

POLLUTANTS THAT ARE IDENTICAL TO THE STANDARDS FOR POLLUTANTS FOR WHICH NATIONAL PRIMARY OR SECONDARY AMBIENT AIR QUALITY STANDARDS HAVE BEEN SET BY THE FEDERAL GOVERNMENT.

(2) TO PROTECT THE PUBLIC HEALTH, THE GENERAL WELFARE, AND PROPERTY OF THE PEOPLE OF THIS STATE, THE DEPARTMENT MAY SET STATE AMBIENT AIR QUALITY STANDARDS FOR SUBSTANCES FOR WHICH NATIONAL AMBIENT AIR QUALITY STANDARDS HAVE NOT BEEN SET BY THE FEDERAL GOVERNMENT.

(3) IF THE SECRETARY FINDS THAT TRANSPORTATION THROUGH THE AIR IS A SIGNIFICANT FACTOR IN THE BUILDUP OF A POLLUTANT IN A SUBSTANCE OTHER THAN AIR AND THAT MONITORING THE SUBSTANCE FACILITATES CONTROL OF THE POLLUTANT, A STATE AMBIENT AIR QUALITY STANDARD MAY ESTABLISH A MAXIMUM CONCENTRATION OF THE POLLUTANT IN THAT SUBSTANCE.

(D) EMISSION STANDARDS.

(1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, IF NATIONAL AMBIENT AIR QUALITY STANDARDS ARE ATTAINED IN AN AIR QUALITY CONTROL AREA, THE DEPARTMENT SHALL SET EMISSION STANDARDS FOR THAT AREA BASED ON THE GOAL OF ACHIEVING EMISSION LEVELS THAT ARE NOT MORE RESTRICTIVE THAN NECESSARY TO ATTAIN AND MAINTAIN THE AMBIENT AIR QUALITY STANDARDS IN THAT AREA- AREA.

(2) THE LIMITATIONS OF PARAGRAPH (1) OF THIS SUBSECTION DO NOT APPLY TO THE EXTENT THAT:

(I) A POLITICAL SUBDIVISION REQUESTS A MORE RESTRICTIVE STANDARD UNDER § 2-104 OF THIS TITLE; OR

(II) NEW SOURCE PERFORMANCE STANDARDS, NATIONAL PREVENTION OF SIGNIFICANT DETERIORATION REQUIREMENTS, NATIONAL EMISSION STANDARDS FOR HAZARDOUS POLLUTANTS, OR ANY OTHER REQUIREMENTS OF THE FEDERAL CLEAN AIR ACT APPLY.

(3) FOR THOSE EMISSIONS FOR WHICH NO NATIONAL AMBIENT AIR QUALITY STANDARDS HAVE BEEN SET, THE SECRETARY MAY SET EMISSION STANDARDS AND REQUIREMENTS FOR VARIOUS CLASSES OF SOURCES.

REVISOR'S NOTE: This section is new language derived without substantive change from former Article 43, § 693(b)(1), (3), (4), (6), and (7) and the first, third, and fourth sentences of (a).

The second sentence of former Article 43, § 693(a), which enumerated the air quality control areas that initially were created, is deleted as unnecessary and potentially misleading. The areas now are established, and, since the