

STATE OF OKLAHOMA

1st Session of the 44th Legislature (1993)

HOUSE CONCURRENT
RESOLUTION NO. 1008

By: Holt

AS INTRODUCED

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 is striving to protect the air quality of 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 mandate continuous emissions monitoring; 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 apply the maximum achievable control technology standards to each category, however, the deadlines for establishing the categories are so strict and unrealistic that the Environmental Protection Agency will be unable to thoroughly review 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 air pollution source to meet the maximum standard without allowing for individual circumstances which will result in excess regulation in many cases; and

WHEREAS, the federal government has mandated continuous emission monitoring for every air pollution source but has failed to define or give direction to the Environmental Protection Agency on what is meant by continuous emission monitoring; and

WHEREAS, the federal government in mandating continuous emission monitoring without further direction could result in sources investing in expensive and unnecessary monitoring equipment; and

WHEREAS, if the mandates on maximum achievable control technology standards, source category deadlines and continuous emission monitoring in the Federal Clean Air Act Amendments of 1990 are left unchanged it will result in overregulation, excessive costs and under utilization of the best scientific data, which could defeat the aim and effectiveness of the Act in 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; and

3. Provide the Environmental Protection Agency direction by defining continuous emission monitoring and by allowing technology other than specific stack monitors.

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

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