An Act To Reduce Air Pollution from Trains

Reference to the Committee on Environment and Natural Resources suggested and ordered printed.

Presented by Senator GERZOFSKY of Cumberland.
Cosponsored by Representative DION of Portland and
Be it enacted by the People of the State of Maine as follows:

Sec. 1. 38 MRSA §585-M is enacted to read:

§585-M. Diesel-powered locomotives

1. Pollution prohibition. An owner or operator of a diesel-powered locomotive may not operate the locomotive or allow the locomotive to be operated in a manner that causes or contributes to air pollution in the State.

2. Idling prohibition. An owner or operator of a diesel-powered locomotive may not cause or allow the foreseeably unnecessary idling of the locomotive for a continuous period longer than 30 minutes. This subsection does not apply to a diesel-powered locomotive being serviced if the idling is essential to the proper repair of the locomotive and the idling does not cause or contribute to air pollution in the State.

3. Rulemaking. The department shall adopt routine technical rules as defined in Title 5, chapter 375, subchapter 2-A as necessary to implement this section.

Sec. 2. Contingent effective date; state implementation plan. The Department of Environmental Protection shall submit to the United States Environmental Protection Agency a revision to the state implementation plan, as required in the federal Clean Air Act, Section 110, 42 United States Code, Section 7410, that incorporates the provisions of the Maine Revised Statutes, Title 38, section 585-M. Upon approval by the United States Environmental Protection Agency of the revision, the Department of Environmental Protection shall inform the Secretary of State and the Revisor of Statutes. Title 38, section 585-M takes effect 30 days after such notice.

SUMMARY

The bill prohibits the operation of diesel-powered locomotives in a manner that causes or contributes to air pollution in the State and prohibits the unnecessary idling of diesel-powered locomotives for longer than 30 minutes. It also directs the Department of Environmental Protection to submit to the United States Environmental Protection Agency a revision to the state implementation plan that incorporates these provisions, and delays the prohibition until 30 days after notification from the department that the United States Environmental Protection Agency has approved the revision.