

Regular Session, 2014

SENATE BILL NO. 537

BY SENATOR MARTINY

HAZARD MITIGATION. Provides for the electronic or telephonic notification of hazardous materials incidents. (8/1/14)

1 AN ACT

2 To amend and reenact R.S. 30:2363 and 2366(C) and (D) and the introductory paragraph of
3 R.S. 32:1510(A), relative to reporting requirements for state and local governments
4 after certain incidents, accidents, and cleanups involving hazardous materials; to
5 provide for definitions; to provide for electronic or telephonic notifications of such
6 events; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 30:2363 and 2366(C) and (D) are hereby amended and reenacted to
9 read as follows:

10 §2363. Definitions

11 The following terms as used in this Chapter shall have the following
12 meanings:

13 * * *

14 (20) "Electronic Notification" means a process approved by the
15 department for reporting required notifications.

16 * * *

17 §2366. Responsibilities of cooperating departments

* * *

1
2 C. The department shall communicate these laws and regulations to all state
3 departments. The department shall coordinate its efforts in developing a ~~one-call~~ **an**
4 **electronic or telephonic** notification system with all departments of state
5 government. All departments of the state shall adjust the reporting requirements to
6 allow for the development of the ~~one-call state~~ **electronic or telephonic** notification
7 system for emergency release notifications. The Department of Environmental
8 Quality shall also adjust its requirements for the prompt reporting of a release that
9 does not cause an emergency condition, but is nonetheless reported to the department
10 because it is in excess of an applicable reportable quantity.

11 D.(1) Upon development of the ~~one-call state~~ **electronic or telephonic**
12 notification system for emergency release notifications, proper notification to the
13 department of a release shall satisfy all emergency reporting obligations of the
14 person making the notification, including all emergency reporting obligations of such
15 person to the Department of Environmental Quality, other state agencies, and local
16 response agencies.

17 (2) Upon development of the ~~one-call state~~ **electronic or telephonic**
18 notification system for emergency release notifications, proper notification to the
19 department of a release that is in excess of an applicable reportable quantity but does
20 not cause an emergency condition shall satisfy all prompt reporting obligations,
21 under LAC 33:I.3917(A), of the person making the notification, provided, however,
22 that this provision shall not apply to the reporting of any release of radionuclides in
23 excess of a reportable quantity determined in accordance with LAC 33:I.3929.

24 Section 2. The introductory paragraph of R.S. 32:1510 (A) is hereby amended and
25 reenacted to read as follows:

26 §1510. Reporting of incidents, accidents, and cleanups

27 A. Each person involved in an incident, accident, or the cleanup of an
28 incident or accident during the transportation, loading, unloading, or related storage
29 in any place of a hazardous material subject to this Chapter shall report immediately

1 by ~~telephone~~ **electronic or telephonic notification** to the department if that incident,
2 accident, or cleanup of an incident or accident involves:

3 * * *

The original instrument and the following digest, which constitutes no part
of the legislative instrument, were prepared by Heyward Jeffers.

DIGEST

Martiny (SB 537)

Present law requires that proper notification of a release of hazardous materials be made by telephone.

Proposed law retains present law and adds electronic means as a method of notification.

Proposed law defines "electronic notification".

Effective August 1, 2014.

(Amends R.S. 30:2363, 2366(C) and (D) and R.S. 32:1510(A)(intro para))

Summary of Amendments Adopted by Senate

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

1. Adds electronic means as a method of notification of a release of hazardous materials.