2021 Regular Session

HOUSE CONCURRENT RESOLUTION NO. 4

BY REPRESENTATIVE LANDRY

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

ENVIRONMENT/AIR: Provides relative to public notices for minor source facilities

A CONCURRENT RESOLUTION

To amend the Louisiana Department of Environmental Quality rule LAC 33:III.531(A)(2)(introductory paragraph), which provides for public notice by the permitting authority for certain major source facilities; to provide for public notice requirements by the permitting authority for certain minor source facilities; to direct the office of the state register to print the amendments in the Louisiana Administrative Code; and to provide for related matters.

WHEREAS, the purity of the air in the environment is a matter of vital concern to the welfare of the people of the state; and

WHEREAS, it is necessary in this day and age to promote an environment free from pollution that can be harmful to the health and welfare of the citizens of the state; and

WHEREAS, pollution in the environment can result from the existence, development, and expansion of commerce, industry, and other enterprises and can endanger the health, welfare, and safety of the citizens of this state; and

WHEREAS, recent data indicate that more than eighty-five million Americans, or about one-third of our nation's population, continue to breathe unhealthy air as industrial and mobile sources release millions of tons of pollutants into the atmosphere annually; and

WHEREAS, air pollution comes not only from large industrial sources, such as chemical plants and utilities, but also from smaller sources such as small industrial facilities, dry cleaners, and service stations; and

CODING: Words in ~~struck through~~ type are deletions from existing law; words <u>underscored</u> are additions.

WHEREAS, stationary sources of air pollution, such as electric utilities, oil refineries, factories, and other industrial and commercial facilities account for nearly half of the nation's air pollution; and

WHEREAS, toxic air pollutants from stationary sources such as arsenic, cyanide, chloroform, and formaldehyde constitute the largest single category of chemical releases into the environment, approaching over two billion pounds annually; and

WHEREAS, there are increasing quantities of such air contaminants being emitted every day representing the greatest risk to human health; and

WHEREAS, these environmental contaminants can be especially harmful to citizens living near industrial refineries and chemical plants; and

WHEREAS, as the number of unanticipated emergency emissions by individual facilities grows, so does the potential magnitude of human exposure to dangerous substances and the severity of acute adverse effects to human health associated with such substances; and

WHEREAS, in order to protect human health and the environment, the Department of Environmental Quality (DEQ) should make every effort to keep the public informed of environmental pollution by providing public notice; and

WHEREAS, requiring DEQ to provide public notice for permit modifications and expansions for certain minor source facilities, as well as major source facilities, will greatly benefit members of the public by putting them on notice, giving them a chance to attend public meetings, and providing an opportunity for public comment on potential modifications to source emitting facilities that may impact their health and wellbeing.

THEREFORE, BE IT RESOLVED by the Legislature of Louisiana that LAC 33:III.531(A)(2)(introductory paragraph) is hereby amended to read as follows:

§531. Public Notice and Affected State Notice

A.

* * *

CODING: Words in ~~struck through~~ type are deletions from existing law; words <u>underscored</u> are additions.

2. ~~For applications pertaining to a Part 70 source, public~~ Public notice shall be published by the permitting authority prior to the issuance of any permit which is:

* * *

BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the office of the state register.

BE IT FURTHER RESOLVED that the office of the state register is hereby directed to have the amendments to LAC 33:III.531(A)(2)(introductory paragraph) printed and incorporated into the Louisiana Administrative Code.

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)]

HCR 4 Original 2021 Regular Session Landry

Abstract: Requires the Dept. of Environmental Quality (DEQ) to provide public notice for any permit or permit modification for all source facilities not otherwise exempt.

Present LAC (33:III.531) provides for requirements for public notice to be provided by the permitting authority (DEQ) for permitting stationary source facilities.

Present LAC (33:III.531(A)(2)(introductory paragraph)) provides for requirements for public notice to be provided by the permitting authority (DEQ) for permit applications and modifications for Part 70 source facilities.

Proposed LAC (33:III.531(A)(2)(introductory paragraph)) changes requirement for public notice to be provided by the permitting authority for permit applications and modifications from applying strictly to Part 70 source facilities to including all source facilities not otherwise exempt.

Directs the La. Register to print the amendment to LAC 33:III.531(A)(2)(introductory paragraph) in the La. Administrative Code.

(Amends LAC 33:III.531(A)(2)(intro. para.)

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.