

2026 Regular Session

HOUSE BILL NO. 758

BY REPRESENTATIVE BRASS

ENVIRONMENT/QUALITY: Provides with respect to the Department of Environmental Quality fees

1 AN ACT

2 To amend and reenact R.S. 30:2011(A)(1), (D)(22)(b) and (c), and (25), 2014(B), (D)(2),
3 (3), (4), and (7), 2063(J), 2195.3(B), 2289.1(D), 2351.59(B), and (C) and R.S.
4 37:3154(10), to enact R.S. 30:2014(E), (F), and (G), and to repeal R.S.
5 30:2014(D)(4), (5), and (6) and 2044(C), relative to Department of Environmental
6 Quality fees; to provide for new fee structures to be set by the department and for
7 those fees to be promulgated by rules and regulations adopted by the department; and
8 to provide for related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 30:2011(A)(1), (D)(22)(b) and (c), and (25), 2014(B), (D)(2), (3),
11 (4), and (7), 2063(J), 2195.3(B), 2289.1(D), 2351.59(B), and (C) are hereby amended and
12 reenacted and R.S. 30:2014(E), (F), and (G) are hereby enacted to read as follows:

13 §2011. Department of Environmental Quality; creation; duties; powers; structure

14 A.(1) There is hereby created the Department of Environmental Quality
15 which shall be the primary agency in the state concerned with environmental
16 protection and regulation. The department shall have jurisdiction over matters
17 affecting the regulation of the environment within the state, including but not limited
18 to the regulation of air quality, noise pollution control, water pollution control, the
19 regulation of solid waste disposal, the protection and preservation of the scenic rivers
20 and streams of the state, the regulation and control of radiation, the management of
21 hazardous waste, groundwater protection, underground storage tanks, and the

1 regulation of those programs which encourage, assist, and result in the reduction of
2 wastes generated within Louisiana.

3 * * *

4 D. The secretary shall have the following powers and duties:

5 * * *

6 (22)

7 * * *

8 (b) ~~Notwithstanding the provisions of R.S. 30:2014(D)(3) or R.S. 49:971(A),~~
9 ~~the secretary is hereby authorized to establish a fee schedule in accordance with~~
10 ~~Subparagraph (c) of this Paragraph for any application for accreditation by a~~
11 ~~commercial laboratory under the provisions of Subparagraph (a) of this Paragraph.~~
12 The secretary is hereby authorized to establish a fee schedule for the certification of
13 any commercial laboratory under the provisions of Subparagraph (a) of this
14 Paragraph.

15 (c) The fee schedule authorized by Subparagraph (b) of this Paragraph shall
16 ~~not exceed the following amounts:~~ be determined by using a formula developed by
17 rules based upon the test category per matrix, accreditation requested, and location
18 of the laboratory.

19	(i)	Accreditation application fee	\$ 726.00
20		payable every scope amendment	
21		and every three-year renewal.	
22	(ii)(aa)	Per major test category per	\$ 363.00
23		matrix payable every year, or	
24	(bb)	Minor conventional category	\$ 290.00
25		payable every year.	
26	(iii)	Annual surveillance and evaluation	\$ 363.00
27		applicable to minor conventional	
28		facilities and facilities applying for	
29		only one category of accreditation.	

- 1 (iv) Annual fee for dependent mobile lab \$ 363.00
- 2 laboratories, per mobile
- 3 (v)(aa) Proficiency samples biannually to be
- 4 purchased by the laboratory.
- 5 (bb) Bioassay/biomonitoring annually to
- 6 be purchased by the laboratory.
- 7 (vi) Third party audit to be billed directly to
- 8 the laboratory.
- 9 (vii) The accreditation fees for in-state laboratories
- 10 receiving national accreditation will be one and
- 11 one-half times the regular fees.
- 12 (viii) The accreditation fees for out-of-state laboratories
- 13 receiving state accreditation will be
- 14 one and one-half times the regular fees.
- 15 (ix) The accreditation fees for out-of-state laboratories
- 16 receiving national accreditation will be
- 17 two times the regular fees.
- 18 (x) Interim accreditation application fees will be
- 19 two times the regular fees.

