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go of entirely. I believe if we kept the language in place, the DEQ could look at the individual and the prosperousness of that person in determining whether or not an available technology is deemed economical. I think the key might be in the word "available." Does "available" simply mean it is a technology out there which will work, even if it would cost \$1 million to apply it? To me, that would not be available, so maybe we could define that term and get rid of "economically." If we define that word "available," it could be a standard that would apply across the board and you would not look at the specific balance sheet of the person who is going to make a certain change or schedule activities, maintain procedures, and other management practices. This language that's being proposed is too vague and indefinite, in my opinion. There have been enactments of Congress that the courts have stricken down because they are ambiguous or they are overbroad, so the mere fact that a federal agency may have used this language in a regulation does not mean that it will meet constitutional requirements in terms of giving notice to those who are going to be impacted by it. I don't want to turn this into a constitutional issue. I just want to get it away from something that is completely subjective. I see nothing in this language that provides a standard to guide the person who is making the judgment. We don't know from this whether it is the actual cost of the technology...

SENATOR CUDABACK: One minute.

SENATOR CHAMBERS: ...itself, or if it goes to affordability on the part of the person who is going to make a change. If I can afford it, does that mean that it's economically available to me? If Senator Jones cannot afford it, then it's not economically available for him. We're looking at the same technology, but we are applying our judgment based on the condition of each individual. We don't have a standard out there. If you're talking about a speed limit, if it's Senator Vrtiska, Senator Cudaback, or myself, the speed limit is the same. Even if we classify it on the basis of the vehicle, maybe trucks and rigs cannot travel quite as fast, it still applies across the board to all such trucks and rigs. So...

SENATOR CUDABACK: Time.