

FINDINGS:

In response to the requirements of the Clean Air Act, the Environmental Protection Agency (EPA), promulgated regulations to ensure that the degree of emission limitation required for the control of any air pollutant under an applicable State Implementation Plan (SIP) is not affected by the portion of any stack height which exceeds good engineering practice (GEP) or by any other dispersion techniques. The regulations were challenged in the United States Court of Appeal. The court found that the regulations were too narrow because they allowed some techniques that should have been prohibited and ordered EPA to write new standards. EPA has since promulgated regulations to comply with the order. This action requires that all SIPs be revised to incorporate and implement the new provisions.

The department proposes to hold a hearing to receive public comments on the required SIP revision.

AUTHORIZATION:

The department is hereby authorized to hold a public hearing to receive comments on the proposed SIP revision.

COMMISSIONERS

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CHAIRMAN

SUBMITTED BY: Wilson Tolefree DATE PASSED: 1/24/86