

HOUSE No. 2070

By Mrs. Menard of Somerset, petition of the Associated Industries of Massachusetts, Joan M. Menard, Peter J. Larkin, Edward B. Teague III and Mary S. Rogeness for legislation to conform standards of the Department of Environmental Protection with federal environmental regulations or to regulations of other states. Natural Resources and Agriculture.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Ninety-Three.

AN ACT CONFORMING THE STANDARDS OF THE DEPARTMENT OF ENVIRONMENTAL PROTECTION TO THE FEDERAL ENVIRONMENTAL REGULATIONS OR TO REGULATIONS OF OTHER STATES.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 The second paragraph of section 8 of chapter 21A of the General
2 Laws as appearing in the 1990 Official Edition, is hereby amended
3 by adding at the end thereof the following: —

4 In no event shall the department adopt rules or regulations, or
5 authorize implementation of any plan, strategy or technology,
6 more stringent than required by or in applicable or comparable
7 federal statutes, regulations, standards, rules, permits, licenses, or
8 plan approvals. Where no applicable or comparable federal
9 statutes, regulations, standards, rules, permits, licenses, or plan
10 approvals exist, the department shall adopt or authorize rules,
11 regulations, plans, strategy, or technology no more stringent than
12 comparable rules, regulations, plans, permits, licenses, plan
13 approvals or technology in effect in the twelve most industrialized
14 states at the time the department adopts or authorizes, or from
15 time to time amends, its rules or regulations or implementation
16 of plans, strategies, technologies, or plan approvals.

