

2019 Regular Session

SENATE BILL NO. 175

BY SENATOR BARROW

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

ENVIRONMENT QUALITY DEPT. Requires the Department of Environmental Quality to investigate certain complaints from the public. (8/1/19)

1 AN ACT

2 To amend and reenact R.S. 30:2012(E), relative to enforcement inspections; to require the
3 Department of Environmental Quality to investigate certain complaints from the
4 public; to provide terms, conditions, and requirements; and to provide for related
5 matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 30:2012(E) is hereby amended and reenacted to read as follows:

8 §2012. Enforcement inspections

9 * * *

10 E.(1) Whenever there exists an imminent danger to the environment or
11 health, an emergency under this Subtitle, an abandoned hazardous waste site, or a
12 violation of this Subtitle or the rules or regulations issued pursuant thereto, the
13 secretary may cause a special inspection to be made of the facility where such
14 exigent conditions are reasonably believed to exist. While conducting the inspection
15 the inspector shall inform the owner, operator, or any responsible person at the
16 facility of the particular exigent condition believed to exist. The scope of the
17 inspection shall be limited to those matters which are reasonably related to the

1 exigent condition. However, this limitation shall not preclude the prosecution of any
2 other violation discovered in the course of the investigation.

3 **(2) Whenever the department has received five or more complaints from**
4 **the public regarding a facility's potential violation of any part of this Subtitle,**
5 **the department shall conduct a special inspection of the facility within twenty-**
6 **four hours from receipt of the fifth complaint.**

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

DIGEST

SB 175 Original

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Barrow

Present law authorizes the Department of Environmental Quality to conduct inspections on facilities whenever there exists an imminent danger to the environment or health, an emergency, an abandoned waste site, or a violation of present law or the rules and regulations.

Proposed law retains present law but requires the department to conduct a special inspection of a facility within 24 hours of receiving five or more complaints regarding a potential violation of present law.

Effective August 1, 2019.

(Amends R.S. 30:2012(E))