

CHAPTER 806

(House Bill 267)

AN ACT to repeal Section 118 of Article 43 of the Annotated Code of Maryland (1957 Edition), title "Health," subtitle "Noxious Fumes," relating to the study and control of air pollution and the appropriation of moneys therefor; and to add new Sections 690 to 706, inclusive, to said Article 43 (1957 Edition and 1962 Supplement), to follow immediately after Section 689 thereof and to be under the new subtitle "Air Pollution"; enacting new laws on the subject of air pollution; defining certain terms for the purposes of this subtitle; providing for its administration by the State Board of Health and Mental Hygiene in conjunction with the Air Pollution Control Council herein created; relating generally to the powers, functions and duties of the State Board of Health and Mental Hygiene and the Air Pollution Control Council in the administration and enforcement of this subtitle; and relating generally to the control of air pollution in this State and to the enforcement and administration of this subtitle.

SECTION 1. *Be it enacted by the General Assembly of Maryland, That Section 118 of Article 43 of the Annotated Code of Maryland (1957 Edition), title "Health," subtitle "Noxious Fumes," be and it is hereby repealed; and that new Sections 690 to 706, inclusive, be and they are hereby added to said Article 43 (1957 Edition and 1962 Supplement), to follow immediately after Section 689 thereof and to be under the new subtitle "Air Pollution," and to read as follows:*

Air Pollution

690.

(Declaration of Policy).

It is hereby determined and declared to be the policy of the State of Maryland to maintain such reasonable degree of purity of the air resources of the State as shall be technically feasible, economically reasonable, and necessary for the protection of the health, the general welfare and the property of the people of the State. The measures for the accomplishment of this purpose shall not unreasonably obstruct the operation, development and expansion of business, industry and commerce within the State, but shall be technically feasible and economically reasonable. Such purposes, moreover, shall at all times be sought to be effectuated by a maximum of conference, cooperation and persuasion; provided, however, that the Board, the Department and the Council may exercise any of their respective powers and enforcement procedures hereinafter set forth whenever they, or any of them, shall conclude that further conference, cooperation and persuasion would be of no avail.

691.

*(Definitions).**For the purposes of this subtitle:*

(1) The term "air pollution" shall mean the presence in the outdoor atmosphere of substances in quantities, having characteristics