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AB-2195 Natural gas: out-of-state sources: greenhouse gases. (2017-2018)

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Assembly Bill No. 2195

CHAPTER 371

An act to amend Section 39607 of the Health and Safety Code, relating to greenhouse gases.

[Approved by Governor September 13, 2018. Filed with Secretary of State September 13, 2018.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2195, Chau. Natural gas: out-of-state sources: greenhouse gases.

Existing law requires the State Air Resources Board to inventory sources of air pollution within the air basins of the state and determine the kinds and quantity of air pollutants. Existing law requires the state board to make available, and update at least annually, on its Internet Web site the emissions of greenhouse gases, criteria air pollutants, and toxic air contaminants for each facility that reports to the state board and air pollution control and air quality management districts as well as the emissions of greenhouse gases, criteria air pollutants, and toxic air contaminants throughout the state broken down to a local and subcounty level for stationary sources and to at least a county level for mobile sources, as specified.

This bill, beginning January 1, 2020, would additionally require the state board to quantify and publish annually the amount of greenhouse gas emissions resulting from the loss or release of uncombusted natural gas to the atmosphere and emissions from natural gas flares during all processes associated with the production, processing, and transporting of natural gas imported into the state from out-of-state sources.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 39607 of the Health and Safety Code is amended to read:

39607. The state board shall:

(a) Establish a program to secure data on air quality in each air basin established by the state board.

(b) (1) Inventory sources of air pollution within the air basins of the state and determine the kinds and quantity of air pollutants, including, but not limited to, the contribution of natural sources, mobile sources, and area sources of emissions, including a separate identification of those sources not subject to district permit requirements, to the extent feasible and necessary to carry out the purposes of this chapter. The state board shall use, to the fullest extent, the data of local agencies and other state and federal agencies in fulfilling this purpose.

(2) Make available on the state board's Internet Web site the emissions of greenhouse gases, criteria air pollutants, and toxic air contaminants throughout the state broken down to a local and subcounty level for stationary sources and to at least a

county level for mobile sources. The emissions reported shall include data on the emissions of criteria air pollutants and toxic air contaminants emitted by stationary sources as provided to the state board by districts. The information shall be displayed graphically and updated at least once a year.

(3) (A) Quantify and publish annually, commencing January 1, 2020, and based on the best available science and information, the amount of greenhouse gas emissions, expressed in metric tons of carbon dioxide equivalents, resulting from the loss or release of uncombusted natural gas to the atmosphere and emissions from natural gas flares during all processes associated with the production, processing, and transporting of natural gas that is imported into the state from out-of-state sources.

(B) Nothing in this paragraph shall be interpreted as expanding, contracting, or otherwise altering other requirements for greenhouse gas emissions reporting by sources or categories of sources or for the statewide greenhouse gas emissions limit.

(c) Monitor air pollutants in cooperation with districts and with other agencies to fulfill the purpose of this division.

(d) Adopt test procedures to measure compliance with its nonvehicular emission standards and those of districts.

(e) Establish and periodically review criteria for designating an air basin attainment or nonattainment for any state ambient air quality standard set forth in Section 70200 of Title 17 of the California Code of Regulations. In developing and reviewing these criteria, the state board shall consider instances where there is poor or limited ambient air quality data, and shall consider highly irregular or infrequent violations. The state board shall provide an opportunity for public comment on the proposed criteria, and shall adopt the criteria after a public hearing.

(f) Evaluate, in consultation with the districts and other interested parties, air quality-related indicators that may be used to measure or estimate progress in the attainment of state standards and establish a list of approved indicators. On or before July 1, 1993, the state board shall identify one or more air quality indicators to be used by districts in assessing progress as required by subdivision (b) of Section 40924. The state board shall continue to evaluate the prospective application of air quality indicators and, upon a finding that adequate air quality modeling capability exists, shall identify one or more indicators that may be used by districts in lieu of the annual emission reductions mandated by subdivision (a) of Section 40914. In no case shall any indicator be less stringent or less protective, on the basis of overall health protection, than the annual emission reduction requirement in subdivision (a) of Section 40914.

(g) Establish, not later than July 1, 1996, a uniform methodology that may be used by districts in assessing population exposure, including, but not limited to, reduction in exposure of districtwide subpopulations, such as children, the elderly, and persons with respiratory disease, to ambient air pollutants at levels above the state ambient air quality standards, for estimating reductions in population exposure for the purposes of Sections 40913, 40924, and 41503, and for the establishment of the means by which reductions in population exposures may be achieved. The methodology adopted pursuant to this subdivision shall be consistent with the federal Clean Air Act (42 U.S.C. Sec. 7401 et seq.), and with this division, including, but not limited to, Section 39610.