

Regular Session, 2010

HOUSE BILL NO. 1253

BY REPRESENTATIVE ST. GERMAIN

ENVIRONMENT/SOLID WASTE: Provides for solid waste disposal facility requirements

1 AN ACT

2 To enact R.S. 30:2154(B)(2)(h), relative to solid waste disposal facilities; to provide for
3 requirements for commencing operations; to provide for authorization by local
4 governing authorities; to provide for exceptions; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 30:2154(B)(2)(h) is hereby enacted to read as follows:

7 §2154. Powers; duties; restrictions; prohibitions; penalties

8 * * *

9 B. The secretary is hereby directed:

10 * * *

11 (2)

12 * * *

13 (h) Prior to the department issuing an order to commence operations for any
14 solid waste disposal facility in the parishes of Calcasieu, Beauregard, Allen, St.
15 Landry, Acadia, Assumption, Iberville, or West Baton Rouge, the permittee shall
16 provide the department with a written resolution or authorization which is dated
17 within one hundred eighty days prior to such order. Such resolution or authorization
18 shall be by the appropriate municipal or parish governing authority where the facility
19 will be located, stating the facility is in compliance with all existing local zoning and

- 1 land use restrictions. The provisions of this Subparagraph shall not apply to the
 2 following:
- 3 (i) Renewals of existing permits.
- 4 (ii) Transfer stations.
- 5 (iii) Facilities disposing of or processing industrial waste generated and
 6 disposed of on-site.
- 7 (iv) Facilities disposing of or processing industrial waste generated off-site
 8 from facilities under common ownership and control.

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)]

St. Germain

HB No. 1253

Abstract: Requires in certain parishes certain permit holders of new solid waste disposal facilities to obtain a statement of compliance with zoning and land use restrictions from the local government.

Present law provides that the police juries of Calcasieu, Beauregard, Allen, St. Landry, Acadia, Assumption, Iberville, and West Baton Rouge have concurrent authority with the state to regulate, control, or prohibit the disposal of industrial waste on residential or agricultural land not zoned for industrial use.

Proposed law retains present law and requires solid waste facility permit holders in those parishes to obtain a statement of compliance with zoning and land use restrictions from the appropriate municipal or parish governing authority within 180 days prior to the Dept. of Environmental Quality issuing an order to commence operations at such facility.

Proposed law provides that proposed law shall not apply to permit renewals, transfer stations, industrial on-site disposal facilities, or facilities disposing of or processing industrial waste generated off-site from facilities under common ownership and control.

(Adds R.S. 30:2154(B)(2)(h))

Summary of Amendments Adopted by House

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

1. Removed the limitation of renewals that include a major modification on the exception from proposed law for renewals of existing permits.

House Floor Amendments to the engrossed bill.

1. Added an exception from proposed law for facilities disposing of or processing industrial waste generated off-site from facilities under common ownership and control.