
LEGISLATIVE BUREAU AMENDMENTS

2019 Regular Session

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 290 by Representative Pugh

1 AMENDMENT NO. 1

2 On page 1, line 2, following "(B)," and before "and to" change "and (C)(1)" to "(C)(1), and
3 (D)" and following "enact" change "R.S. 32:1519(D) and" to "R.S. 32:1519(E),"

4 AMENDMENT NO. 2

5 On page 1, line 3, delete "(E)(6),"

6 AMENDMENT NO. 3

7 On page 1, line 8, change "and (C)(1)" to "(C)(1), and (D)"

8 AMENDMENT NO. 4

9 On page 1, line 9, change "32:1519(D) and (E)(6) are" to "32:1519(E) is"

10 AMENDMENT NO. 5

11 On page 2, delete line 24, and insert the following:

12

13 (1) "Discharge" means:

14 (a) The placing, releasing, spilling, percolating, draining, pumping, leaking,
15 seeping, emitting or other escaping of pollutants into the air, waters, subsurface
16 water, or the ground as the result of a prior act or omission; or

17 (b) The placing of pollutants into pits, drums, barrels, or similar containers
18 under conditions and circumstances that leaking, seeping, draining, or escaping of
19 the pollutants can be reasonably anticipated.

20 (2) "Disposal" means the discharge, deposit, injection, dumping, spilling,
21 leaking, or placing of any hazardous waste into or on any land or water so that such
22 waste, or any constituent thereof, may enter the environment or be emitted into the
23 air or discharged into any waters, including ground waters.

24 (3) "Facility" means a pollution source or any public or private property or
25 facility where an activity is conducted which is required to be regulated under this
26 Chapter and which does or has the potential to do any of the following:

27 (a) Emit air contaminants into the atmosphere.

28 (b) Discharge pollutant into waters of the state.

29 (c) Use or control radioactive materials and waste.

30 (d) Transport, process, or dispose of solid wastes.

31 (e) Generate, transport, treat, store or dispose of hazardous wastes.

32 (4) "Pollution source" means the immediate site or location of a discharge
33 or potential discharge, including such surrounding property necessary to secure or
34 quarantine the area from access by the general public.

35 (5) "Remedial cost" means, after the discharge or disposal of a hazardous
36 substance, the cost of:

37 (a) Removing, confining, or storing any hazardous substance;

38 (b) Constructing barriers, securing the site, encapsulating in clay or other
39 impermeable material;

40 (c) Cleaning up a contamination, recycling, or reuse of a hazardous
41 substance;

42 (d) Diversion, destruction, or segregation of reactive or other wastes;

43 (e) Dredging or excavating a site;

44 (f) Repairing or replacing leaking containers;

- 1 (g) Collection of leachate and runoff;
- 2 (h) Onsite treatment or incineration of a substance;
- 3 (i) Provision of alternative water supplies;
- 4 (j) Monitoring, testing, or analyzing;
- 5 (k) Employing legal, engineering, chemical, biological, architectural, or
- 6 other professional consultants or personnel;
- 7 (l) Investigation, initiation, or prosecution of lawsuits to final judgment;
- 8 (m) Transporting and disposing of waste from the site;
- 9 (n) Or any other action the secretary deems necessary to restore the site or
- 10 remove the hazardous substance."