

HOUSE JOINT RESOLUTION NO. 22

INTRODUCED BY BENNETT, HARP, SALES, ELLERD, MOORE, ASAY,
CURTISS, STOBIE, ABRAMS, HANNAH, KEYSER, TEAGUE,
NORDTVEDT, HEMSTAD, DONALDSON, SEIFERT, NEUMAN,
PAVLOVICH, MENAHAN, MUELLER, D. BROWN, SIVERTSEN,
CONROY, DAILY, KANDUCH, BURNETT, ROUSH, COZZENS,
THOFT, HUENNEKENS, KROPP, FABREGA, MATSKO, FEDA

IN THE HOUSE

February 4, 1981	Introduced and referred to Committee on Natural Resources.
February 17, 1981	Committee recommend bill do pass as amended. Report adopted.
February 18, 1981	Bill printed and placed on members' desks.
February 20, 1981	Second reading, do pass.
February 21, 1981	Correctly engrossed.
February 24, 1981	Third reading, passed. Ayes, 66; Noes, 33. Transmitted to Senate.

IN THE SENATE

March 2, 1981	Introduced and referred to Committee on Public Health, Welfare, and Safety.
March 4, 1981	Rereferred to Committee on Natural Resources.
March 17, 1981	Committee recommend bill be concurrred in. Report adopted.
March 19, 1981	Second reading, concurrred in.
March 21, 1981	Third reading, concurrred in. Ayes, 47; Noes, 1.

IN THE HOUSE

March 23, 1981

Returned from Senate. Con-
curred in. Sent to enrolling.

Reported correctly enrolled.

1 HOUSE JOINT RESOLUTION NO. 22 *Maore*
 2 INTRODUCED BY *Bennett* *HOSP* *Sales-Ellis* *Wynell*
 3 *Hobby* *Teague* *Parish* *Zeigler* *Conroy*
 4 *Ward* *Ward* *Ward* *Ward* *Ward*
 5 REPRESENTATIVES OF THE STATE OF MONTANA REPEALING A STATE
 6 AIR QUALITY EMISSION STANDARD IN CONFLICT WITH ANOTHER STATE
 7 AIR QUALITY STANDARD. *Conroy* *Faculty* *Ward* *Kennel*
 8 *Bennett* *Ward* *Kopp* *Muller*
 9 WHEREAS, subsection (4) of section 75-2-203, MCA, *Manahan*

10 allows the Board of Health and Environmental Sciences to
 11 adopt emission standards more stringent than federal
 12 emission standards only if the stricter state standards are
 13 "necessary in some localities in this state"; and
 14 WHEREAS, in 1972 the Board of Health and Environmental
 15 Sciences adopted emission standards limiting fluoride and
 16 particulate emissions from existing primary aluminum
 17 reduction plants, which standards are designated as Rule
 18 16.8.1420 of the Administrative Rules of Montana; and
 19 WHEREAS, in 1975 the Board of Health and Environmental
 20 Sciences adopted as state standards the federal new source
 21 performance standards limiting fluoride and particulate
 22 emissions from new primary aluminum reduction plants, which
 23 standards are designated as Rule 16.8.1423 of the
 24 Administrative Rules of Montana; and
 25 WHEREAS, the state standards adopted prior to the

1 state's adoption of the federal standards are more
 2 restrictive than the federal standards adopted by the state;
 3 and

4 WHEREAS, the more stringent state standards tend to
 5 limit the expansion and economic growth of the affected
 6 industry by requiring additional expenditures for control
 7 equipment that are unnecessary in that the federal standards
 8 are designed to protect human health and welfare; and

9 WHEREAS, because both standards are state standards,
 10 the state has now adopted two different emission standards
 11 for particulate and fluoride emissions for new and existing
 12 primary aluminum reduction plants.

14 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE
 15 OF REPRESENTATIVES OF THE STATE OF MONTANA:

16 That the state standards limiting the fluoride and
 17 particulate emissions from existing primary aluminum
 18 reduction plants and designated as Rule 16.8.1420 of the
 19 Administrative Rules of Montana are repealed.

20 BE IT FURTHER RESOLVED, that the Board of Health and
 21 Environmental Sciences is directed to proceed within 30 days
 22 to promulgate new standards. The Board shall adopt the terms
 23 and provisions of the federal new source performance
 24 standards for fluoride and particulate emissions from
 25 primary aluminum reduction plants as its standard for all

LC 2334/01

1 primary aluminum reduction plants in this state.

-End-

Approved by Committee
on Natural Resources

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A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF
REPRESENTATIVES OF THE STATE OF MONTANA REPEALING A STATE
AIR QUALITY EMISSION STANDARD IN CONFLICT WITH ANOTHER STATE
AIR QUALITY STANDARD.

WHEREAS, subsection (4) of section 75-2-203, MCA,
allows the Board of Health and Environmental Sciences to
adopt emission standards more stringent than federal
emission standards only if the stricter state standards are
"necessary in some localities in this state"; and

WHEREAS, in ~~1972~~ 1970 the Board of Health and
Environmental Sciences adopted emission standards limiting
fluoride and particulate emissions from existing primary
aluminum reduction plants, which standards are designated as
Rule 16.8.1420 of the Administrative Rules of Montana; and

WHEREAS, in ~~1975~~ 1976 the Board of Health and
Environmental Sciences adopted as state standards the

federal new source performance standards limiting fluoride
and particulate emissions from new primary aluminum
reduction plants, which standards are designated as Rule
16.8.1423 of the Administrative Rules of Montana; and

WHEREAS, the state standards adopted prior to the
state's adoption of the federal standards are more
restrictive than the federal standards adopted by the state;
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WHEREAS, the more stringent state standards tend to
limit the expansion and economic growth of the affected
industry by requiring additional expenditures for control
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HJR 0022/02

1 Environmental Sciences is directed to proceed within 30 days
2 to promulgate new standards. The Board shall adopt the terms
3 and provisions of the federal new source performance
4 standards for fluoride and particulate emissions from
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6 for all primary aluminum reduction plants in this state.

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