

**§1696. Hazardous air pollutants**

**1. Findings and declaration of purpose.** The Legislature finds that:

A. Pure scientific considerations must govern the review and evaluation of potential health risks associated with chemical pollutants; [PL 1983, c. 835, §1 (NEW).]

B. Scientific review and evaluation of potential health risks associated with potential hazardous air pollutants is an integral component of a successful hazardous air pollutant control program; and [PL 1983, c. 835, §1 (NEW).]

C. The scientific review and evaluation is the responsibility of the Department of Health and Human Services which is charged with the protection of the public health and welfare and has the professional expertise to assess potential public health risks from chemical hazards. [PL 1983, c. 835, §1 (NEW); PL 2003, c. 689, Pt. B, §6 (REV).]

[PL 1983, c. 835, §1 (NEW); PL 2003, c. 689, Pt. B, §6 (REV).]

**2. Duties.** The Department of Health and Human Services, through the Environmental Health Program in the Bureau of Health, with the advice of and peer review by the Scientific Advisory Panel, shall:

A. Collect and consider the health data for substances or classes of substances which are under consideration for regulation as hazardous air pollutants by the Board of Environmental Protection; [PL 1983, c. 835, §1 (NEW).]

B. Establish a protocol for the health risk review and evaluation of potentially hazardous air pollutants for the following parameters: Carcinogenicity; in vivo and in vitro mutagenicity; teratogenicity; reproductive effects; neurotoxicity; acute and chronic reversible and irreversible effects; pharmacokinetics and pharmacodynamics; high-risk groups; bioaccumulation; and atmospheric fate; [PL 1983, c. 835, §1 (NEW).]

C. Report the health consequences of exposure to various ambient air concentrations indicating a range of risk levels for cancer-causing substances and the health consequences of exposure to various ambient air concentrations of noncancer-causing substances, after considering the adequacy of the data base, animal to human extrapolation, high-risk groups and any other health-based considerations; and [PL 1983, c. 835, §1 (NEW).]

D. Report whether exposure to the substance should be considered for regulation by the Board of Environmental Protection to protect public health. [PL 1983, c. 835, §1 (NEW).]

[PL 1983, c. 835, §1 (NEW); PL 2003, c. 689, Pt. B, §6 (REV).]

**3. Requests for review.** Requests for review shall be as follows.

A. The bureau shall review or evaluate the potential health risks associated with potentially hazardous air pollutants at the request of:

(1) The director;

(2) The chair of the Science Advisory Panel;

(3) Four or more members of the Science Advisory Panel; or

(4) The Commissioner of Environmental Protection following notice to the director of the bureau. [RR 2021, c. 2, Pt. B, §103 (COR).]

B. Requests from parties other than those listed in this subsection shall be reviewed by the Director of the Bureau of Health and, if justified, shall be pursued. The director may assess any reasonable costs to the party making those requests. [PL 1983, c. 835, §1 (NEW).]

[RR 2021, c. 2, Pt. B, §103 (COR).]

**4. Reporting.** The director shall compile all available information and prepare a report for each substance, class of substances or pollutants evaluated and submit this report to the commissioner, director or chair of the group that requested the health risk review and evaluation.

[RR 2021, c. 2, Pt. B, §104 (COR).]

SECTION HISTORY

PL 1983, c. 835, §1 (NEW). PL 2003, c. 689, §B6 (REV). RR 2021, c. 2, Pt. B, §§103, 104 (COR).

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