* * *

21 (25) To promulgate rules and regulations providing for conducting requested

22 reviews of environmental conditions of a specified tract of immovable property,

23 including but not limited to requests for no further action letters. Such rules may

24 provide for a fee for each request by the landowner or a party with an interest in a

25 real estate transaction involving the specified property ~~not to exceed the maximum~~

26 ~~per hour overtime salary, including associated-related benefits, of a civil service~~

27 ~~employee of the department per hour or portion thereof required to conduct the~~

28 ~~review plus reasonable indirect costs calculated as a percentage of the hourly fee.~~

29 Such percentage shall be determined annually by agreement between the department

1 ~~and the United States Environmental Protection Agency for use on grants and~~
2 ~~contracts. However, the department shall require a requestor to pay a minimum fee~~
3 ~~not exceeding one thousand six hundred fifty dollars prior to conducting the review.~~

4 * * *

5 §2014. Permits, licenses, registrations, variances, and fees

6 * * *

7 B. In order to provide for adequate permitting, monitoring, investigation,
8 administration, and other activities required for the maintenance of a healthful and
9 safe environment, an ~~initial~~ application fee and an annual monitoring and
10 maintenance fee shall be charged for all permits, licenses, registrations, or variances
11 authorized by this Subtitle. These fees shall be determined, except as otherwise
12 provided in this Subtitle relative to maximum amounts of fees, using a formula
13 developed by rules to be based upon a cost equal to the cost of the annual
14 maintenance, permitting, monitoring, investigation, administration, and other
15 activities required therewith, including any effects the volume of emissions or
16 effluents may have on such activities. Any such formula or fees shall be adopted by
17 the department by rule in accordance with the Administrative Procedure Act, R.S.
18 49:950 et seq. Funds generated from these fees shall be deposited in the
19 Environmental Trust Dedicated Fund Account as provided in R.S. 30:2015 unless
20 specified elsewhere.

21 * * *

22 D.

23 * * *

24 ~~(2) Unless otherwise provided by law, the department is prohibited from~~
25 ~~adjusting, modifying, or otherwise changing the formula for any fee authorized under~~
26 ~~this Section in a manner that would increase the fee paid by any person by more than~~
27 ~~five percent of the relevant fee paid by such person in the previous fiscal year.~~
28 ~~However, this Paragraph shall not apply to fees imposed by the department for any~~
29 ~~underground storage tanks as provided in R.S. 30:2194. The department is~~

1 authorized to adjust, modify, or otherwise change the formula for any fee authorized
2 under this Section based on the annual rate of the Consumer Price Index for All
3 Urban Consumers maintained by the United States Department of Labor, Bureau of
4 Labor Statistics. This change can be aggregated for each year the formula has not
5 been altered. The department shall adjust fee amounts through the rulemaking
6 process.

7 (3) The department is prohibited from creating any new fees under this
8 Subtitle, but is authorized to adjust or modify fees for activities authorized under this
9 Subtitle or to change the formula if the need arises due to new technology, correction
10 of errors, new industry, federal obligations, and budgetary concerns. The department
11 shall promulgate rules to determine these fees by using a formula to be based upon
12 a cost equal to the cost of the annual maintenance, permitting, monitoring,
13 investigation, administration, and other activities required therewith, including any
14 effects the volume of emissions or effluents may have on such activities.

