DIGEST

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HB 394 Original 2017 Regular Session Cox

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

Proposed law requires repeat offender facilities to install and continuously operate a fence-line air monitoring system at the property boundary of the repeat offender facility closest to the nearest residential community. Proposed law provides for the criteria pollutants the system shall monitor.

Proposed law requires a fence-line air monitoring system be installed at the repeat offender facility's cost within 120 days of the second violation order or assessment becoming enforceable.

Proposed law defines "repeat offender" as any facility that the owner or operator has been cited by the department or the U.S. Environmental Protection Agency (EPA), for two compliance orders within a 24-month period, beginning on July 1, 2017, or any facility expressly designated by official act as a repeat offender facility by a police jury, the governing authority of a home rule parish, or city-parish government of the facility's jurisdiction.

Proposed law defines "facility" as any stationary source or any group of stationary sources that are located on one or more contiguous or adjacent properties, which are under common control of the same person or persons and are defined as a major source under the federal Clean Air Act, present law, or any rule or regulation promulgated pursuant to either law.

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 used for detecting an exceedance of air quality standards or the existence of a public health threat. Requires that the system include a meteorological station, chemical-specific detection, measurement, notice, and reporting of any and all exceedances, real-time data collection, real-time data public alerts, and back-up power systems.

Proposed law requires facility owners or operators that are required to install and operate a fence-line air monitoring system to maintain the records of all data from such system.

Proposed law further requires compliance with the EPA's monitoring requirements.

(Adds R.S. 30:2067)