

West's Annotated California Codes

Health and Safety Code (Refs & Annos)

Division 26. Air Resources (Refs & Annos)

Part 4. Nonvehicular Air Pollution Control (Refs & Annos)

Chapter 5. Monitoring Devices (Refs & Annos)

West's Ann.Cal.Health & Safety Code § 42705.6

§ 42705.6. Refinery-related community air monitoring systems; fence-line monitoring systems; requirements; data collection and maintenance; district guidance; allocation of costs

Effective: January 1, 2018

[Currentness](#)

(a) For purposes of this section, the following definitions apply:

(1) “Refinery-related community air monitoring system” means equipment that measures and records air pollutant concentrations in the ambient air at or near sensitive receptor locations near a petroleum refinery and that may be useful for estimating associated pollutant exposures and health risks and in determining trends in air pollutant levels over time.

(2) “Fence-line monitoring system” means equipment that measures and records air pollutant concentrations at or adjacent to a petroleum refinery and that may be useful for detecting or estimating the quantity of fugitive emissions, gas leaks, and other air emissions from the refinery.

(b) Notwithstanding [Section 42708](#), and on or before January 1, 2020, a refinery-related community air monitoring system shall be installed near each refinery that is consistent with the requirements and guidance applicable to the siting of air quality monitors as established by the federal Environmental Protection Agency and that meets all of the following requirements:

(1) A district shall design, develop, install, operate, and maintain the refinery-related community air monitoring system, which shall be operated and maintained in accordance with guidance from the appropriate district. A district may contract with a third party to implement this paragraph.

(2) The refinery-related community air monitoring system shall include equipment capable of measuring compounds emitted to the atmosphere from refinery processes, as determined by the appropriate district.

(c) On or before January 1, 2020, the owner or operator of a petroleum refinery shall develop, install, operate, and maintain a fence-line monitoring system in accordance with guidance developed by the appropriate district.

(d) The district and the owner or operator of a petroleum refinery shall collect real-time data from the refinery-related community air monitoring system and the fence-line monitoring system and shall maintain records of that data. To the extent feasible, the data generated by these systems shall be provided to the public as quickly as possible in a publicly accessible format.

(e) Guidance developed by a district pursuant to this section shall take into account technological capabilities and incorporate input from affected parties and, to the extent feasible, shall be informed by refinery-related guidance in the monitoring plan prepared pursuant to [subdivision \(b\) of Section 42705.5](#).

(f)(1) Except as provided in paragraph (2), the owner or operator of a petroleum refinery shall be responsible for the costs associated with implementing this section.

(2) To the extent a refinery-related community air monitoring system is intentionally utilized by a district to monitor emissions from sources under its jurisdiction other than a petroleum refinery, the district shall ensure the costs of the system are shared in a reasonably equitable manner.

Credits

(Added by [Stats.2017, c. 589 \(A.B.1647\)](#), § 1, eff. Jan. 1, 2018.)

West's Ann. Cal. Health & Safety Code § 42705.6, CA HLTH & S § 42705.6

Current with all 2017 Reg.Sess. laws.