

2021 Regular Session

HOUSE BILL NO. 537

BY REPRESENTATIVE ROMERO

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

ENVIRONMENT/SOLID WASTE: Provides relative to solid waste permitted capacity

1 AN ACT

2 To amend and reenact R.S. 30:2162(B) and to enact R.S. 30:2162(C), relative to solid waste
3 permitted capacity; to provide for the evaluation of available permitted capacity; to
4 limit total permitted capacity; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 30:2162(B) is hereby amended and reenacted and R.S. 30:2162(C)
7 is hereby enacted to read as follows:

8 §2162. Solid waste capacity

9 * * *

10 B.~~(1)~~ The secretary shall ensure that sufficient available permitted capacity
11 exists to safely and efficiently manage solid waste resulting from a declared
12 emergency originating from an in-state ~~emergencies~~ emergency or natural disaster.

13 ~~(2) Permitted capacity shall be considered along with other relevant factors~~
14 ~~in the permitting of solid waste.~~

15 C.(1) The secretary shall not issue any permits or licenses for the handling,
16 treatment, destruction, and disposal of solid waste which would increase the total
17 permitted capacity by more than fifteen percent of the necessary total permitted
18 capacity of this state as determined by the secretary pursuant to Subsection A of this
19 Section.

1 (2) The fifteen percent limitation shall not be applicable during the response
2 to a declared emergency or natural disaster, as provided in Subsection B of this
3 Section, where such limitation could significantly impede or prevent the protection
4 of human health and the environment.

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 537 Original

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Romero

Abstract: Modifies the evaluation and determination of solid waste permitted capacity and limits increases above the total permitted capacity to 15% of the existing total permitted capacity, unless an emergency or natural disaster requires otherwise.

Present law requires the secretary of the Dept. of Environmental Quality to evaluate the volume and types of solid waste managed in the state, determine available permitted capacity for safe management of solid waste, and ensure that sufficient available permitted capacity exists to manage solid waste resulting from a declared emergency. Proposed law retains present law, and adds that the declared emergency can be related to a natural disaster in addition to an emergency.

Present law provides that permitted capacity must be considered along with other relevant factors in permitting for solid waste. Proposed law removes present law.

Proposed law prohibits the secretary from issuing permits or licenses that would increase the total permitted capacity by more than 15%, unless the limit could significantly impede or prevent the protection of human health and the environment during the response to an emergency or natural disaster.

(Amends R.S. 30:2162(B); Adds R.S. 30:2162(C))