§ 19-0907. Sulfur deposition control program.

1. No later than January first, nineteen hundred eighty-five, the department shall:

a. Identify and publish a preliminary list of the sensitive receptor areas of the state with respect to sulfate deposition.

b. Measure or estimate wet and dry sulfate deposition at each of these sensitive receptor areas, including:
(i) total sulfate deposition from all sources; and
(ii) total sulfate deposition from instate sources; and
(iii) the ratio of total sulfate deposition from instate sources to total sulfate deposition from all sources.

c. Identify and publish a preliminary list of environmental threshold values for each sensitive receptor area.

d. Identify and publish a preliminary list or inventory of all facilities and stationary sources in the state which emit sulfur dioxide.

e. Prepare such supporting documentation as the department considers appropriate.

2. a. Before publishing any preliminary list or report pursuant to subdivision one of this section, the department shall conduct a review of all appropriate existing acid deposition reports and data as prepared by the department, other agencies of the state, agencies of other states, agencies of the federal government or agencies of foreign governments. The department shall further review appropriate acid deposition reports, data, documents, studies, surveys or analyses as currently exist in the scientific literature.

b. The department shall set forth in writing its presuppositions and assumptions, mathematical modeling techniques, sampling methodologies, and analytical protocols, based upon existing scientific knowledge, that

are utilized to derive the preliminary lists and reports required by this section.

3. Based on the activities listed in subdivisions one and two of this section, the department shall formulate a preliminary final control target for each sensitive receptor area, and shall develop a strategy identifying any emissions reductions for the various facilities and stationary sources in the state that will be required to meet the deposition control targets. These targets and strategies, together with the lists, reports and supporting documentation described in this section, and together with an analysis of the economic impact of the implementation of such targets and strategies, shall constitute a preliminary sulfur deposition control program.

4. a. No later than March first, nineteen hundred eighty-five, the department shall conduct public hearings in at least three geographic locations of the state for the purpose of soliciting information and comments from the public on the preliminary sulfur deposition control program. Any such public hearings shall comply with the notice provisions and other procedures in title three and title five of this article.

b. No later than May first, nineteen hundred eighty-five, and after due consideration of the hearing record, independent scientific review, if any, and the considerations listed in section 19-0303 of this article, the department shall publish the sulfur deposition control program, hereinafter referred to as the "program". In addition to publishing the program, the department shall submit copies of such program to the governor, the temporary president of the senate, the speaker of the assembly, the chairman of the senate standing committee on environmental conservation and recreation, and the chairman of the assembly standing committee on environmental conservation.

c. The program shall be subject to review pursuant to the procedures in title five of this article.

5. The department shall promulgate such rules and regulations as are

necessary to effectuate the provisions of this section.

6. The department shall publish all preliminary and final lists, reports, targets and programs required by this section in the state register and in the environmental notice bulletin.