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Don G. Fowler,
DIRECTOR OF HEALTH AND SAFETY

September 14, 1967

To: All Members of the Lead Health and Safety Committee

Re: State Air And Water Pollution Control Legislation

Attached for your information is a copy of a Special Supplement to the September 11, 1967 issue of AIR & WATER NEWS outlining the important environmental bills passed by the state legislatures during 1967.

Very truly yours,

J C Roumas

James C. Roumas
Assistant Director
Health and Safety

JCR/jv
Attachment


Look Ahead with Lead

EIGHTY-THREE

AIR & WATER NEWS

SPECIAL
SUPPLEMENT

1967 IS BANNER YEAR FOR STATE LEGISLATIVE ACTION ON ENVIRONMENTAL PROBLEMS

This has been a year of unprecedented activity in U.S. state legislatures as far as environmental legislation is concerned. And, now that all but a handful of the legislatures have adjourned, this is an opportune time to round up the highlights of all this activity.

Our list does not by any means include every environmental bill passed; it is a selection of bills we consider to be of major, statewide import. The list

omits bills aimed at enforcement of state water quality standards, as well as participation in interstate compacts.

One or two states still in session are considering major legislation in the environmental field, notably Pennsylvania, where the governor's tax incentive and \$500-million development fund are still in the works, and Alabama, where a tax credit measure is under consideration.

ARIZONA

Air Pollution - A statewide air pollution bill gives counties a chance to enforce controls. It also provides for the creation of an Air Pollution Control Division under the State Health Dept., which allocated \$228,000 to finance the cost of a monitoring system and a study to pinpoint contaminants.

CALIFORNIA

Air Pollution - A state Air Resources Board, with 14 members, will divide the state into air basins and adopt air quality standards for each. The board absorbs the Motor Vehicle Pollution Control Board.

Water Resources Control Board - Combines two previous state boards. Voted.

All state power and responsibility relative to the supervision of water appropriation, water pollution and quality.

Water Reuse - Water-reuse regulations for and encourage reclamation projects and provide financial assistance.

COLORADO

Air Pollution - Legislation to improve administration of existing act. Provides for regular exchange between state and local control agencies.

Solid Waste - The regulation and control of solid-waste disposal sites and facilities without contribution of development. Prohibits private disposal of any area except approved sites.

CONNECTICUT

Air Pollution - A new Air Pollution Control Commission composed of 15 members will have the power to supervise research programs, initiate statewide control programs and enforce regulations adopted by it.

Construction Grants - Legislation passed a bill authorizing \$150 million state bond issue to finance grants to municipalities to help them build water

pollution treatment facilities. The measure provides 30% state grants for the cost of construction, reconstruction or expansion of sewage treatment facilities, and grants tax exemptions for installation of pollution control equipment.

Solid Waste - The State Dept. of Health is ordered to study methods of refuse disposal. All findings and recommendations are to be reported to the Governor on or before December 31, 1968 and to the General Assembly at its 1969 session.

Water Management - The Water Resources Commission, State Dept. of Health, State Board of Fisheries and Game and the Development Commission prepared a long-range plan for statewide management of water resources.

FLORIDA

Air and Water Pollution - A six-member commission will control both air and water pollution. Fines up to \$1,000/day are provided, as well as civil damages.

Outdoor Recreation - A council is authorized to develop a multipurpose outdoor recreation and conservation plan with the power to acquire lands, water areas and related resources.

Tax Credits - Pollution control installations are exempted from ad valorem taxation.

ILLINOIS

Air, Water and Conservation - A \$187.5-billion bond issue, to be voted on in 1968, would provide \$160 million for air pollution, \$120 million for water pollution, \$450 million for flood control, water reclamation and management.

Florida - The Dept. of Public Health approved the addition of fluoride to public water supplies.

INDIANA

Mining Controls - Strong state controls on planning the future use of mining areas are set out in the Surface Mining

Reclamation Act. The State Commission of Natural Resources is empowered to judge whether a mining permit applicant's plan for reclamation is in the best general interest of the state.

IOWA

Air Pollution - An Air Pollution Control Commission will provide a coordinated statewide program of air pollution prevention, abatement, and control for an appropriate division of responsibility among the state and political subdivisions.

MAINE

Air Pollution - An Environmental Improvement Commission is authorized to study, investigate and research anything relating to air pollution, its causes, effects and possible prevention.

Construction Grants - Municipal or quasi-municipal pollution abatement construction projects are eligible for a percentage contribution from the state where such a project has received federal approval and funds. The state grants are limited to waste facilities, interceptor systems and outfalls.

MARYLAND

Air Pollution - A new law gives the Governor power to declare an air pollution emergency, and provides for an 11-member advisory council. State Board of Health is given jurisdiction over air pollution control and must establish standards and plans for enforcement.

Strip Mining - Operators are required to restore and replace land used in strip mining. They must also be licensed bonded, and contribute to a state reclamation fund.

MICHIGAN

Air Pollution - New Air Pollution Control Commission developed state's first set of comprehensive air pollution regulations, including a permit system. To be administered by State Health Dept.

MINNESOTA

Air and Water Pollution - Seven-member Pollution Control Agency succeeds the abolished Water Pollution Control Commission, and will have jurisdiction in both air and water pollution.

