

Regular Session, 2013

SENATE BILL NO. 145

BY SENATOR CROWE

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

ENVIRONMENTAL CONTROL. Provides relative to the Oil Spill Prevention and Response Act. (8/1/13)

1 AN ACT

2 To enact R.S. 30:2462(D), relative to the Oil Spill Prevention and Response Act; to provide

3 relative to the use of dispersants in oil spill response and cleanup operations; to

4 provide criteria for dispersants; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 30:2462(D) is hereby enacted to read as follows:

7 §2462. Administration of oil spill response and cleanup.

8 * * *

- 9 **D. Dispersants used shall meet the following criteria:**
- 10 **(1) Be listed on the National Oil and Hazardous Substances Pollution**
- 11 **Contingency Plan Subpart J Product Schedule.**
- 12 **(2) Be classified as "Practically Non-Toxic" as defined by Ecotoxicity**
- 13 **Categories for Aquatic Organisms (LC50 > 100 ppm), as determined using the**
- 14 **standard toxicity test methods described in Appendix C to 40 CFR Part 300**
- 15 **(National Oil and Hazardous Substances Pollution Contingency Plan Subpart**
- 16 **J: Use of Dispersants and Other Chemicals 40 CFR 300.900-300.920).**
- 17 **(3) Have substantiated end point of carbon dioxide and water.**

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Heyward Jeffers.

DIGEST

Present law requires an oil spill contingency plan of response for actual or threatened unauthorized discharges of oil and clean up of pollution of such discharges. Present law requires preapproval for the use of dispersants.

Proposed law retains present law and further requires dispersants that are used to meet the following criteria:

1. Be listed on the National Oil and Hazardous Substances Pollution Contingency Plan (NCP) Subpart J Product Schedule.
2. Be classified as "Practically Non-Toxic" as defined by the EPA Ecotoxicity Categories for Aquatic Organisms (LC50 > 100 ppm), as determined using the standard toxicity test methods described in Appendix C to 40 CFR Part 300 (NCP Subpart J: Use of Dispersants and Other Chemicals 40 CFR 300.900 - 300.920).
3. Have substantiated end point of carbon dioxide and water.

Effective August 1, 2013.

(Adds R.S. 30:2462(D))