

HOUSE No. 3533

The Commonwealth of Massachusetts

PRESENTED BY:

Adrian Madaro

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act improving the accessibility of certain Massport environmental data relative to East Boston.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Adrian Madaro</i>	<i>1st Suffolk</i>	<i>1/19/2017</i>

HOUSE No. 3533

By Mr. Madaro of Boston, a petition (accompanied by bill, House, No. 3533) of Adrian Madaro that the Massachusetts Port Authority prepare and publish policies of the environmental impact of Logan International Airport on the East Boston section of the city of Boston. Transportation.

The Commonwealth of Massachusetts

**In the One Hundred and Ninetieth General Court
(2017-2018)**

An Act improving the accessibility of certain Massport environmental data relative to East Boston.

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

1 Chapter 465 of the Acts of 1956 is hereby amended by adding the following 3 sections:-

2 Section 37. (a) The Authority shall prepare and publish a strategy containing policies
3 with respect to the assessment and management of the current and future quality of air and noise
4 levels in the East Boston section of the city regarding the environmental impact of the General
5 Edward Lawrence Logan International Airport, hereinafter referred to as Logan Airport.

6 The strategy shall consist of or include—

7 (1) a statement which relates to the East Boston section of the city; and

8 (2) statements with respect to standards and measurements relating to the quality of air
9 and noise levels; objectives for the restriction of the levels at which particular substances are
10 present in the air and objectives for restrictions of noise levels; and measures which are to be

11 taken by the Authority, state and local authorities and other persons for the purpose of achieving
12 those objectives.

13 (b) Before publishing the strategy or any modification of it, the Authority shall publish a
14 draft of the proposed strategy or modification, together with notice of a date before which, and
15 an address at which, comments may be made to the Authority concerning the draft so published;
16 and shall take into account any such representations made. Copies of the draft or any
17 modification shall be made available to the public at no charge.

18 (c) The Authority shall from time to time cause a review to be conducted of the quality
19 for the time being, and the likely future quality within the relevant period, of air and noise levels
20 within the Authority's East Boston area of Logan Airport. The Authority shall also cause an
21 assessment to be made of whether air quality standards and objectives and noise level standards
22 and objectives are being achieved, or are likely to be achieved, within the relevant period. The
23 Authority shall forthwith prepare, before the expiration of the period of 12 months beginning
24 within the effective date of this section, a report of the results of the assessment.

25 (d) If, on an assessment under subsection (c), it appears that any air quality standards or
26 objectives or noise level standards and objectives are not being achieved, or are not likely within
27 the relevant period to be achieved, within the area of Logan Airport, the Authority shall identify
28 any parts of its area in which it appears that those standards or objectives are not likely to be
29 achieved within the relevant period.

30 (e) Where, as a result of the air quality and noise level review, it appears that any air
31 quality standards or objectives or noise level standards and objectives are not being achieved, or
32 are not likely within the relevant period to be achieved, within the East Boston area of Logan

33 Airport, the Authority, shall designate the East Boston area as an air quality management area or
34 a noise level management area hereinafter referred to in this act as the “designated area”, all or
35 any part of East Boston in which it appears that those standards or objectives are not being
36 achieved, or are not likely to be achieved within the relevant period.

37 (f) The Authority shall post air quality and noise level measurements on a publicly
38 accessible internet website as reasonably frequent as possible.

39 Section 38. The Authority, in consultation with state and local government, shall take
40 measures to remediate the designated area.

41 The Authority shall prepare a written action plan in pursuit of the achievement of air
42 quality standards and objectives or noise level standards and objectives in the designated area, of
43 any powers exercisable by the Authority.

44 The action plan shall include a statement of the time or times by or within which the
45 Authority proposes to implement each of the proposed measures comprised in the action plan.

46 The Authority may from time to time revise an action plan.

47 Section 39. (a) If the Authority fails to make an assessment of whether air quality
48 standards and objectives or noise level standards and objectives are being achieved in accordance
49 with this act, or are likely to be achieved within the relevant period, within the designated area,
50 the department of environmental protection, hereinafter referred to as the department, shall issue
51 an order that:

52 (1) air quality standards or objectives are not being achieved, or are not likely within the
53 relevant period to be achieved by the Authority, within the designated area;

54 (2) noise level standards or objectives are not being achieved, or are not likely within the
55 relevant period to be achieved by the Authority, within the designated area;

56 (3) that the Authority has failed to discharge any duty imposed on it under or by virtue of
57 sections 37 to 39, inclusive;

58 (4) that the actions, or proposed actions, of the Authority in purported compliance with
59 the provisions of this act are inappropriate in all the circumstances; or

60 (5) that developments in science or technology, or material changes in circumstances,
61 have rendered inappropriate the actions or proposed actions of the Authority in pursuance of
62 sections 37 to 39, inclusive.

63 (b) Upon the issuance of such order the department shall give directions to the Authority
64 requiring it to take such steps as may be specified by the department, including, that the
65 department shall require the Authority to cause an air quality review or noise level review to be
66 conducted under direction of the department whether in whole or in part, or to be so conducted
67 with such differences as may be specified or described in such requirement; and to prepare in
68 accordance with such requirement an action plan for the designated area and to implement, in
69 accordance with the directions, any measures in an action plan.