15 (4)(a) In accordance with the provisions of Article VII, Section 2.1 of the
16 Constitution of Louisiana, ~~and notwithstanding any other provision of law, the~~
17 ~~Department of Environmental Quality may modify any fee that is in effect on June~~
18 ~~30, 2002, is authorized by this Title, and is required to be deposited into the~~
19 ~~Environmental Trust Dedicated Fund Account. Such a modification may increase the~~
20 ~~rate in effect on June 30, 2002, over the two-year fiscal period beginning July 1,~~
21 ~~2002, as follows: the department may increase any such fee by a maximum of twenty~~
22 ~~percent, effective on or after July 1, 2002, and by a maximum of ten percent above~~
23 ~~the rate in effect on June 30, 2003, effective on or after July 1, 2003. Within ninety~~
24 ~~days of the promulgation and adoption of any regulation necessary to implement the~~
25 ~~fees herein, the Department of Environmental Quality shall submit a written report~~
26 ~~to the Joint Legislative Committee on the Budget for its approval which details the~~
27 ~~proposed use for the fee increase, efforts to decrease the processing time for permits,~~
28 ~~efforts to increase the number of inspections conducted at regulated facilities,~~
29 ~~enforcement activities, and efforts to increase the collection of fines imposed by the~~

1 ~~Department of Environmental Quality. the secretary may establish fees within each~~
2 ~~medium the department regulates, through the rulemaking process. The fees charged~~
3 ~~shall be reflective of the department's work and costs necessary to issue and enforce~~
4 ~~each permit, and the corresponding fee schedules and matrices shall contemplate the~~
5 ~~scale and scope of each permit, facility, or other parameters necessary to determine~~
6 ~~the fees the department will assess. The fees promulgated by the department shall~~
7 ~~not exceed the following:~~

8 ~~(b) Notwithstanding any other provision of law to the contrary, the~~
9 ~~Department of Environmental Quality may increase the following fees from the~~
10 ~~amounts in effect on March 14, 2015, as authorized by this Title or any rule or~~
11 ~~regulation promulgated pursuant thereto, and is required to be deposited into the~~
12 ~~Environmental Trust Dedicated Fund Account as follows:~~

13 ~~(i) Ground water fees provided for in Chapter 14 of Part 1 of Title 33 of the~~
14 ~~Louisiana Administrative Code may be increased by up to ten percent.~~

15 ~~(ii) Air fees provided for in Part III of Title 33 of the Louisiana~~
16 ~~Administrative Code may be increased by up to ten percent. A minimum application~~
17 ~~fee of five hundred dollars and a minimum annual maintenance fee of two-hundred~~
18 ~~fifty dollars may be established. The maximum annual maintenance fee for natural~~
19 ~~gas compressors provided in LAC 33:III.223, Table 1, Categories 1430 through 1490~~
20 ~~shall not exceed forty-one thousand six hundred twelve dollars for any one gas~~
21 ~~transmission permit. In addition, the secretary is hereby authorized to establish a fee~~
22 ~~schedule for the following:~~

23 ~~(aa) An application fee for a new, modification, or renewal of an acid rain~~
24 ~~permit not to exceed five hundred dollars.~~

25 ~~(bb) An application fee for the renewal with no modification of an operating~~
26 ~~permit not to exceed the minimum minor permit modification fee.~~

27 ~~(cc) An annual fee charged for sources permitted pursuant to 40 CFR Part 70~~
28 ~~and required to obtain a permit pursuant to Title V of the federal Clean Air Act not~~
29 ~~to exceed twenty percent of the total annual maintenance fees.~~

1 ~~(iii) Hazardous waste fees provided in Part V of Title 33 of the Louisiana~~
2 ~~Administrative Code may be increased by up to twenty-five percent. In addition, the~~
3 ~~secretary is hereby authorized to establish a fee schedule for the following:~~

4 ~~(aa) An annual maintenance fee for hazardous waste treatment, storage, and~~
5 ~~disposal facilities that are in post-closure not to exceed four thousand one hundred~~
6 ~~twenty-five dollars.~~

7 ~~(bb) An application fee for hazardous waste transfer facilities not to exceed~~
8 ~~one thousand nine hundred dollars.~~

9 ~~(cc) An application fee for used oil transfer facilities not to exceed one~~
10 ~~thousand three hundred dollars.~~

