

2020 Regular Session

HOUSE BILL NO. 869 (Substitute for House Bill No. 659 by Representative Carrier)

BY REPRESENTATIVE CARRIER

ENVIRONMENT/SOLID WASTE: Provides relative to requirements for permitting a solid waste incineration facility

1 AN ACT

2 To amend and reenact R.S. 30:2018(C) and to repeal R.S. 30:2154(C), relative to solid waste
3 disposal; provide for submission of environmental assessment statement to public
4 libraries; to repeal the prohibition on permitting of certain solid waste facilities; to
5 provide for effectiveness and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 30:2018(C) is hereby amended and reenacted to read as follows:

8 §2018. Environmental assessment hearings

9 * * *

10 C. The department may, and if requested, shall, conduct a public hearing on
11 the environmental assessment statement in the parish where the facility is located.
12 Any public hearing on the environmental assessment statement, whether requested
13 or at the discretion of the department, may be combined with a public hearing on the
14 proposed permit. If the facility is located in more than one parish, the department
15 may conduct a single hearing to serve all the affected parishes in the vicinity of a
16 centrally located facility. Simultaneously with the submission of the statement to the
17 department, the applicant shall also submit copies of the statement to the local
18 governmental authority and designated public library where the facility is located,
19 at no cost to the local governmental authority or the designated public library.

20 However, if the applicant is unable to submit the environmental assessment

1 statement to a public library due to the absence of a library in the parish in which the
 2 facility is located or the permanent or temporary closure of the library, the
 3 department shall make the environmental assessment statement available on the
 4 department's website.

5 * * *

6 Section 2. R.S. 30:2154(C) is hereby repealed in its entirety

7 Section 3. This Act shall become effective upon signature by the governor or, if not
 8 signed by the governor, upon expiration of the time for bills to become law without signature
 9 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
 10 vetoed by the governor and subsequently approved by the legislature, this Act shall become
 11 effective on the day following such approval.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, 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)]

HB 869 Original 2020 Regular Session Carrier

Abstract: Provides relative to requirements for permitting a solid waste incineration facility.

Present law requires the Dept. of Environmental Quality to conduct hearings on environmental assessment statements (EIS). Simultaneously with the submission of the statement to the department, requires the applicant to submit copies of the EIS to the local governmental authority or the designated public library.

Proposed law provides that if the applicant is unable to submit the EIS to the public library due to the absence of a library in the parish where the facility is located or the permanent or temporary closure of the library, the department is required to make the EIS available on the department's website.

Present law, relative to solid waste permits, prohibits the secretary of the Dept. of Environmental Quality from issuing any permit or promulgating any regulation that would allow the operation of a medical waste incinerator disposal facility until authorized by law. Grandfathers facilities with permits or applications prior to July 1, 1990. Requires notification of legislators in the area of the facility prior to issuance of a permit. Requires the department to promulgate regulations within 180 days after being authorized to do so.

Proposed law repeals the above provisions.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Amends R.S. 30:2018(C); Repeals R.S. 30:2154(C))