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## DIGEST

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HB 900 Reengrossed

2016 Regular Session

Leopold

**Abstract:** Increases fees collected by the Dept. of Environmental Quality.

Proposed law increases the following maximums on fees for any application for accreditation by a commercial laboratory as follows and are effective as indicated:

	<u>Present</u>	<u>Proposed</u>
Accreditation application fee	\$ 660	\$ 726
Per major test category	\$ 330	\$ 363
Minor conventional category	\$ 264	\$ 290
Annual surveillance and evaluation of minor conventional facilities/one category	\$ 330	\$ 363

Present law authorizes the secretary of the Dept. of Environmental Quality (DEQ) to promulgate rules and regulations to conduct requested reviews of environmental conditions of a specified tract of immovable property, such as no further action letters.

Present law further provides that such rules may provide for a fee for each such request made not to exceed the maximum per hour overtime salary of a civil service employee of the department for each hour required to conduct the review plus indirect costs. Such indirect costs shall be calculated based on a percentage of the hourly fee, and the percentage shall be determined annually by an agreement between DEQ and the U.S. Environmental Protection Agency (EPA). The requestor shall pay a minimum advance fee not to exceed \$1,500.

Proposed law increases the minimum advance fee from not to exceed \$1,500 to not to exceed \$1,650.

Present law provides for an initial fee and an annual monitoring and maintenance fee for all permits, licenses, registrations, or variances. The fees are derived from a formula, developed by department rules, to equal the cost of annual maintenance, permitting, monitoring, investigation, administration, and other activities associated with the permits, licenses, registration, and variances. The formula cannot exceed the maximum amounts specified by present law.

Proposed law authorizes DEQ to increase the following fees from the amounts in effect in the Louisiana Administrative Code (LAC) on March 14, 2015, by the following percentages, rounded

up to the nearest dollar, and authorizes the establishment of fees as indicated:

Ground Water Fees

LAC ground water fees 10% increase

Air Fees

LAC air fees 10% increase  
Air application fee \$500 min.  
Air annual maintenance fee \$250 min.  
Air natural gas compressor \$41,612 max.  
Acid rain permit \$500 max.  
Air renewal no modification Min. of minor modification fee  
Air Title V fee 20% of maintenance fee max.

Hazardous Waste Fees

LAC hazardous waste fees 25% increase  
Post-closure hazardous waste  
Annual maintenance fee \$4,125 max.  
Hazardous waste transfer  
facility \$1,900 max.  
Hazardous waste generator  
time accumulation extension \$500 max.

Solid Waste Fees

LAC solid waste fees 25% increase  
Non-industrial waste  
tonnage fees Charged on amounts exceeding 25,000 tons

Water Fees

LAC water fees 10% increase  
General permit of oil & gas  
wells in coastal and territorial  
seas \$1,750 per application  
General permit sewage sludge \$600  
Annual sewage sludge permit \$2,000

Underground Storage Tank Fees

LAC underground storage  
tank fees 10% increase  
Registration amendment fee \$60 max.

Radiation Fees

LAC radiation protection fees 10% increase  
License renewal application Max. of new application fee

Proposed law requires DEQ to submit a report, within 90 days of adoption of rules implementing the fee increases, to the Joint Legislative Committee on the Budget for approval. The report shall detail the uses of the fees and efforts to increase efficiency in permitting, inspections, enforcement, and collection of fines.

Present law authorizes DEQ to collect 20¢ per ton of solid waste deposited in a construction and demolition landfill. The fee only applies to waste that are subject to a fee by the facility. Proposed law increases the fee from 20¢ per ton to 25¢ per ton.

Proposed law authorizes a fee to process a 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 department per hour or portion thereof required to conduct the review plus reasonable indirect costs calculated as a percentage of the hourly fee. The percentage shall be determined annually by agreement between the department and the EPA for use on grants and contracts. Proposed law further authorizes a minimum fee paid by a requestor of not less than \$1,500.

Proposed law requires DEQ to submit a report, within 90 days of adoption of rules implementing the fee increases based on CPI-U adjustment, to the Joint Legislative Committee on the Budget for approval. The report shall detail the uses of the fees and efforts to increase efficiency in permitting, inspections, enforcement, and collection of fines.

Present law provides that all owners of registered motor fuel underground storage tanks shall pay a registration fee of \$54 for each tank, which money is used for storage tank activities. Proposed law increases the fee from \$54 to \$60.

Proposed law increases fees paid into the Lead Hazard Reduction Fund as indicated:

	<u>Present</u>	<u>Proposed</u>
Lead contractors license evaluation fee	\$ 500	\$ 550
Lead project supervisor	\$ 250	\$ 275
Lead project designer	\$ 500	\$ 550
Risk assessor	\$ 250	\$ 275
Lead inspector	\$ 150	\$ 165
Lead worker	\$ 50	\$ 55

Present law provides that a person applying for licensure under more than one category will pay only the fee for the highest category and exempts public entities and employees of public entities from certification fees.

Proposed law increases the following accreditation fees for training organizations:

	<u>Present</u>	<u>Proposed</u>
In-state training organizations:		
Application processing fee	\$ 500	\$ 550
Processing fee per instructor	\$ 50	\$ 55

Out-of-state training organizations:

Application processing fee	\$ 750	\$ 825
Processing fee per instructor	\$ 100	\$ 110

Proposed law provides for the following notification fees for contaminated buildings and soil as indicated:

Buildings 2,000 sq. ft. and under	\$ 200	\$ 220
For each additional 2000 sq. ft.	\$ 100	\$ 110
Revisions to notifications	\$ 50	\$ 55
One-half acre or less of soil	\$ 200	\$ 220
Each additional half acre of soil	\$ 100	\$ 110
Revisions	\$ 50	\$ 55

Present law provides that emergency notifications for lead are 1.5 times the regular fee.

(Amends R.S. 30:2011(D)(22)(b) and (c) and (25), 2014(D)(4) and (5), 2195(B), 2351.59(C)(1)(a) and (b), (2), and (3); Adds R.S. 30:2014(D)(6))

## Summary of Amendments Adopted by House

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

1. Remove authorization for the department, in even numbered years, to adjust fees that are assessed, charged, and collected by the Department of Environmental Quality after June 1, 2018, by an amount not to exceed the annual percentage change in the Consumer Price Index for All Urban Consumers (CPI-U) (All Items - U.S. City Average) maintained by the U.S. Department of Labor, Bureau of Labor Statistics, rounded downward to the nearest dime.