11 ~~(dd) An application fee for an extension of the accumulation time by~~
12 ~~hazardous waste generators not to exceed five hundred dollars.~~

13 ~~(iv)(aa) Solid waste fees provided in Part VII of Title 33 of the Louisiana~~
14 ~~Administrative Code may be increased by up to twenty-five percent.~~

15 ~~(bb) Tonnage fees for non-industrial wastes provided for in LAC~~
16 ~~33:VII.1505(B)(2)(b) may be applied for amounts exceeding twenty-five thousand~~
17 ~~tons.~~

18 ~~(v) Water quality fees in Part IX of Title 33 of the Louisiana Administrative~~
19 ~~Code may be increased by up to ten percent. In addition the secretary is hereby~~
20 ~~authorized to establish a fee schedule for the following:~~

21 ~~(aa) A general permit for oil and gas wells in the coastal and territorial seas~~
22 ~~provided for in LAC 33:IX.1309(N) charged annually based upon each application~~
23 ~~for coverage under the general permit not to exceed one thousand seven hundred~~
24 ~~fifty dollars.~~

25 ~~(bb) A general permit for sewage sludge authorizations charged annually not~~
26 ~~to exceed six hundred dollars.~~

27 ~~(cc) An annual fee for sewage sludge individual permits not to exceed two~~
28 ~~thousand dollars.~~

1 ~~(vi)(aa) Underground storage tank fees provided for in Part XI of Title 33 of~~
2 ~~the Louisiana Administrative Code may be increased by up to ten percent.~~

3 ~~(bb) The secretary is hereby authorized to establish a fee schedule for the~~
4 ~~amendment of registrations not to exceed sixty dollars.~~

5 ~~(vii)(aa) Radiation protection fees in Part XV of Title 33 of the Louisiana~~
6 ~~Administrative Code may be increased by up to ten percent.~~

7 ~~(bb) The secretary is hereby authorized to establish a fee schedule for a~~
8 ~~license renewal application fee not to exceed the new application fee.~~

9 ~~(viii) Any increase authorized by this Subparagraph by a certain percentage~~
10 ~~shall be rounded up to the nearest dollar.~~

11 ~~(c) Within ninety days of the promulgation and adoption of any regulation~~
12 ~~necessary to implement the fees authorized by Subparagraph (b) of this Paragraph,~~
13 ~~the department shall submit a written report to the Joint Legislative Committee on~~
14 ~~the Budget for its approval which details the proposed use for the fee increase,~~
15 ~~efforts to decrease the processing time for permits, efforts to increase the number of~~
16 ~~inspections conducted at regulated facilities, enforcement activities, and efforts to~~
17 ~~increase the collection of fines imposed by the department.~~

18 (a) Groundwater Protection Fees in Part I of Title 33 of the Louisiana
19 Administrative Code shall not exceed seventy-five thousand dollars for any one site
20 annually.

21 (b) Laboratory Accreditation Fees in Part I of Title 33 of the Louisiana
22 Administrative Code shall not exceed one thousand five hundred dollars per test
23 scope category annually.

24 (c) Air Quality Control Fees in Part III of Title 33 of the Louisiana
25 Administrative Code shall be based on the number of emissions points or the total
26 tons actually emitted. The application fee or annual fee per emission point shall not
27 exceed one hundred dollars per point. The annual fee per ton for criteria pollutants
28 shall not exceed one hundred dollars annually.

1 E. In accordance with the provisions of Article VII, Section 2.1 of the
2 Constitution of Louisiana, and notwithstanding any other provision of law to the
3 contrary, the Department of Environmental Quality may modify any fee that is in
4 effect on June 30, 2026, as authorized by this Subtitle. The department shall
5 promulgate rules to determine these fees by using a formula to be based upon a cost
6 equal to the cost of the annual maintenance, permitting, monitoring, investigation,
7 administration, and other related activities, including any effects the volume of
8 emissions or effluents may have on such activities. These fees shall be adopted by
9 the department by rule in accordance with the Administrative Procedure Act, R.S.
10 49:950 et seq.

