SLS 14RS-440 REENGROSSED

Regular Session, 2014

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SENATE BILL NO. 537

BY SENATOR MARTINY

HAZARD MITIGATION. Provides for the electronic or telephonic notification of hazardous materials incidents. (8/1/14)

AN ACT

2	To amend and reenact R.S. 30:2366(C) and (D) and the introductory paragraph of R.S.
3	32:1510(A), and to enact R.S. 30:2363(20) relative to reporting requirements for
4	state and local governments after certain incidents, accidents, and cleanups involving
5	hazardous materials; to provide for definitions; to provide for electronic or
6	telephonic notifications of such events; and to provide for related matters.
7	Be it enacted by the Legislature of Louisiana:
8	Section 1. R.S. 30:2366(C) and (D) are hereby amended and reenacted and R.S.
9	30:2363(20) is hereby enacted to read as follows:
10	§2363. Definitions
11	The following terms as used in this Chapter shall have the following
12	meanings:
13	* * *
14	(20) "Electronic Notification" means a process approved by the
15	department for reporting required notifications.
16	* * *
17	§2366. Responsibilities of cooperating departments

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Coding: Words which are struck through are deletions from existing law; words in **boldface type and underscored** are additions.

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C. The department shall communicate these laws and regulations to all state departments. The department shall coordinate its efforts in developing a one-call an electronic or telephonic notification system with all departments of state government. All departments of the state shall adjust the reporting requirements to allow for the development of the one-call state electronic or telephonic notification system for emergency release notifications. The Department of Environmental Quality shall also adjust its requirements for the prompt reporting of a release that does not cause an emergency condition, but is nonetheless reported to the department because it is in excess of an applicable reportable quantity.

- D.(1) Upon development of the one-call state electronic or telephonic notification system for emergency release notifications, proper notification to the department of a release shall satisfy all emergency reporting obligations of the person making the notification, including all emergency reporting obligations of such person to the Department of Environmental Quality, other state agencies, and local response agencies.
- (2) Upon development of the one-call state electronic or telephonic notification system for emergency release notifications, proper notification to the department of a release that is in excess of an applicable reportable quantity but does not cause an emergency condition shall satisfy all prompt reporting obligations, under LAC 33:I.3917(A), of the person making the notification, provided, however, that this provision shall not apply to the reporting of any release of radionuclides in excess of a reportable quantity determined in accordance with LAC 33:I.3929.
- Section 2. The introductory paragraph of R.S. 32:1510 (A) is hereby amended and reenacted to read as follows:
 - §1510. Reporting of incidents, accidents, and cleanups

A. Each person involved in an incident, accident, or the cleanup of an incident or accident during the transportation, loading, unloading, or related storage in any place of a hazardous material subject to this Chapter shall report immediately

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by telephone electronic or telephonic notification to the department if that incident,
accident, or cleanup of an incident or accident involves:

* * *

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

DIGEST

Martiny (SB 537)

<u>Present law</u> requires that proper notification of a release of hazardous materials be made by telephone.

<u>Proposed law</u> retains <u>present law</u> and adds electronic means as a method of notification.

Proposed law defines "electronic notification".

Effective August 1, 2014.

(Amends R.S. 30:2366(C) and (D) and R.S. 32:1510(A)(intro para); adds R.S. 30:2363(20))

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Environmental Quality to the original bill

1. Adds electronic means as a method of notification of a release of hazardous materials.