

Vermont Environmental Report

1977 Amendments

Clean Air Act Raises Sticky Questions

"Can you imagine Congress passing a law that will stop economic growth? Well, Congress passed such a law -- the Clean Air Amendments of 1977."

These scathing words are from the opening lines of a U.S. Chamber of Commerce slide show that is crisscrossing the country. These sentiments express the opposition that is growing in some business circles now that the first steps are being taken to implement the federal Clean Air Act Amendments of 1977.

What is the thrust of the new Clean Air Amendments? Basically this. Two goals. First, the Amendments have the serious intention of improving air quality in parts of the country where it does not now meet acceptable standards. Second, the Amendments have the aim of preventing the deterioration of air quality in parts of the nation where air quality standards are presently being met.

Few people are opposed to the goal of clean air. The question is how the new clean air law is going to be applied and what impact it will have on land use decisions and on economic growth.

Here in Vermont activities are getting underway to implement the new Clean Air Act Amendments.

On November 3, a newly-formed, 15-member, Advisory Committee of business people, government leaders, and environmentalists, met for the first time in Montpelier. This Committee will help the State of Vermont establish new air pollution control policies. These new policies, in turn, will be written into a new "State Implementation Plan." The State of Vermont has had an air pollution control "Implementation Plan" before. But the new plan is so much more massive, so much more comprehensive, that Vermont's Air Pollution Chief, Richard Valentinetti, says, "For all intents and purposes, it's a new plan."

The State Implementation Plan is due at the Environmental Protection Agency on January 1, 1979. Most of the 50 states, including Vermont, will submit their plans after the January deadline. Vermont will submit its plan on March 1, 1979. But the important date is July 1, 1979. If any state has failed to submit an approved Plan by July 1, federal sanctions will take effect.

These sanctions have far-reaching implications. Vermont

could face a loss of federal highway money. Vermont could face a cut-off of federal funds for sewage treatment plant construction. Or Vermont could be forced to impose a moratorium on any new growth in any part of the state that is not meeting current air quality standards.

After several years of monitoring air pollution in Vermont, the State has identified four geographic areas where clean air standards are being violated for at least one of five key pollutants. Chittenden and Windsor Counties are presently in violation of ozone standards. Chittenden County is in violation of carbon monoxide standards. And three areas -- around Burlington, Barre, and Rutland -- are presently in violation of "Total Suspended Particulate" (TSP) standards.

Between now and March 1, 1979, the Advisory Committee that is helping the State Air Pollution Control Division write a new State Implementation Plan will face some very sticky questions.

Looking at the 1977 Clean Air Amendments, Richard Valentinetti of the Air Pollution Division says, "The new law will have consequences that involve a lot more than air pollution."

The Advisory Committee will have to determine how to prevent further pollution in so-called "non-attainment" (or dirty) areas of the state. At the same time, the Committee will have to write a plan to prevent the significant deterioration of air quality in those parts of the state that are still clean.

What could the 1977 Clean Air Amendments mean to Chittenden County?

If a major new industry with a major new source of air pollution wants to locate in Chittenden County it might be forced to pay for air pollution controls at an existing factory, or power plant, to offset its own new contribution of pollutants. "There may be an economic value to possible emissions," Valentinetti says in discussing the new offset policy.

What could the Clean Air Amendments mean to an economically depressed region like the Northeast Kingdom, a part of the state that is presently not in violation of clean air standards?

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