11 F. The department shall promulgate rules to determine emergency processing
12 fees and late fees in accordance with the Administrative Procedure Act, R.S. 49:950
13 et seq. Emergency processing fees shall not exceed one and one half times the
14 regular fees. Late fees shall not exceed fifteen percent of the original fee amount.

15 G. Failure to pay the prescribed fee, as provided in this Subtitle, within
16 ninety days after the due date shall constitute a violation and shall subject the person
17 to applicable enforcement actions under the Louisiana Environmental Quality Act,
18 R.S. 30:2001 et seq. including but not limited to denial of an application and
19 revocation or suspension of the applicable permit, license, registration, or variance.

* * *

21 §2063. Prevention of accidental releases

* * *

23 J. The regulations authorized pursuant to this Section may provide for the
24 registration of each process covered by the regulations. In accordance with the
25 provisions of Article VII, Section 2.1 of the Constitution of Louisiana and R.S.
26 30:2014, the department is authorized to increase fees to cover the operating
27 expenses of the department for the continued implementation of the accidental
28 release prevention program. ~~The fee increase shall be implemented by increasing,~~
29 ~~on an average of four and one-half percent, existing fees assessed by the department~~

1 building rental, security, court reporter, and hearing officer. These fees shall be
2 adopted by the department by rule in accordance with the Administrative Procedure
3 Act, R.S. 49:950 et seq.

4 * * *
5 §2351.59. Fees

6 * * *

7 B. Licensure, certification, and accreditation fees shall be paid annually.
8 Notification fees are assessed for each lead abatement project. Fees shall be paid
9 upon application to the ~~secretary~~ department and deposited into the Lead Hazard
10 Reduction Dedicated Fund Account, R.S. 30:2351.41.

11 C.(1) License and certification fees shall be paid as follows:

12 (a) License ~~evaluation fee of five hundred fifty dollars shall be paid by lead~~
13 ~~contractors~~ fees shall be paid annually.

14 (b) Certification fees shall be paid annually for the following disciplines:

15 (i) Lead project supervisor \$ ~~275.00~~

16 (ii) Lead project designer \$ ~~550.00~~

17 (iii) Risk assessor \$ ~~275.00~~

18 (iv) Lead inspector \$ ~~165.00~~

19 (v) Lead worker \$ ~~55.00~~

20 ~~(c) Emergency processing for licensure and certification fees shall be one~~
21 ~~and one-half times the regular processing fee.~~

22 ~~(d)~~ (c) The secretary is authorized to establish subcategories within any
23 category.

24 ~~(e) A person applying for licensure under more than one category shall pay~~
25 ~~only the fee for the highest category.~~

26 ~~(f) No fees shall be assessed to public entities or employees of public entities~~
27 ~~for certification.~~

28 (2) Accreditation fees for training organizations and instructors shall be paid
29 as follows: annually.

