

D.C. AIR POLLUTION CONTROL ACT, H.R. 6981 (GUDE)—H.R. 10017 (HORTON)

(Staff Memorandum—August 10, 1967)

Purpose of bill

The purpose of H.R. 6981 and H.R. 10017 is to provide for the prevention, abatement and control of air pollution in the District of Columbia and to preserve, protect, and promote the health, safety and welfare of animals, plant life, property and humans.

Commissioners (Sec. 5)

The legislation is designed to allow the D.C. Commissioners to set up an agency (under the public health department), which shall have the exclusive power to do anything that is necessary in carrying out the purpose of the bill, including inspections at reasonable times.

Prohibited Air Contaminants (Sec. 9)

Certain emissions in the atmosphere are prohibited:

1. any output darker in shade #1 on Ringleman smoke chart
2. those of such opacity to obscure view to a degree greater than smoke designated #1 on Ringlemann smoke chart
3. visible emissions to ground level if they go past lot line of property
4. output in excess of 60/100 pounds of BTU's and exceeding 65/100 pounds per 1,000 pounds of flue gas, adjusted to 12% carbon dioxide (charts are included to explain such output requirements)
5. stock emission tests shall be set up as in Los Angeles county testing manual however the D.C. Commissioners may modify such
6. any emissions of gases, vapors, or orders which interferes with enjoyment of life, and property is prohibited
7. any use of fuels with sulfur content which exceeds 1 percent by weight
8. open burning is prohibited

Permits (Sec. 7 and 10)

The bill allows certain open burning by permit and provides that certain fires, such as for cooking, need not have a permit.

Autos (Sec. 11)

After 7/1 70 no vehicle shall be operated in D.C. for over 30 days if it is not equipped with an exhaust control device.

Other Provisions

The bill allows for exceptions if notice is given

- " " sets up an emergency procedure
- " " sets up certain exceptions
- " " sets up methods of enforcement
- " " sets up method of hearings and judicial review
- " " allows the D.C. Commissioners to charge fees
- " " provides for penalties (\$150 a day)
- " " gives an effective date with 6 months to comply

TESTIMONY OF HON. GILBERT GUDE, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF MARYLAND

Mr. GUDE. Thank you very much, Mr. Multer.

We certainly appreciate the opportunity to appear and testify on this legislation. It is very interesting that the hearing that was originally scheduled for this bill happened to fall on the day on which we were called to the White House to discuss the possibilities of reorganization; and as a result it was canceled at that time and now the hearing today falls on the day after that plan, Reorganization Plan No. 3, was adopted.

Accordingly, all these bills will require amendments to bring them into conformance with the reorganization plan and I will make comments along that line as we proceed.