional Delegation.

44-1-6456

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