- 1 ~~(a) In-state training organizations (Louisiana domiciliaries):~~
- 2 ~~(i) Application processing fee \$ 550.00~~
- 3 ~~(ii) Processing fee per instructor \$ 55.00~~
- 4 ~~(iii) Emergency processing 1.5 times the regular fees~~
- 5 ~~(b) Out-of-state training organizations (non-Louisiana domiciliaries):~~
- 6 ~~(i) Application processing fee \$ 825.00~~
- 7 ~~(ii) Processing fee per instructor \$ 110.00~~
- 8 ~~(iii) Emergency processing 1.5 times the regular fees~~
- 9 (3) Notification fees ~~will be due upon application as follows:~~ shall be
- 10 assessed for each lead abatement project. For the lead abatement of a building or
- 11 other structure, the fee shall be based upon the projected lead-based painted areas to
- 12 be abated in the abatement project. Areas of lead-contaminated soil associated with
- 13 the abatement process will be included in the projected square footage for the
- 14 building or structure.
- 15 ~~(a) For the lead abatement of a building or other structure, the fee shall be~~
- 16 ~~based upon the projected lead-based painted areas to be abated in the abatement~~
- 17 ~~project. Areas of lead-contaminated soil associated with the abatement process will~~
- 18 ~~be included in the projected square footage for the building or structure as follows:~~
- 19 ~~(i) 2000 square feet and under \$ 220.00~~
- 20 ~~(ii) Each additional increment of 2000~~
- 21 ~~square feet or portion thereof \$ 110.00~~
- 22 ~~(iii) Revisions to notification fees \$ 55.00~~
- 23 ~~(b) For the lead abatement of soil only, the fee shall be based upon the~~
- 24 ~~projected acreage of the abatement project as follows:~~
- 25 ~~(i) Half acre or less \$ 220.00~~
- 26 ~~(ii) Each additional half acre or~~
- 27 ~~portion thereof \$ 110.00~~
- 28 ~~(iii) Revisions to notification fees \$ 55.00~~

management of hazardous waste, and the regulation of those programs which encourage, assist, and result in the reduction of wastes generated within La.

Proposed law adds groundwater protection and underground storage tanks to the list.

Present law provides a fee schedule for commercial laboratories with set fee amounts.

Proposed law removes the set amounts and provides the secretary with authorization to set a fee schedule using a formula based on the test category per matrix, accreditation requested, and location of the lab.

Present law provides for promulgation of rules for conducting environmental reviews of immovable property with maximum and minimum fee requirements specified in present law.

Proposed law removes the maximum and minimum specifications and retains the provision for promulgation of rules.

Present law provides for an initial fee and an annual monitoring and maintenance fee to be charged for all permits, licenses, registrations, or variances authorized by present law related to adequate permitting, monitoring, investigation, administration, and other activities required for the maintenance of a healthful and safe environment and provides for the fees to be deposited in the Environmental Trust Fund Dedicated Account.

Proposed law changes from an initial fee to an application fee charged for the permits, licenses, registrations, or variances and provides an exception for funds to be deposited in the Environmental Trust Fund Dedicated Account unless specified elsewhere.

Present law provides that the dept. is prohibited from changing the formula for fees authorized under present law by more than 5% of what was paid the preceding year.

Proposed law provides that the dept. can utilize the rulemaking process to change the formula based on the consumer price index and it can be aggregated for years in which it was not altered.

Present law provides that the dept. cannot create new fees under present law (Subtitle II).

Proposed law allows the dept. to adjust or modify fees for activities authorized under present law or to change the formula if the need arises due to new technology, correction of errors, new industry, federal obligations, and budgetary concerns by promulgating rules to determine the fees by using a formula to be based upon a cost equal to the cost of the annual maintenance, permitting, monitoring, investigation, administration, and other activities required, including any effects the volume of emissions or effluents may have on such activities.

Present law permits the dept. to modify certain fees in effect on specific dates by a specified percentage in conjunction with promulgating and adopting the necessary regulations to implement them and by submitting a written report regarding the implementation and use for the fees to the Joint Legislative Committee on the Budget within 90 days.

Proposed law repeals the process provided to modify certain fees in present law and provides for the secretary to establish fees through the rulemaking process that reflect the dept's. work and costs necessary to issue and enforce the permits and sets caps for the fees based on the type of permits as follows:

- (1) Groundwater Protection Fees in Part I of Title 33 of the La. Administrative Code cannot exceed \$75,000 for any one site annually.

