Senator Royce Duplessis' 2026 SB356 Real-time Fenceline Air Monitoring Legislation

SB356 is evidence-based, protective, and cost effective

- Targeted at LA's highest risk industrial facilities and most toxic pollutants
- Helps local officials, first responders prevent/mitigate life-threatening exposures & health impacts
- Provides residents with continuous, accurate real-time information, early warnings

Compared to 2023 SB-35 & other previous air monitoring bills, SB356:

- Reduces covered pollutants 93%, from 235 to the 17 most toxic air pollutants
- Reduces covered facilities 75%, from 470 to 117 highest risk refineries and chemical manufacturers
- Significantly reduces required LDEQ new activities and resource needs

SB356 reduces industry costs

- Enables real-time leak detection & faster repair
- Reduces worker deaths/injuries, property damage, product loss
- Prevents federal, state environmental & safety violations/fines
- Reduces lengthy, expensive class action and worker lawsuits

Costs of Required Real-time Fenceline Monitoring/Alert Systems

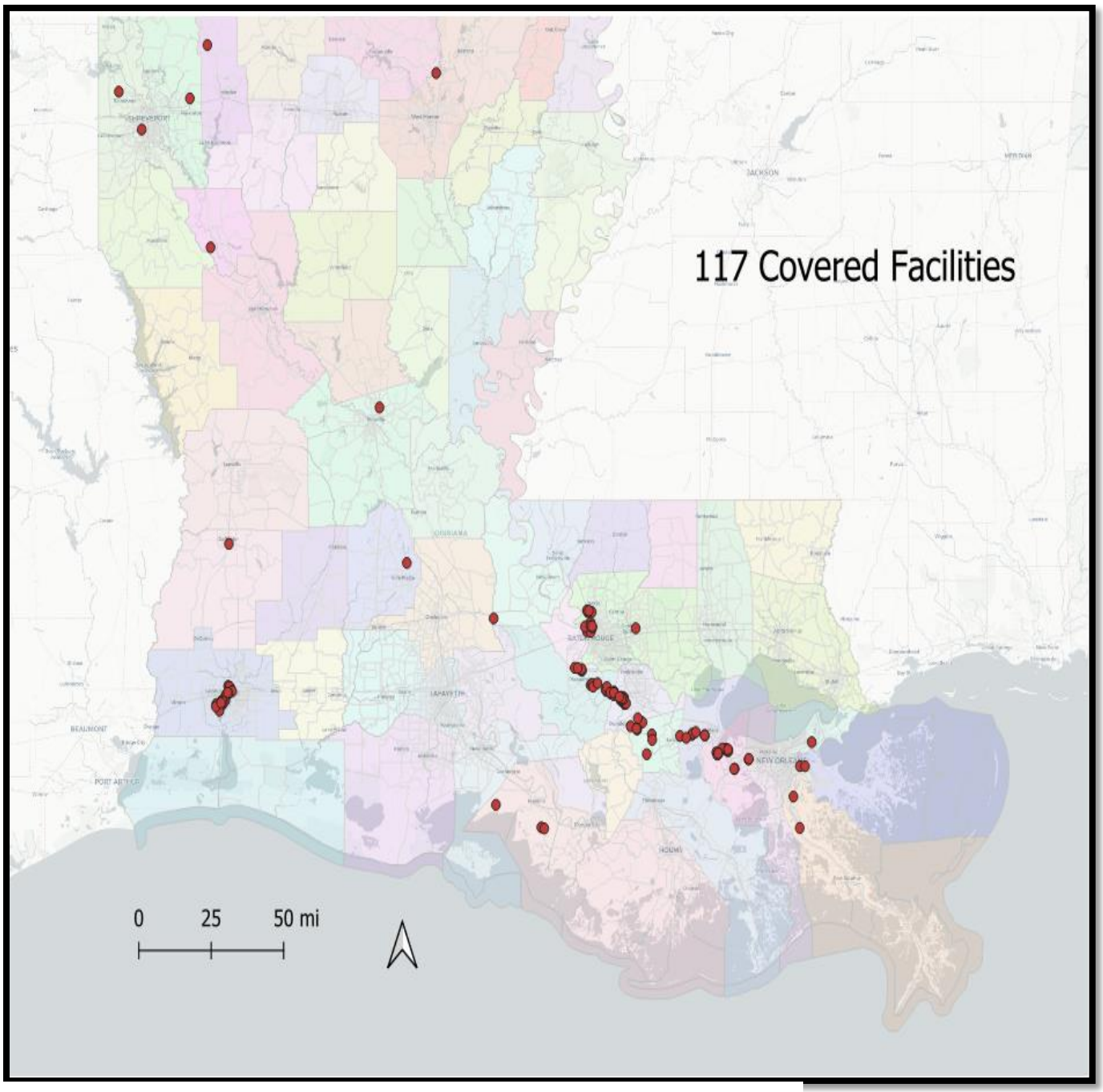
- Required open path monitors continuously measure pollutants at lengths of 500m – 1,000m around the entire facility boundaries.[1]
- Average capital costs depend on facility size ranging from $250,000 for 4 monitors to $630,000 for 10 monitors. Average annual maintenance costs are approximately $25,000.[2]
- Most of Louisiana's chemical manufacturers would only require 4-6 open path monitors.
- Larger facilities, such as Marathon Garyville, the nation's third largest refinery, would require 10 open path monitors with a total capital cost of around $630,000.
- The average capital cost for the design of the publicly accessible Website & Real-time Alert System will range from $2,000 - $3,500 per facility with annual average maintenance/update costs of $40,000.
- These total system costs are relatively insignificant compared to the facilities' industrial tax incentives. For instance, Marathon's $633,500 total system capital cost represents 0.2%, a literal rounding error of its average $364 million/year in property tax exemptions.

