

2026 Regular Session

SENATE BILL NO. 99

BY SENATOR FOIL

ENVIRONMENT QUALITY DEPT. Provides for electronic communication and notification at the Department of Environmental Quality in certain situations. (8/1/26)

1 AN ACT

2 To amend and reenact R.S. 30:2022(A)(1), 2050.1(B)(2)(a), 2050.3(B)(3), 2075.2(B), 2116,
3 2162(A)(2), 2181, 2195.9(A)(6), 2250, and 2286.1(A)(2), relative to electronic
4 communication and notification at the Department of Environmental Quality; to
5 provide for electronic applications; to provide for electronic mail; to provide for
6 force and effect of notification; to provide for certified mail; to provide for written
7 comments and notices; to provide for written requests; to provide for mailing lists;
8 to provide for distribution; and to provide for related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 30:2022(A)(1), 2050.1(B)(2)(a), 2050.3(B)(3), 2075.2(B), 2116,
11 2162(A)(2), 2181, 2195.9(A)(6), 2250, and 2286.1(A)(2) are hereby amended and reenacted
12 to read as follows:

13 §2022. Permit applications and variance requests; notification

14 A.(1) Any person seeking a permit, license, registration, variance, or LPDES
15 variance shall file a **an electronic or** written application for such with the secretary.
16 Excluding applications relative to medical and dental devices, the secretary shall
17 promptly send a notice of the subject matter of each application to the governing

1 authority of the parish affected by the application and any public interest group or
 2 individual within the affected parish who has requested notice electronically or in
 3 writing and provided a mailing address or email address. The notice of a permit,
 4 license, or registration application shall be provided within thirty days after receipt
 5 of the application. The parish governing authority shall promptly notify each
 6 municipality within said parish affected by the application. Electronic transmission
 7 of notice pursuant to this Section shall have the same force and effect as notice
 8 provided by mail or certified mail.

9 * * *

10 §2050.1. Enforcement; policies; list; legal review

11 * * *

12 B.(1)

* * *

13 (2)(a) On a periodic basis, the secretary shall mail, including by electronic
 14 mail, a copy of the list, either separately or as part of a department publication, to
 15 persons who request that they be placed on the mailing list. Electronic transmission
 16 of notice pursuant to this Section shall have the same force and effect as notice
 17 provided by mail or certified mail.

18 * * *

19 §2050.3. Enforcement; notice of violation; penalties

20 * * *

21 B.(1)

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22 * * *

23 (3) Written comments or electronically submitted comments may be filed
 24 with the assistant secretary regarding the alleged violation and a possible penalty.

25 * * *

26 §2075.2. Sewage treatment facility; privately owned; surety required; nonfunctional
 27 system

28 * * *

29 B. If the treatment facility is to be acquired by a homeowners' association, by

1 act of sale or donation, for operation and maintenance, the original permittee must
 2 submit the legal name of the association, with one person as "environmental contact"
 3 for any matter relating to the treatment plant. The permittee shall also include the
 4 current mailing address, ~~and~~ telephone number, **and an electronic mail address** for
 5 the environmental contact, which shall be submitted to the department at least sixty
 6 days prior to legal transfer of the facility.

7 * * *

8 §2116. Naturally occurring radioactive material

9 On and after July 1, 1995, the secretary, upon receipt of an application for
 10 any commercial facility seeking a specific license for the treatment, storage, or
 11 disposal of naturally occurring radioactive material shall promptly notify the
 12 governing authority of any parish affected by the application and any public interest
 13 group or individual within the affected parish who has requested notice in writing or
 14 **electronically** and provided a mailing address or email address. The parish
 15 governing authority shall promptly notify each municipality within said parish
 16 affected by the application. The secretary shall promptly consider such application
 17 and take such action thereon as he deems appropriate in accordance with law;
 18 however, the failure by the secretary or the parish governing authority to give the
 19 notice required by this Section shall not affect the validity of the action taken on the
 20 application. For the purposes of this Subsection, "any public interest group within
 21 the affected parish" shall mean any association having not less than twenty-five
 22 members who reside in the parish in which the relevant facility is or will be located.

