

Regular Session, 2010

HOUSE BILL NO. 1476 (Substitute for House Bill No. 1258 by Representative Harrison)

BY REPRESENTATIVE HARRISON

1 AN ACT

2 To enact R.S. 30:2154(B)(9) and to repeal R.S. 30:2157 and 2157.1, relative to providing
3 for permits, licenses, registrations, variances, or compliant schedules issued by the
4 Department of Environmental Quality; to provide for emergency response standards;
5 to provide for certification of certain abilities of local fire departments; to provide
6 for the emergency response standards of certain solid waste facilities; and to provide
7 for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 30:2154(B)(9) is hereby enacted to read as follows:

10 §2154. Powers; duties; restrictions; prohibitions; penalties

11 * * *

12 B. The secretary is hereby directed:

13 * * *

14 (9)(a) To promulgate regulations, prior to July 1, 2011, for all applicants
15 specifying emergency response requirements that shall include the preparation of an
16 emergency response plan for any applicant seeking a permit to process or dispose of
17 solid waste and shall provide that the requirement for an emergency response plan
18 is satisfied by the applicant's demonstration that it has the ability to meet the
19 response requirements of the applicable sections of the National Fire Protection
20 Association.

21 (b) All potential applicants who seek to obtain a permit to process or dispose
22 of solid waste shall be required to file an emergency response plan, in compliance
23 with the promulgated regulations, as a special structures plan review with the state
24 fire marshal. No application for a permit to process or dispose of solid waste shall

1 be filed with nor accepted by the department prior to the applicant obtaining
 2 approval of the emergency response plan from the state fire marshal's office. The
 3 requirements of this Subparagraph shall not apply if the applicant has demonstrated
 4 its ability to meet the response requirements of the applicable sections of the
 5 National Fire Protection Association.

* * *

7 Section 2. R.S. 30:2157 and 2157.1 are hereby repealed in their entirety.

8 Section 3. Section 2 of this Act shall become effective upon the effective date of the
 9 rules and regulations promulgated pursuant to Section 1 of this Act.

10 Section 4. Sections 1 and 3 and this Section of this Act shall become effective on
 11 July 1, 2010; if vetoed by the governor and subsequently approved by the legislature, this
 12 Act shall become effective on July 1, 2010, or on the day following such approval by the
 13 legislature, whichever is later.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____