

SENATE CONCURRENT RESOLUTION NO. 159

BY SENATOR BROOME AND REPRESENTATIVE BARROW

A CONCURRENT RESOLUTION

To urge and request the Department of Environmental Quality to give extra consideration to the views of the local officials and the surrounding community when deciding to issue certain landfill permits.

WHEREAS, the Department of Environmental Quality is constitutionally and statutorily charged with the protection of the environment of Louisiana; and

WHEREAS, local governments are chiefly responsible for parish land use determinations and zoning ordinances in order to effectively maximize its resources and navigate its future development both in economic terms and management of the quality of life of its citizens; and

WHEREAS, currently under the Louisiana Administrative Code, Title 33, Part VII, the Department of Environmental Quality, within its industrial waste disposal permitting process, is unable to consider changes in local land use restrictions and zoning ordinances by local governments and their economic development requirements after an application has been submitted to the department; and

WHEREAS, it is important that the Department of Environmental Quality has the authority to consider permittee compliance with local zoning and land use restrictions prior to issuance of an order to commence operations of a waste disposal facility.

THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby urge and request the Department of Environmental Quality to give extra consideration to the views of the local officials and the surrounding community when deciding to issue certain landfill permits.

BE IT FURTHER RESOLVED that the Department of Environmental Quality shall immediately take all necessary steps to initiate through its rule-making authority all measures to incorporate such local requirements into its industrial waste regulations under Title 33 of the Louisiana Administrative Code.

BE IT FURTHER RESOLVED that prior to the department issuing an order to commence operations, any industrial waste disposal facility permittee, except for any transfer station, shall provide the department with a written resolution or authorization from the appropriate municipal or parish governing authority where the facility will be located, dated within one hundred eighty days prior to such order and stating that the facility is in compliance with all existing local zoning and land use restrictions.

BE IT FURTHER RESOLVED that the department shall immediately take all necessary steps to implement such requirements into all industrial waste disposal permits which have not yet received an order to commence from the department.

BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the secretary of the Department of Environmental Quality.

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PRESIDENT OF THE SENATE

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SPEAKER OF THE HOUSE OF REPRESENTATIVES