23 **Electronic transmission of notice pursuant to this Section shall have the same**
 24 **force and effect as notice provided by mail or certified mail.**

25 * * *

26 §2162. Solid waste capacity

27 A.(1) * * *

28 (2) In performing such evaluations, the secretary shall determine the
 29 permitted capacity that is available to safely manage the solid waste. After each such

1 determination, the secretary shall submit a report to the House Committee on Natural
 2 Resources and Environment and the Senate Committee on Environmental Quality
 3 and shall make such determination available to the public through public notification
 4 and the department mail list, **including an email list. Electronic transmission of**
 5 **notice pursuant to this Section shall have the same force and effect as notice**
 6 **provided by mail or certified mail.**

7 * * *

8 §2181. Notice to legislators

9 The assistant secretary for the office of environmental services shall send a
 10 list of the applications for hazardous waste permits and a list of the hazardous waste
 11 permits that have been granted to each member of the ~~legislative committees on~~
 12 ~~natural resources and the environment in the Louisiana House of Representatives and~~
 13 ~~the Louisiana Senate~~ **Committee on Environmental Quality and the House**
 14 **Committee on Natural Resources and Environment**, and to each member of the
 15 legislature in whose district a facility that has applied for or been granted a
 16 hazardous waste permit is located. The lists shall be mailed **or electronically**
 17 **transmitted** monthly to their district offices and shall include the nature of the
 18 permit, the dates of application or granting, the person or company affected, and the
 19 parish of the location of the facility subject to the permit. However, the failure of the
 20 assistant secretary to provide the list required by this Section shall not affect the
 21 validity of the action taken on the applications or permits. **Electronic transmission**
 22 **of the list pursuant to this Section shall have the same force and effect as**
 23 **mailing.**

24 * * *

25 §2195.9. Financial responsibility

26 A. The financial responsibility requirements for taking response actions and
 27 third-party judgments by motor fuel underground storage tank owners who are
 28 eligible participants in the Tank Trust Account are hereby established as follows:

29 * * *

1 (6) A lien filed by the department with the same ranking and privilege as that
2 authorized by R.S. 30:2195(F)(2) may be substituted for the financial responsibility
3 requirement of this Section, but in no case shall the lien be substituted on behalf of
4 an owner or operator who continues to operate the system. The department shall
5 promulgate regulations to provide for the use of this lien that ensures the fiscal
6 stability of the account. Such regulations shall provide that the use of the funds in the
7 Tank Trust Account in any fiscal year on sites for which the lien authorized by this
8 Section has been used to substitute for the financial responsibility amount shall not
9 exceed twenty percent of the amounts collected in the previous fiscal year. The
10 secretary is authorized to exceed the twenty percent limitation contained in this
11 Paragraph upon recommendation of the Motor Fuels Underground Storage Tank
12 Trust Fund Advisory Board. Upon recommendation of the board to exceed the
13 twenty percent limitation as provided for in this Paragraph, the secretary shall send
14 ~~written~~ notice to the Senate Committee on Environmental Quality and the House
15 Committee on Natural Resources and Environment listing the project name, project
16 location, and the amount of the project that exceeds the twenty percent limitation.

17 **Electronic transmission of written notice pursuant to this Section shall have the**
18 **same force and effect as notice provided by mail or certified mail.**

19 * * *

20 §2250. Notice of determination of tax imposed

21 Upon determining the tax imposed on each disposer or generator of
22 hazardous waste in Louisiana, the secretary shall ~~mail~~ **provide, by mail or**
23 **electronic transmission,** written notice of such determination to each disposer or
24 generator and to the secretary of the Department of Revenue, setting out the amount
25 of tax imposed on the disposer or generator, the fact that the notice is being mailed
26 to the Department of Revenue, and the fact that the amount of tax in the written
27 notice will be due on January 1, 1985, and that the secretary of the Department of
28 Revenue will proceed to collect the tax on that date. **Electronic transmission of**
29 **notice pursuant to this Section shall have the same force and effect as notice**

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provided by mail or certified mail.

