

RÉSUMÉ DIGEST

ACT 451 (HB 900)

2016 Regular Session

Leopold

New law increases the following maximums on fees for any application to the Dept. of Environmental Quality (DEQ) for accreditation by a commercial laboratory as follows:

	<u>Prior</u>	<u>New</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

Existing law authorizes the secretary of 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.

Existing law further provides that such rules may provide for a fee for each such request, 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).

Existing law requires the requestor to pay a minimum advance fee. Prior law provided that the fee was not to exceed \$1,500. New law increases the minimum advance fee from not to exceed \$1,500 to not to exceed \$1,650.

Existing 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 law.

New law authorizes DEQ to increase the following fees from the amounts in effect in the La. 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.
Used oil transfer facility \$1,300 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 max. 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

New 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.

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

New 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. New law further authorizes a minimum fee paid by a requestor of not less than \$1,500.

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

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

	<u>Prior</u>	<u>New</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

Existing 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.

New law increases the following accreditation fees for training organizations:

	<u>Prior</u>	<u>New</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

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

	<u>Prior</u>	<u>New</u>
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

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

Effective August 1, 2016.

(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))