

Community Air Monitoring: Louisiana State Legislature Proposes to Impose Standards



Walter Wright, Jr.
wwright@mwlaw.com
(501) 688.8839

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The Louisiana State Legislature has passed legislation titled:

Louisiana Community Air Monitoring Reliability Act (“Monitoring Act”)

The Monitoring Act awaits a decision by Louisiana’s Governor.

The sponsor of the Monitoring Act describes its purpose as to:

...establish state standards for community air programs operated by non-governmental entities to ensure that the data collected from such programs provides the public with access to accurate air quality information.

The Monitoring Act would apply to:

...non-governmental entities that have received public funds for purposes of developing, deploying, operating, supporting, or maintaining community air monitoring programs as well as such entities using private funds for such purposes.

The Monitoring Act would prohibit the use of certain monitoring data not in compliance with its requirements for purposes or in support of the following:

- Issuing a fine, penalty, or violation against any person, including the owner or operator of a stationary source
- Bringing an administrative, regulatory, or judicial enforcement action or proceeding against any person, including the owner or operator of a stationary source

Certain environmental organizations such as the Louisiana Environmental Action Network have opposed the bill. The Louisiana Environmental Action Network’s Executive Director has been quoted as stating in the publication Energy News Network:

...lawmakers are making one hurdle after another to stop communities and discourage them from collecting any data by saying even if you collected it, we are not going to count it; it’s not going to be important...

U.S. Environmental Protection Agency Region 6 Administrator Earthea Nance is quoted in the same publication as stating the law would conflict with federal law indicating that “various kinds of information other than the referenced test data... may be used to demonstrate compliance or noncompliance of the emission standards...”

The sponsor of the bill (Senator Eddie Lambert) has stated that it is intended to ensure accurate data is being used to determine whether companies are in violation of air pollution rules. The Louisiana Chemical Association, which supports the legislation, also stated its intent was to ensure proper equipment was used to evaluate pollution.

A copy of the Monitoring Act can be downloaded [here](#).