
DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, 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)]

HB 590 Original

2015 Regular Session

Cox

Abstract: Requires certain facilities to implement a fence-line air monitoring system.

Proposed law requires a facility required to obtain an operating permit in accordance with federal law to implement a fence-line air monitoring system in accordance with a plan approved by the Dept. of Environmental Quality.

Proposed law defines a "fence-line air monitoring system" as equipment that measures and records air pollutant concentrations along the property boundary of a facility to detect an exceedance of air quality standards or a threat to public health. Requires that the system include a weather station, real-time data collection, the ability to publish real-time data, back-up power systems, and utilizes fourier transform infrared spectroscopy.

Proposed law requires that the owner or operator for each existing facility submit to the department by July 1, 2017, a detailed plan for establishing and operating a fence-line air monitoring systems based on rules and regulations promulgated pursuant to proposed law. Further requires the plan to be updated within one year of the department promulgating any revised rules and regulations.

Proposed law requires the owner or operator to obtain approval of a fence-line air monitoring plan from the department prior to approval of any application for construction or a major modification of a facility after July 1, 2017.

Proposed law requires, on or before July 1, 2016, the department to promulgate, in accordance with the Administrative Procedure Act, rules and regulations providing for criteria used to review proposed fence-line air monitoring systems. Proposed law requires these criteria to include technical specifications, the chemicals monitored, location of equipment, and implementation of a community air monitoring system. Further requires the criteria to be updated by the department every five years from the initial promulgation.

Proposed law provides for a procedure for submitting a plan by the owner or operator and consideration of approval by the department. The procedure includes notices to the owner or operator of plan deficiencies and of approval or disapproval, notice to the public, and a public comment and inspection period.

Proposed law authorizes the facility owner or operator to designate as confidential any information claimed to be exempt from public disclosure in accordance with the department's rules and regulations. Proposed law requires such claims to be accompanied by a justification for this

designation and submission of a separate copy of the document with the information designated confidential redacted.

Proposed law requires within one year of the approval of a fence-line air monitoring plan the installation and operation of a fence-line air monitoring system in accordance with the plan.

Proposed law requires the owner or operator to report the collected data to the department on an annual basis beginning one year from the date of approval of the plan and shall maintain records for a period of five years.

Proposed law requires, by July 1, 2017, the department to develop and implement a system to monitor the real-time data submitted from fence-line air monitoring systems, so as to respond timely when a fence-line air monitoring system that indicates there is an exceedance of air quality standards or public health threat.

(Adds R.S. 30:2067)