

2026 Regular Session

SENATE BILL NO. 99

BY SENATOR FOIL

ENVIRONMENT QUALITY DEPT. Provides for electronic communication and notification at the Department of Environmental Quality in certain situations. (8/1/26)

1 AN ACT
2 To amend and reenact R.S. 30:2022(A)(1), 2050.1(B)(2)(a), 2050.3(B)(1) and (3), 2116,
3 2162(A)(2), 2181, and 2250, relative to electronic communication and notification
4 at the Department of Environmental Quality; to provide for electronic applications;
5 to provide for electronic mail; to provide for force and effect of notification; to
6 provide for certified mail; to provide for written comments and notices; to provide
7 for written requests; to provide for mailing lists; to provide for distribution; and to
8 provide for related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 30:2022(A)(1), 2050.1(B)(2)(a), 2050.3(B)(1) and (3), 2116,
11 2162(A)(2), 2181, and 2250 are hereby amended and reenacted to read as follows:

12 §2022. Permit applications and variance requests; notification

13 A.(1) Any person seeking a permit, license, registration, variance, or LPDES
14 variance shall file a an electronic or written application for such with the secretary.
15 Excluding applications relative to medical and dental devices, the secretary shall
16 promptly send a notice of the subject matter of each application to the governing
17 authority of the parish affected by the application and any public interest group or

1 individual within the affected parish who has requested notice **electronically or** in
 2 writing and provided a mailing address **or email address**. The notice of a permit,
 3 license, or registration application shall be provided within thirty days after receipt
 4 of the application. The parish governing authority shall promptly notify each
 5 municipality within said parish affected by the application. **Electronic transmission**
 6 **of notice pursuant to this Section shall have the same force and effect as notice**
 7 **provided by mail or certified mail.**

8 * * *

9 §2050.1. Enforcement; policies; list; legal review

10 * * *

11 B.(1)

* * *

12 (2)(a) On a periodic basis, the secretary shall mail, **including by electronic**
 13 **mail**, a copy of the list, either separately or as part of a department publication, to
 14 persons who request that they be placed on the mailing list. **Electronic transmission**
 15 **of notice pursuant to this Section shall have the same force and effect as notice**
 16 **provided by mail or certified mail.**

17 * * *

18 §2050.3. Enforcement; notice of violation; penalties

19 * * *

20 B.(1) When the assistant secretary determines that a violation has occurred
 21 for which an assessment of a penalty is under consideration, the assistant secretary
 22 shall notify the respondent. **Electronic transmission of notice pursuant to this**
 23 **Section shall have the same force and effect as notice provided by mail or**
 24 **certified mail.**

25 * * *

26 (3) Written comments **or electronically submitted comments** may be filed
 27 with the assistant secretary regarding the alleged violation and a possible penalty.

28 * * *

29 §2116. Naturally occurring radioactive material

1 On and after July 1, 1995, the secretary, upon receipt of an application for
2 any commercial facility seeking a specific license for the treatment, storage, or
3 disposal of naturally occurring radioactive material shall promptly notify the
4 governing authority of any parish affected by the application and any public interest
5 group or individual within the affected parish who has requested notice in writing or
6 electronically and provided a mailing address or email address. The parish
7 governing authority shall promptly notify each municipality within said parish
8 affected by the application. The secretary shall promptly consider such application
9 and take such action thereon as he deems appropriate in accordance with law;
10 however, the failure by the secretary or the parish governing authority to give the
11 notice required by this Section shall not affect the validity of the action taken on the
12 application. For the purposes of this Subsection, "any public interest group within
13 the affected parish" shall mean any association having not less than twenty-five
14 members who reside in the parish in which the relevant facility is or will be located.
15 Electronic transmission of notice pursuant to this Section shall have the same
16 force and effect as notice provided by mail or certified mail.

* * *

18 §2162. Solid waste capacity

19 A.(1) * * *

20 (2) In performing such evaluations, the secretary shall determine the
21 permitted capacity that is available to safely manage the solid waste. After each such
22 determination, the secretary shall submit a report to the House Committee on Natural
23 Resources and Environment and the Senate Committee on Environmental Quality
24 and shall make such determination available to the public through public notification
25 and the department mail list, including an email list. Electronic transmission of
26 notice pursuant to this Section shall have the same force and effect as notice
27 provided by mail or certified mail.

* * *

29 §2181. Notice to legislators

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Senate Legislative Services. The keyword, summary, 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)]

DIGEST

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Present law provides for written applications to the Dept. of Environmental Quality (DEQ) for permits, licenses, registrations, and variances.

Proposed law retains present law and authorizes application submission by electronic means.

Present law requires the DEQ to maintain a list of notices of violations, compliance orders, and penalty assessments, to be updated monthly. Requires the list be mailed to persons who request to be on a mailing list.

Proposed law retains present law and allows the list to be mailed electronically.

Present law requires the DEQ to notify respondents in writing of a violation and penalty. Allows written comments to be filed with the assistant secretary.

Proposed law retains present law and allows electronic transmission of notice and comments.

Present law requires the DEQ to notify parish governing authorities and other interested parties in writing of any application for a commercial facility seeking to treat, store, or dispose of naturally occurring radioactive material.

Proposed law retains present law and allows interested parties within an affected parish to request notice electronically and to provide an email address for receipt of notice.

Present law requires the DEQ to evaluate the volume and types of solid waste in the state, to determine the permitted capacity to manage the waste, and to make the determination available through public notice and the DEQ mailing list.

Proposed law retains present law and provides that the mail list may include email addresses.

Present law requires the DEQ to provide a list of hazardous waste applications and permits to the district offices of each member of the legislative oversight committees and to each legislator in whose district a facility that applied for or been granted a permit is located.

Proposed law retains present law and provides that the list may be transmitted electronically.

Present law requires the DEQ to determine the tax imposed on each disposer or generator of hazardous waste and to mail written notice of the tax to each disposer or generator and to the Dept. of Revenue.

Proposed law retains present law and provides that the DEQ may transmit such notice electronically.

Proposed law provides that electronic transmission of notice pursuant to proposed law shall have the same force and effect as written notice provided by mail or certified mail.

Effective August 1, 2026.

(Amends R.S. 30:2022(A)(1), 2050.1(B)(2)(a), 2050.3(B)(1) and (3), 2116, 2162(A)(2), 2181, and 2250)