

Regular Session, 2014

HOUSE CONCURRENT RESOLUTION NO. 171

BY REPRESENTATIVE GAROFALO

ENVIRONMENT/AIR: Creates the Air Quality Monitoring Commission to study the efficacy and adequacy of the state's air monitoring system

1 A CONCURRENT RESOLUTION

2 To create the Air Quality Monitoring Commission charged with the responsibility to study
3 the efficacy and adequacy of the state's air monitoring system, specifically the costs
4 and benefits of expanding the state's air monitoring system.

5 WHEREAS, air pollution may pose an irritant to healthy people in the form of
6 burning eyes and nose; it can also cause serious respiratory problems to those with asthma,
7 our children, and the elderly; and, in the extreme cases of releases of toxic chemicals such
8 as benzene or vinyl chloride, such releases carry the threat of long-term illness and possibly
9 death; and

10 WHEREAS, clean air is not only a necessity of life for ourselves, but also for trees,
11 crops, plants, waterbodies, and animals; when air becomes polluted it not only damages
12 those natural things but also those we have created such as cities, buildings, bridges, and
13 monuments, and interferes with aviation; and

14 WHEREAS, because the ideal location of Louisiana, at the convergence of plentiful
15 natural resources in the form of petroleum, natural gas, water, and timber, and the means of
16 transportation on the Mississippi River, the Gulf of Mexico, rail, and the many pipelines that
17 extend across the country, the petrochemical industry is a major economic engine for our
18 state, employs many of our citizens, and contributes to the tax rolls to the state and local
19 governments; and

20 WHEREAS, Article IX, Section 1 of the Constitution of Louisiana requires the
21 legislature to enact laws to protect, conserve, and replenish the natural resources of the state,

1 including the air, insofar as possible and consistent with the health, safety, and welfare of
2 the people; and

3 WHEREAS, in its April 29, 2014, meeting, the House Committee on Natural
4 Resources and Environment conducted an in-depth and lengthy debate on House Bill No.
5 1084 of the 2014 Regular Session of the Legislature, particularly the provisions requiring
6 air monitors on or near certain facilities' boundaries; the economic and social costs of
7 providing, installing, and maintaining such monitors; and the benefits to be gained by such
8 monitoring balanced against those costs.

9 THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby
10 create the Air Quality Monitoring Commission charged with the responsibility to study the
11 efficacy and adequacy of the state's air monitoring system, specifically the costs and benefits
12 of expanding the state's air monitoring system.

13 BE IT FURTHER RESOLVED that the Air Quality Monitoring Commission shall
14 be composed of the following members:

15 (1) The secretary of the Department of Health and Hospitals, or his designee.

16 (2) The secretary of the Department of Environmental Quality, or his designee.

17 (3) A representative of the United States Environmental Protection Agency
18 designated by the administrator.

19 (4) The chair of the Department of Global Environmental Health Sciences of the
20 Tulane University School of Public Health and Tropical Medicine, or his designee.

21 (5) The director of the Environmental and Occupational Health Sciences Program
22 at the Louisiana State University Health Sciences Center, or his designee.

23 (6) Nine residents representing the state's nine homeland security and emergency
24 management regions, one from each region, appointed jointly by the chair of the House
25 Committee on Natural Resources and Environment and the chair of the Senate Committee
26 on Natural Resources from a list of nominees submitted by the governing authority of local
27 governmental entities in each region. Nominees shall live within the region from which they
28 are nominated, have demonstrated a commitment in their parish or municipality to improve
29 air quality, and submit a letter of interest to the governing authority of their local
30 governmental entity. The governing authority shall submit one nominee, selected from

1 residents who submitted a letter of interest, to the chair of the House Committee on Natural
2 Resources and Environment and the chair of the Senate Committee on Natural Resources.

3 (7) Two representatives from the nonprofit sector who have a demonstrated history
4 of addressing industrial emissions and air quality appointed jointly by the chair of the House
5 Committee on Natural Resources and Environment and the chair of the Senate Committee
6 on Natural Resources from a list of nominees submitted by the Louisiana Bucket Brigade,
7 the League of Women Voters, and the Louisiana Environmental Action Network.

8 BE IT FURTHER RESOLVED that no person shall accept membership to the
9 commission if at anytime during the prior four years, the person derived anything of
10 substantial economic interest, as defined by R.S. 42:1102(21), directly or indirectly through
11 any transaction involving any of the industries or facilities that has been issued a major air
12 permit of which he may reasonably be expected to know; or from any entity that transacts
13 business with any such industries or facilities.

14 BE IT FURTHER RESOLVED that commission members shall serve without
15 compensation, except per diem or expense reimbursement to which they may be individually
16 entitled as members of their constituent organizations.

17 BE IT FURTHER RESOLVED that the first meeting of the commission shall be
18 called by the secretary of the Department of Environmental Quality, or her designee, and at
19 this meeting the task force shall elect a chairman and vice chairman.

20 BE IT FURTHER RESOLVED that the commission shall meet as necessary and
21 shall submit a report of its findings to the House Committee on Natural Resources and
22 Environment and the Senate Committee on Natural Resources no later than February 1,
23 2015.

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)]

Garofalo

HCR No. 171

Creates the Air Quality Monitoring Commission charged with the responsibility to study the efficacy and adequacy of the state's air monitoring system, specifically the costs and benefits of expanding the state's air monitoring system.

The commission members serve without compensation, except they may receive per diem or expenses as members of their constituent organizations. The membership shall be composed of the following:

- (1) The secretary of the Dept. of Health and Hospitals, or his designee.
- (2) The secretary of the Dept. of Environmental Quality, or his designee.
- (3) A representative of the U.S. Environmental Protection Agency designated by the administrator.
- (4) The chair of the Dept. of Global Environmental Health Sciences of the Tulane University School of Public Health and Tropical Medicine, or his designee.
- (5) The director of the Environmental and Occupational Health Sciences Program at the LSU Health Sciences Center, or his designee.
- (6) Nine residents each representing one of the state's nine homeland security and emergency management regions appointed jointly by the chair of the House Committee on Natural Resources and Environment and the chair of the Senate Committee on Natural Resources from a list of nominees submitted by the governing authority of local governmental entities. Nominees shall live within the region from which they are nominated, have demonstrated a commitment in their parish or municipality to improve air quality, and submit a letter of interest to the governing authority of their local governmental entity. The governing authority shall submit one nominee, selected from residents who submitted a letter of interest, to the chair of the House Committee on Natural Resources and Environment and the chair of the Senate Committee on Natural Resources.
- (7) Two representatives from the nonprofit sector who have a demonstrated history of addressing industrial emissions and air quality appointed jointly by the chair of the House Committee on Natural Resources and Environment and the chair of the Senate Committee on Natural Resources from a list of nominees submitted by the La. Bucket Brigade, the League of Women Voters, and the La. Environmental Action Network.

Prohibits membership to the commission if at anytime during the prior four years, the person derived anything of substantial economic interest directly or indirectly through any transaction involving any of the industries or facilities with a major air permit of which he may reasonably be expected to know, or from any entity that transacts business with any such industries or facilities of which he may reasonably be expected to know.

The first meeting shall be called by the secretary of the Dept. of Environmental Quality where the chairman and vice chairman shall be elected.

The commission shall meet as necessary and shall submit a report of its findings to the House Committee on Natural Resources and Environment and the Senate Committee on Natural Resources no later than February 1, 2015.