SENATE COMMITTEE AMENDMENTS

2024 Regular Session

Amendments proposed by Senate Committee on Environmental Quality to Original Senate Bill No. 275 by Senator Lambert

- 1 AMENDMENT NO. 1
- 2 On page 2, line 2, after "<u>by</u>" delete "<u>non-governmental</u>"
- 3 AMENDMENT NO. 2
- 4 On page 2, delete lines 6 through 9 and insert the following:

5"This Chapter shall apply to entities that have implemented community air6monitoring programs as defined in this Chapter."

- 7 AMENDMENT NO. 3
- 8 On page 2, between lines 12 and 13, insert the following:

9"(1) "Ambient air" means that portion of the atmosphere, external to10buildings, to which the general public has access as defined in 40 CFR 50.1."

- 11 AMENDMENT NO. 4
- 12 On page 2, at the beginning of line 13, change "(1)" to "(2)"
- 13 AMENDMENT NO. 5
- 14 On page 2, line 14, after "processes" insert "of ambient air"
- 15 <u>AMENDMENT NO. 6</u>
- 16 On page 2, line 19, delete "<u>herein</u>" and insert "<u>in this Section</u>"
- 17 AMENDMENT NO. 7
- 18 On page 2, line 20, after "<u>definition</u>" insert the following:
- "and shall be subject to the requirements of the applicable statutes, rules,
 judicial action, or administrative action governing monitoring by reporting
 entities"
- 22 AMENDMENT NO. 8
- 23 On page 2, at the beginning of line 21, change "(2)" to "(3)"
- 24 AMENDMENT NO. 9
- 25 On page 2, at the beginning of line 25, change "(3)" to "(4)"
- 26 AMENDMENT NO. 10
- 27 On page 2, at the beginning of line 27, change "(4)" to "(5)"
- 28 AMENDMENT NO. 11
- 29 On page 2, at the beginning of line 29, change "(5)" to "(6)"

- 1 AMENDMENT NO. 12
- 2 On page 3, delete lines 2 and 3, and insert the following:

3"(7) "Toxic air pollutants" means the term as defined in LAC433:III.5103."

- 5 AMENDMENT NO. 13
- 6 On page 3, line 4, change "<u>(6)</u>" to "<u>(8)</u>"
- 7 AMENDMENT NO. 14
- 8 On page 3, line 7, change "(7)" to "(9)"
- 9 AMENDMENT NO. 15
- 10 On page 3, line 9, after "governments," insert "departments,"
- 11 AMENDMENT NO. 16
- 12 On page 3, at the beginning of line 10, change "(8)" to "(10)"
- 13 AMENDMENT NO. 17
- 14 On page 3, at the beginning of line 11, change "(9)" to "(11)" and at the end of line 11, delete 15 "<u>or</u>"
- 16 AMENDMENT NO. 18
- 17 On page 3, at the beginning of line 12, change "<u>owner/operator</u>" "<u>owner, or operator</u>"
- 18 AMENDMENT NO. 19
- 19 On page 3, line 12, after "<u>administering</u>" delete "<u>a community</u>" and insert "<u>an</u>"
- 20 AMENDMENT NO. 20
- 21 On page 3, line 13, after "**program**" delete the remainder of the line and insert "."
- 22 AMENDMENT NO. 21
- 23 On page 3, line 14, change "(10)" to "(12)"
- 24 AMENDMENT NO. 22
- 25 On page 3, line 15, after "<u>7412</u>" insert "<u>(a)</u>"
- 26 AMENDMENT NO. 23
- 27 On page 3, line 18, after "**pollutants**" insert the following:

28 "for the purpose of alleging violations or noncompliance with the federal Clean 29 Air Act, Louisiana Environmental Quality Act, or any other applicable law, 30 rule, or regulation for which the state has primary enforcement authority"

31 AMENDMENT NO. 24

On page 3, line 21, after "pollutant" delete the remainder of the line and insert the
 following:

- "or toxic air pollutant emissions for the purpose of alleging violations or noncompliance with the federal Clean Air Act, Louisiana Environmental Quality Act, or any other applicable law, rule, or regulation for which the state has primary enforcement authority shall use the most current"
- 5 AMENDMENT NO. 25

On page 3, line 26, after "<u>methods</u>" delete "<u>used to evaluate</u>" and insert "<u>along with any</u> <u>modeling or mapping software utilized for analysis of</u>"

8 AMENDMENT NO. 26

9 On page 3, line 27, after "<u>shall</u>" delete the remainder of the line and line 28 and insert the 10 following:

11"use the most current Environmental Protection Agency-approved or12promulgated emission test or monitoring method. Analysis must be conducted13through a LELAP-approved laboratory or include quality assurance14certification of methods or equipment. Utilization of proprietary or not publicly15available equipment or methods shall not be acceptable for community air16monitoring programs."

- 17 AMENDMENT NO. 27
- 18 On page 3, after line 29, insert the following:

19"A. The department may use the data collected through the community20air monitoring program to review compliance with the state's promulgated air21monitoring requirements as part of its assessment of compliance with the air22quality standards in 40 CFR Part 50, including the NAAQS."

- 23 AMENDMENT NO. 28
- 24 On page 4, line 1, at the beginning of the line insert "<u>B.</u>"
- 25 AMENDMENT NO. 29
- 26 On page 4, line 1, after "<u>that</u>" delete "<u>a community</u>" and insert "<u>ambient air</u>"
- 27 AMENDMENT NO. 30
- On page 4, line 2, after "<u>NAAQS</u>" insert "<u>as determined in accordance with 40 CFR Part</u>
 50"
- 30 AMENDMENT NO. 31
- 31 On page 4, at the beginning of line 9 insert "<u>A.</u>"
- 32 AMENDMENT NO. 32
- On page 4, line 10, after "program" delete the remainder of the line and lines 11 through
 13 and insert the following:
- 35 "to review compliance with the state's ambient air quality standards for
 36 hazardous air pollutants and toxic air pollutants.

37B. If community air monitoring data indicates that ambient air is not in38compliance with the ambient air standards specified in LAC 33:III.Chapter 51,39the department may consider necessary actions to address the issue, including40but not limited to identifying sources of pollution, implementing pollution41control measure, and engaging in public outreach and education. All actions

1taken by the department to address non-compliance with ambient air standards2shall be consistent with the Louisiana Environmental Quality Act, if applicable."

- 3 AMENDMENT NO. 33
- On page 4, line 16, after "<u>context</u>," insert the "<u>including the applicable or comparable</u>
 <u>ambient air standard</u>"
- 6 AMENDMENT NO. 34
- 7 On page 4, between lines 18 and 19, insert the following:

8 "A. Data produced from community air monitoring programs alone is 9 insufficient to demonstrate a stationary source is in violation of rule, regulation, 10 or permit condition."

- 11 AMENDMENT NO. 35
- 12 On page 4, at the beginning of line 19, change "<u>A.</u>" to "<u>B.</u>"
- 13 AMENDMENT NO. 36
- 14 On page 4, line 23, after "<u>department</u>" delete "<u>or any person</u>"
- 15 AMENDMENT NO. 37
- 16 On page 4, at the beginning of line 29, change "<u>**B**</u>." to "<u>**C**</u>."
- 17 AMENDMENT NO. 38
- 18 On page 5, line 3, after "<u>Act,</u>" delete "<u>any claims in civil litigation,</u>"