Costs of No Legislation

- Louisiana has the nation's highest rate of exposures to serious accidental chemical releases (resulting in deaths, injuries, ordered evacuations, or shelter-in-place orders), more than twice the rate in Texas.[3]
- The health and financial costs of no legislation are severe and unsustainable. A 2024 Evaluation[4] found between 8/20 – 8/23, 27 serious accidental chemical releases at 18 LA industrial facilities within 8 Parishes resulted in:
    - 2 Documented Deaths, 123 Confirmed Hospitalizations
    - >16,700 Resident Evacuations
    - >105,000 Residents Ordered to Shelter-In-Place
- Facility costs included:
    - 7 of 18 Facility Owners paid > $130 million in chemical release-related fines/penalties
    - >$100 million in property damage and product loss
    - At least six Class Action & Wrongful Death Lawsuits filed
    - >1,000 residents represented in Class Action Lawsuits

- Real-time fenceline monitoring is a proven cost-effective technology currently in place at all CA & CO refineries & multiple chemical manufacturers including Honeywell in Geismar, LA and 3 facilities in Texas.[5]

SB356 Geographic Distribution of Covered Facilities



Map Prepared by Scott Eustis, Healthy Gulf

[1] Schill SR et al. Real-World Application of Open-Path UV-DOAS, TDL, and FT-IR Spectroscopy for Air Quality Monitoring at Industrial Facilities. Spectroscopy Supplements. Nov. 1, 2022.

[2] Mitro T. Santa Barbara APCD Proposed Staff Report for: Rule 364 Refinery Fenceline and Community Air Monitoring. 2020

[3] Nelms D and Bernat E. Key Findings: Chemical Incident Tracking 2021-2023. An analysis by Coming Clean and the Environmental Justice Health Alliance for Chemical Policy Reform. Nov. 9, 2023

[4] Evaluation research conducted by Vickie Boothe, Rosane Archery-McGowan, Greg Gasperecz (Greater New Orleans Climate Reality Project) and Scott Eustis (Healthy Gulf)

[5] Chevron chemical plants in Cedar Bayou, Port Arthur, and Sweeney, Texas. https://www.justice.gov/opa/pr/chevron-phillips-chemical-company-agrees-reduce-harmful-air-pollution-three-us-chemical