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§2286.1. Submission and approval of voluntary remedial action plans

A. * * *

* * *

(2) Within ninety days of receipt of the remedial investigation work plan, the department shall review the plan and either approve such plan or provide written notices of deficiencies in the investigation work plan. **Electronic transmission of the written notices of deficiencies pursuant to this Section shall have the same force and effect as notice provided by mail or certified mail.**

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Senate Legislative Services. The keyword, summary, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

DIGEST

SB 99 Engrossed

2026 Regular Session

Foil

Present law provides for written applications to the Dept. of Environmental Quality (DEQ) for permits, licenses, registrations, and variances.

Proposed law retains present law and authorizes application submission by electronic means.

Present law requires DEQ to maintain a list of notices of violations, compliance orders, and penalty assessments, to be updated monthly. Requires the list be mailed to persons who request to be on a mailing list.

Proposed law retains present law and allows the list to be mailed electronically.

Present law requires DEQ to notify respondents in writing of a violation and penalty. Allows written comments to be filed with the assistant secretary.

Proposed law retains present law and allows electronic transmission of comments.

Present law requires DEQ to notify parish governing authorities and other interested parties in writing of any application for a commercial facility seeking to treat, store, or dispose of naturally occurring radioactive material.

Proposed law retains present law and allows interested parties within an affected parish to request notice electronically and to provide an email address for receipt of notice.

Present law requires the original permittee of a sewage treatment facility that is to be acquired by an HOA to submit to DEQ contact information for an environmental contact person.

Proposed law retains present law and adds email to the list of required contact information.

Present law provides that a DEQ-filed lien to substitute for the financial responsibility requirements for motor fuel underground storage tank (UST) owners. Further, limits the amount of UST trust account funds used on sites subject to such liens to 20% of amounts collected the previous year.

Present law allows the secretary of DEQ to exceed lien limits upon recommendation of the trust fund advisory board, and requires the secretary to provide written notice to the Senate Committee on Environmental Quality and the House Committee on Natural Resources and Environment.

Proposed law provides that written notice pursuant to present law has the same force and effect as mail or certified mail.

Present law requires DEQ to evaluate the volume and types of solid waste in the state, to determine the permitted capacity to manage the waste, and to make the determination available through public notice and the DEQ mailing list.

Proposed law retains present law and provides that the mail list may include email addresses.

Present law requires the DEQ to provide a list of hazardous waste applications and permits to the district offices of each member of the legislative oversight committees and to each legislator in whose district a facility that applied for or been granted a permit is located.

Proposed law retains present law and provides that the list may be transmitted electronically.

Present law requires the DEQ to determine the tax imposed on each disposer or generator of hazardous waste and to mail written notice of the tax to each disposer or generator and to the Dept. of Revenue.

Proposed law retains present law and provides that the DEQ may transmit notice electronically.

Present law requires DEQ either to approve remedial action plans or provide written notices of deficiencies within 90 days of receipt of the plan.

Proposed law provides that electronic transmission of notice of deficiencies pursuant to present law shall have the same force and effect as that provided by mail or certified mail.

Effective August 1, 2026.

(Amends R.S. 30:2022(A)(1), 2050.1(B)(2)(a), 2050.3(B)(3), 2075.2(B), 2116, 2162(A)(2), 2181, 2195(A)(6), 2250, and 2286.1(A)(2))

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Environmental Quality to the original bill

1. Make technical changes.
2. Add email to information required for environmental contact person for sewage treatment facilities to be acquired by homeowners' association.
3. Provide that electronic transmission has equal force and effect of mail or certified mail for DEQ secretary's notice that a lien exceeds the 20% limitation.

4. Provide that electronic transmission has equal force and effect of mail or certified mail for written notices of remedial action plan deficiencies.