

**LEGISLATIVE FISCAL OFFICE**  
**Fiscal Note**



Fiscal Note On: **SB 175** SLS 19RS 419  
 Bill Text Version: **ORIGINAL**  
 Opp. Chamb. Action:  
 Proposed Amd.:  
 Sub. Bill For.:

<b>Date:</b> April 30, 2019 9:06 AM	<b>Author:</b> BARROW
<b>Dept./Agy.:</b> Environmental Quality	<b>Analyst:</b> David Neef
<b>Subject:</b> Investigations of certain complaints	

ENVIRONMENT QUALITY DEPT OR +\$1,620,696 GF EX See Note Page 1 of 1  
 Requires the Department of Environmental Quality to investigate certain complaints from the public. (8/1/19)

Present law authorizes the Department of Environmental Quality to conduct inspections at a facility where an imminent danger to the environment or health, an emergency, an abandoned hazardous waste site, or a violation are reasonably believed to exist.  
Proposed law requires the department to conduct a special inspection of a facility within 24 hours from receipt of five (5) or more complaints from the public regarding a potential violation.

<b>EXPENDITURES</b>	<b>2019-20</b>	<b>2020-21</b>	<b>2021-22</b>	<b>2022-23</b>	<b>2023-24</b>	<b>5 -YEAR TOTAL</b>
State Gen. Fd.	\$1,620,696	\$1,203,812	\$1,227,390	\$1,251,440	\$1,275,971	<b>\$6,579,309</b>
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Ded./Other	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Federal Funds	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Local Funds	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<b>\$0</b>
<b>Annual Total</b>	<b>\$1,620,696</b>	<b>\$1,203,812</b>	<b>\$1,227,390</b>	<b>\$1,251,440</b>	<b>\$1,275,971</b>	<b>\$6,579,309</b>

  

<b>REVENUES</b>	<b>2019-20</b>	<b>2020-21</b>	<b>2021-22</b>	<b>2022-23</b>	<b>2023-24</b>	<b>5 -YEAR TOTAL</b>
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Federal Funds	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Local Funds	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<b>\$0</b>
<b>Annual Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**EXPENDITURE EXPLANATION**

There will be an increase in staffing (14 positions) and expenditures (\$1,620,696 in FY 20) for the Department of Environmental Quality to fulfill the special inspections requirements. The department currently responds to complaints within a maximum of 10 days depending on the urgency of the complaint, and this is funded by a federal grant. The inspections in the measure do not qualify for funding under this grant, as it only funds certain scheduled inspections, thus state general fund would be required.

In FY 18, the department received complaints that would meet the criteria defined in this measure on approximately 100 facilities across the state, with some facilities having multiple sets of five complaints. Without a clear timeframe given for when these complaints occurred, and without a clear definition for "special inspections" in the measure, the department assumes that each instance of five complaints would trigger the "special inspection" requirement. Additional staff is needed to the extent that the 24 hour timeframe were to include weekends, as surveillance inspectors do not currently work on weekends. The measure does not clearly specify what a special inspection is, and DEQ is preparing for cases that involve more of what they are currently doing (air, water, and waste) and that these inspections would take more time.

DEQ stated that in order to respond in the specified timeframe requires having regional staff in each division. To address the measure, DEQ estimates six (6) Environmental Scientists (\$485,766 salaries and related benefits) to conduct the inspections, one (1) Environmental Science Supervisor (\$113,548 salaries and related benefits) to oversee inspections and review reports, and one (1) Environmental Project Specialist (\$70,716 salaries and related benefits) to conduct administrative work and submit investigation reports in the Emergency Response and Radiological Services Division. Additionally, six (6) Environmental Scientists (\$485,766 salaries and related benefits) are required for evaluations and response to complaints in the Surveillance Division. An annual 2% salary adjustment is accounted for, in accordance with the state's market adjustment policy. Additional operating expenses include fuel costs (\$14,400); and \$750 for each position for operating expenses (\$10,500). In FY 20 there will be one-time expenditures for the purchase of twelve vehicles (one for each Environmental Scientist) (\$360,000) and appropriate air monitoring equipment (\$80,000). The LFO has requested additional information to determine whether the full amount of this workload adjustment is necessary.

**REVENUE EXPLANATION**

There is no anticipated direct material effect on governmental revenues as a result of this measure as the measure does not include authority to levy fines or penalties.

Senate Dual Referral Rules  
 13.5.1 >= \$100,000 Annual Fiscal Cost {S & H}  
 13.5.2 >= \$500,000 Annual Tax or Fee Change {S & H}

House  
 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}  
 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}

*Evan Brasseaux*  
**Evan Brasseaux**  
**Staff Director**