MISSOURI

Air Pollution - A state law for the control of air pollution in the metropolitan St. Louis area places a 75 limit on sulfur in coal burned during the heating season.

MONTANA

Air Pollution - The State Board of Health adopted a set of ambient air quality standards placing limitations on sulfur dioxide, lead, beryllium and particulate matter.

NEBRASKA

Water Pollution - The Legislature passed a bill to create revenue bonds for construction of municipal sewage treatment facilities. The bill also strengthens the state Water Pollution Control Act and provides stiff penalties for contaminating rivers and streams.

NEVADA

Water Needs - A legislative commission will study state water needs and report the results and any recommendations to the next special or regular session of the legislature.

NEW JERSEY

Air Pollution - The Division of Clean Air and Water within the State Dept. of Health gains the power of the abolished Air Pollution Control Commission. Fines up to \$1,500 a day may also be ordered for pollution violations. Another measure would confer emergency powers upon the Governor to close power plants and factories and control highway traffic during an air pollution incident.

Tax Credit - Pollution control facilities and devices are considered to be tax exempt.

Water Pollution - As 19 member State Clean Water Council will recommend water pollution control programs to the State Health Commissioner.

NEW YORK

Air Pollution - A regulation that no fuel containing more than 5 1/2 lbs. of sulfur per million Btu gross heat content shall be purchased for use in, or used in stationary combustion installations in the New York City metropolitan area. Existing power plants are exempted, and are restricted to fuel containing no more than 1 1/2 sulfur.

Water Pollution - Implementing the Pure Water Program and the \$1 billion

bond issue which was approved by referendum last year, Gov. Rockefeller signed it into a law creating a New York State Pure Water Authority.

NORTH CAROLINA

Air and Water Regulations - Under a new law, the state will regulate both air and water pollution control through the 11-member Board of Water and Air Resources. The new board replaces the existing Board of Water Resources and the State Stream Sanitation Commission, and requires establishment of a state air pollution program.

Ground Water - Under the new law, the State Board of Water Resources, soon after hearings, declares a "capacity use" area where water shortages or pollution problems are occurring and issues or deny permits to persons using more than 100,000 gpd. of ground water.

OHIO

Water Pollution - A combination of eight original bills on water management and pollution control, the Bill gives the Ohio Water Pollution Control Board power to ban a cover system that would increase pollution, create "sewing" for water use, and recognize the Dept. of Natural Resources.

OKLAHOMA

Mining - Operators must obtain a permit to conduct open mining and give a bond equal to the assessed value of the land in the preceding year, or \$34 per acre, whichever is less.

Tax Credit - Annual credit against income tax liability is granted for installations and/or firms working toward eliminating industrial pollution.

OREGON

Air Pollution - A regional air quality control board will coordinate efforts of local pollution control agencies through the state.

Solid Wastes - A solid waste control section in the Div. of Sanitation and Engineering of the State Board of Health will provide for proper storage, collection, transportation and disposal of solid wastes. The development of long range plans to provide adequate disposal sites and facilities and a coordinated statewide program for solid waste control.

Tax Credit - Under certification by the Secretary of Energy that equipment installed is for the purpose of preventing or abating water or air pollution, taxpayers may take a tax credit of 1% per year against personal income taxes or corporation income taxes, or both on exemption from ad valorem taxes.

Water Pollution - The state Board of Higher Education was authorized to

carry on research and experimentation on water pollution as it relates to forest products industry.

PENNSYLVANIA

Air Pollution - Air quality criteria for the state include the nation's first lead criteria, 5 microg./cu.m. Also included are levels for sulfur dioxide of 0.03 ppm for a 30-day average; 0.21 ppm for a 24-hour average and 0.30 ppm for a 1-hour average. Also passed by the Pennsylvania Air Pollution Control Commission was a criteria of 1.5 mg./cubic meter for visible particulates.

RHODE ISLAND

Water Supply - State Water Board has power to draft and execute state water supply policies. It can also draw long-range water supply plans, acquire reservoir sites, build reservoirs and distribution systems, if no municipal or private agencies will undertake such projects.

TEXAS

Air Pollution - The Texas Air Control Board passed an ambient standard for ozone, and particulate matter maximum concentration is 100 microg./cu.m. in residential areas, 125 for business areas, 150 for industrial areas, and 175 in open spaces.

Tax Credit - The Legislature will exempt from taxation any equipment designed to eliminate air pollution.

WASHINGTON

Air Pollution - A coordinated statewide program of air pollution prevention and control will require distribution of powers among the state, regional and local units.

Tax Credit - Treatment works or control devices used for controlling air or water pollution will be tax exempt.

WISCONSIN

Air Pollution - Air pollution control and solid waste disposal responsibilities are designated to the Dept. of Resources Development. The act grants power to enhance the quality and management of the state's air and land resources and vests authority for statewide control of air pollution and solid waste disposal to the same agency.

Water Pollution - All state water regulating responsibilities are consolidated in a reconstituted Dept. of Resource Development.

WYOMING

Air Pollution - A nine-member Air Resources Council will control state air pollution. There will be three statutory members and six appointed by the Governor.