

2026 Regular Session

SENATE BILL NO. 356

BY SENATOR DUPLESSIS

ENVIRONMENTAL QUALITY. Provides for air monitoring systems in certain facilities.
(8/1/26)

1 AN ACT

2 To enact R.S. 30:2382, relative to air quality; to provide for air monitoring systems at
3 certain facilities; to provide for definitions; to provide for toxic air pollutant
4 concentrations; to provide for system requirements; to provide for notification; to
5 provide for reporting and record keeping; to provide for costs; to provide for rules
6 and regulations; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 30:2382 is hereby enacted to read as follows:

9 **§2382. Air quality monitoring systems**

10 **A. For purposes of this Section, the following terms shall have the**
11 **meanings ascribed to them in this Section, unless the context clearly indicates**
12 **otherwise:**

13 **(1) "Acute exposure level" means the concentration of a toxic air**
14 **pollutant, measured on a rolling one-hour average, at which health effects may**
15 **occur. For purposes of this Section, acute exposure levels for toxic air pollutants**
16 **shall be as follows:**

17 **(a) Ammonia - 3,200 micrograms per cubic meter.**

1 **(b) Benzene - 27 micrograms per cubic meter.**

2 **(c) 1,3-Butadiene - 660 micrograms per cubic meter.**

3 **(d) Chlorine - 210 micrograms per cubic meter.**

4 **(e) Formaldehyde - 55 micrograms per cubic meter.**

5 **(f) Hydrogen cyanide - 340 micrograms per cubic meter.**

6 **(g) Hydrogen fluoride - 240 micrograms per cubic meter.**

7 **(h) Hydrogen sulfide - 42 micrograms per cubic meter.**

8 **(i) Sulfur dioxide - 660 micrograms per cubic meter.**

9 **(j) Toluene - 37,000 micrograms per cubic meter.**

10 **(k) Vinyl chloride - 180,000 micrograms per cubic meter.**

11 **(l) Xylenes - 22,000 micrograms per cubic meter.**

12 **(2) "Air monitoring system" means equipment that continuously**
13 **measures, records, and reports, in real-time, toxic air pollutant concentrations**
14 **at or near a facility's property boundary. For purposes of this Section, an air**
15 **monitoring system shall at a minimum meet the United States Environmental**
16 **Protection Agency's monitoring requirements of 40 CFR Part 63, as amended,**
17 **and shall include all of the following:**

18 **(a) Sensing instrumentation that continuously monitors and records**
19 **emissions of toxic air pollutants along an open path or paths at or adjacent to**
20 **the facility's property boundary and that provides coverage of the entire**
21 **boundary of the facility. Equipment shall monitor emissions during both**
22 **routine operations and unplanned releases.**

23 **(b) Data systems and equipment that continuously collect, process, and**
24 **automatically disseminate both real-time and historical toxic air pollutant**
25 **concentrations, variations, and trends, through a publicly accessible website.**

26 **(c) Weather instrumentation that continuously measures ambient**
27 **temperature, wind speed, wind direction, and relative humidity.**

28 **(d) Notification systems and equipment that provide a real-time**
29 **community alert when an air monitoring system detects that the rolling one-**

1 hour average concentration of a toxic air pollutant exceeds the acute exposure
2 threshold.

3 (3) "Air monitoring system plan" means a written plan to be submitted
4 by the facility to the department, prior to installation or operation of an air
5 monitoring system, which shall include the following:

6 (a) An inventory of equipment and instruments used to continuously
7 monitor, record, and report toxic air pollutant concentrations on the entire
8 boundary of the facility, including specifications and locations given in GPS
9 coordinates.

10 (b) An inventory of equipment and instruments used to continuously
11 measure and record ambient temperature, wind speed, wind direction, relative
12 humidity, and any other meteorological data within the boundaries of the
13 facility, including specifications and locations given in GPS coordinates.

14 (c) The location of each open path utilized by the facility's air monitoring
15 system to monitor toxic air pollutants.

16 (d) Quality assurance and quality control protocols for data collected by
17 the air monitoring system.

18 (e) Methods utilized to graphically display real-time and historical toxic
19 air pollutant concentration data on a publicly available website.

20 (f) Methods utilized to notify the public of unplanned releases.

21 (g) Air monitoring system maintenance schedules.

22 (h) Emergency measures to be implemented in the event of air
23 monitoring system equipment or power failure.

24 (i) Air monitoring system installation and implementation schedule.