- (2) Laboratory Accreditation Fees in Part I of Title 33 of the La. Administrative Code cannot exceed \$1,500 per test scope category annually.
- (3) Air Quality Control Fees in Part III of Title 33 of the La. Administrative Code are based on the number of emissions points or the total tons actually emitted, with an application fee or annual fee per emission point that cannot exceed \$100 per point. The annual fee per ton for criteria pollutants shall not exceed \$100 annually with Toxic Air Pollutant rates set by class.
- (4) Hazardous Waste Fees in Part V of Title 33 of the La. Administrative Code cannot exceed \$775,000 for any one permit annually.
- (5) Solid Waste Fees in Part VII of Title 33 of the La. Administrative Code cannot exceed \$250,000 for any one permit annually.
- (6) Water Quality Fees in Part IX of Title 33 of the La. Administrative Code cannot exceed \$250,000 for any one permit annually.
- (7) Radiation Protection Fees in Part XV of Title 33 of the La. Administrative Code cannot exceed \$775,000 for any one license annually.

Present law allows the dept. to require a fee to process any request for a declaratory ruling, not to exceed the maximum per-hour overtime salary, including associated-related benefits, of a civil service employee of the dept. per hour or portion thereof required to conduct the review plus reasonable indirect costs calculated as a percentage of the hourly fee.

Proposed law adds authority for the dept. to require a fee to process a request for expedited permit, review of environmental conditions, remediation, or review of a self audit.

Proposed law adds provision for the dept. to modify any fee that is in effect on June 30, 2026, authorized by present law by promulgating rules to determine these fees by using a formula based upon a cost equal to the cost of the annual maintenance, permitting, monitoring, investigation, administration, and other activities required, including any effects the volume of emissions or effluents may have on such activities.

Proposed law provides that the dept. must promulgate rules to determine emergency processing fees, which must not exceed one and a half times the regular fees.

Proposed law adds a provision to allow the dept. to promulgate rules to determine late fees, which must not exceed 15% of the original amount.

Proposed law establishes a violation subject to enforcement actions of the La. Environmental Quality Act (R.S. 30:2001 et seq.) for failure to pay the prescribed fees within 90 days after the due date including but not limited to revocation or suspension of the applicable permit, license, registration, or variance.

Present law authorizes the dept. to increase fees to cover the operating expenses of the dept. for the continued implementation of the accidental release prevention program by increasing, on an average of 4.5%, existing fees assessed by the dept. pursuant to its fee schedules under the air quality control program based on industrial groups that reflect the degree that these are to be regulated under the accidental release prevention program.

Proposed law eliminates the provision of present law which specifies the fee increase must be implemented by increasing, on an average of 4.5%, existing fees assessed by the dept. pursuant to its fee schedules under the air quality control program based on industrial groups that reflect the degree that these are to be regulated under the accidental release prevention program but retains the authorization for the dept. to increase fees to cover the operating

expenses of the dept. for the continued implementation of the accidental release prevention program.

Present law provides for owners of motor fuel underground storage tanks storing motor oil to pay a fee of up to \$275 per year.

Proposed law increases the motor fuel underground storage tank fee for storing motor oil from \$275 to \$300 per year.

Present law authorizes the dept. to charge a participation fee up to \$660 per application for approval of an investigation plan and a fee up to \$660 per application for approval of a remediation plan and to promulgate rules and regulations to provide for the disbursement of actual direct costs associated with oversight activities conducted pursuant to present law.

Proposed law retains the authorization for the dept. to charge fees for approval of investigation and remediation plans but eliminates the specified amount of \$660 and provides for the fees to be adopted by the dept. in accordance with the Administrative Procedure Act (R.S. 49:950 et seq.).

Present law provides for applications for licensure, certification, and accreditation fees as well as notification fees for lead abatement projects to be paid annually to the secretary.

Proposed law retains the annual payments for applications and notifications but provides they be paid to the dept. rather than the secretary.

Present law provides for license evaluation fees of \$550 to be paid by lead contractors.

Proposed law eliminates the provision of \$550 by lead contractors and provides that license evaluation fees be paid annually.

Present law provides certification fees to be paid by discipline and establishes amounts to be paid.

Proposed law eliminates the set fee by discipline and provides that the certification fees be paid annually.

Present law provides for accreditation fees for organization fees to be paid with set fees for categories.