25 (4) "Facility" means an emissions point or group of emissions points with
26 annual emissions, as reported to the office of environmental assessment for the
27 three most recent calendar years, of greater than fifty pounds for any of the
28 toxic air pollutants provided in Paragraph (5) of this Subsection, and that is
29 classified under the North American Industry Classification Code System as one

- 1 **of the following:**
- 2 **(a) NAICS 324110 - petroleum refineries.**
- 3 **(b) NAICS 325 - chemical manufacturing.**
- 4 **(5) "Toxic air pollutant" means any of the following substances when**
- 5 **airborne:**
- 6 **(a) Ammonia.**
- 7 **(b) Benzene.**
- 8 **(c) 1,3-Butadiene.**
- 9 **(d) Chlorine.**
- 10 **(e) Diethanolamine.**
- 11 **(f) Ethylbenzene.**
- 12 **(g) Ethylene dichloride.**
- 13 **(h) Ethylene oxide.**
- 14 **(i) Formaldehyde.**
- 15 **(j) Hydrogen cyanide.**
- 16 **(k) Hydrogen fluoride.**
- 17 **(l) Hydrogen sulfide.**
- 18 **(m) Naphthalene.**
- 19 **(n) Sulfur dioxide.**
- 20 **(o) Toluene.**
- 21 **(p) Vinyl chloride.**
- 22 **(q) Xylenes.**
- 23 **B. Each facility, as defined in this Section, shall be responsible for design,**
- 24 **install, operate, and maintain an air monitoring system in accordance with this**
- 25 **Section. The owner of a facility shall be responsible for all costs related to an air**
- 26 **monitoring system installed on the facility, including but not limited to design,**
- 27 **procurement, installation, operation, maintenance, record keeping, reporting,**
- 28 **air monitoring system plan review and approval.**
- 29 **C. When an air monitoring system detects that the rolling one-hour**

1 average concentration of a toxic air pollutant exceeds the acute exposure
 2 threshold, the facility shall provide notification of an alert to interested persons.
 3 An alert shall be provided to first responders, the department, and impacted
 4 local governing authorities. The facility shall maintain a registration system
 5 whereby any interested party shall be allowed to request electronic alerts
 6 pursuant to this Subparagraph.

7 D. The owner of a facility shall be responsible for submitting to the
 8 department quarterly reports summarizing the real-time and historical average
 9 measurements for each toxic air pollutant provided for in Paragraph (A)(5) of
 10 this Section. The report shall be submitted electronically in a format to be
 11 specified by the department. The facility shall maintain all data collected by an
 12 air monitoring system on-site and shall make the data accessible for
 13 examination by the department for a period of five years.

14 E. The department is authorized to promulgate rules and regulations
 15 necessary to implement the requirements of this Section.

16 F. The department shall periodically, but not less than every five years,
 17 review and revise as needed, based on the best available scientific evidence, the
 18 list of facilities, toxic air pollutants, and acute exposure levels that are subject
 19 to the requirements of this Section.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Senate Legislative Services. The keyword, summary, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

SB 356 Original

DIGEST
2026 Regular Session

Duplessis

Present law provides for DEQ responsibility for environmental protection and regulation, having jurisdiction over air quality within the state. Authorizes DEQ to adopt rules and regulations for protection of the environment.

Proposed law requires certain facilities that emit toxic air pollutants to install and operate air monitoring systems along the facility perimeter. Defines "facility" as a NAICS Code System petroleum refinery or chemical manufacturing facility with over 50 lbs. of emissions for any of the 17 enumerated pollutants. Further defines "toxic air pollutant", and "acute exposure thresholds" for certain airborne chemicals.

Proposed law requires that facilities monitor for certain airborne pollutants, and provide

alerts to interested parties when a pollutant's concentration exceeds a certain exposure threshold.

Proposed law defines "air monitoring system" and provides for certain planning, design, equipment, installation, data collection, public notification, and reporting requirements. Requires that the facility owner be responsible for costs of the system.

Proposed law defines "air monitoring system plan" that the facility must submit to DEQ prior to installation of an air monitoring system, to provide an inventory and location of all equipment, quality control protocols, modes of data presentation and public notification, maintenance schedules, and system installation and maintenance schedules.

Proposed law requires the facility to install and operate an on-site weather station to monitor meteorological data.

Proposed law requires that a facility collect and maintain real-time and historical monitoring data for toxic air pollutants. Further requires that the facility allow interested persons to register for electronic notification of system alerts.

Proposed law requires facility owners to electronically submit to DEQ quarterly reports of pollutant measurements.

Proposed law authorizes DEQ to adopt rules to implement proposed law.

Effective August 1, 2026.

(Adds R.S. 30:2382)