Proposed law retains the provision for organizations to pay accreditation fees but adds a requirement for instructors to pay accreditation fees as well as a provision for the fees to be paid annually.

Proposed law further eliminates the set fees for accreditation by category.

Present law provides for notification fees to be paid upon application with specifications for the lead abatement project size and type of structure.

Proposed law provides for notification fees to be assessed per project with consideration for the project size and type of structure.

Proposed law further provides that any formula for fees be adopted by the dept. in accordance with the Administrative Procedures Act (R.S. 49:950 et seq.).

Present law provides for application fees for examination, training, and certification to be paid by the applicant for the Board of Certification and Training.

Proposed law specifies that the fees be established using a formula based on the cost of establishing a certification program for operators of solid waste disposal facilities for examination, training and certification and adopted by the dept. in accordance with the Administrative Procedures Act (R.S. 49:950 et seq.) and deposited in the Environmental Trust Dedicated Fund Account.

Present law provides for the dept. to modify fees in effect on June 30, 2002, as provided under present law and provides criteria for the modifications.

Proposed law repeals provisions of present law.

Present law provides for the dept. to modify fees in effect on June 30, 2021, as provided under present law and provides criteria for the modifications.

Proposed law repeals provisions of present law.

Present law provides for the dept. to collect from each facility permitted as a construction or demolition debris landfill, as part of the annual monitoring and maintenance fee, a fee not exceeding 25 cents per ton of construction or demolition debris deposited in the facility, only applicable to construction or demolition debris which is subject to a fee imposed by the facility.

Proposed law repeals provisions of present law.

Present law provides the fee for reviewing environmental self-audits and corrective actions must not exceed the maximum salary, of a civil service employee of the dept. per hour or portion required to conduct the review plus reasonable indirect costs calculated as a percentage of the hourly fee, which is determined annually by agreement between the dept. and the Environmental Protection Agency for use on grants and contracts with the dept. allowed to require a minimum fee of \$1500.

Proposed law repeals provisions of present law.

(Amends R.S. 30:2011(A)(1), (D)(22)(b) and (c), and (25), 2014(B), (D)(2), (3), (4), and (7), 2063(J), 2195.3(B), 2289.1(D), 2351.59(B), and (C) and R.S. 37:3154(10); Adds R.S. 30:2014(E), (F), and (G); Repeals R.S. 30:2014(D)(5) and (6) and 2044(C))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Natural Resources and Environment to the original bill:

1. Remove provision for the Motor Fuels Underground Tank Storage Tank Trust Dedicated Fund Account to increase the cost for tank registration fee from \$60 to \$66.
2. Provide for the secretary to establish fees through the rulemaking process that reflect the department's work and costs necessary to issue and enforce the permits and set caps for the fees based on the type of permits as follows:
 - a. Groundwater Protection Fees in Part I of Title 33 of the La. Administrative Code cannot exceed \$75,000 for any one site annually.
 - b. Laboratory Accreditation Fees in Part I of Title 33 of the La. Administrative Code cannot exceed \$1,500 per test scope category annually.

- c. Air Quality Control Fees in Part III of Title 33 of the La. Administrative Code are based on the number of emissions points or the total tons actually emitted, with an application fee or annual fee per emission point that cannot exceed \$100 per point. Specify that the annual fee per ton for criteria pollutants cannot exceed \$100 annually with Toxic Air Pollutant rates set by class.
 - d. Hazardous Waste Fees in Part V of Title 33 of the La. Administrative Code cannot exceed \$775,000 for any one permit annually.
 - e. Solid Waste Fees in Part VII of Title 33 of the La. Administrative Code cannot exceed \$250,000 for any one permit annually.
 - f. Water Quality Fees in Part IX of Title 33 of the La. Administrative Code cannot exceed \$250,000 for any one permit annually.
 - g. Radiation Protection Fees in Part XV of Title 33 of the La. Administrative Code cannot exceed \$775,000 for any one license annually.
3. Make technical changes.