

**Title 33**  
**ENVIRONMENTAL QUALITY**

**Part V. Hazardous Waste and Hazardous Materials**

**Subpart 1. Department of Environmental Quality—Hazardous Waste**

**Chapter 7. Administrative Procedures for Treatment, Storage, and Disposal  
Facility Permits**

**Subchapter B. Hearings**

**§709. Evidentiary Hearings on Operating Permit Applications for Commercial  
Hazardous Waste Treatment, Storage, Disposal, or Recycling Facilities**

A. ...

B. Applicability

1. An evidentiary hearing shall be held after the technical review of an initial permit application for the operation of a proposed, nonexistent commercial hazardous waste treatment, storage, disposal, or recycling facility.

2. An evidentiary hearing may be held after the technical review of a permit application, other than an initial application for a proposed, nonexistent facility, for the operation of a commercial hazardous waste treatment, storage, disposal, or recycling facility upon a determination by the administrative authority that the hearing would be beneficial in making a permit decision. Considerations by the administrative authority in making this determination include, but are not limited to, fact-finding or clarification of issues.

3. Permit applications for which evidentiary hearings may be held pursuant to Paragraph B.2 of this Section include, but are not limited to:

a. initial permit applications for interim status facilities;

b. renewal permit applications for existing facilities; and

c. major modification (Class 2 or 3) applications for existing

facilities (including requests for conversion of noncommercial status to commercial status).

C. - K. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2180 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Hazardous Waste Division, LR 10:200 (March 1984), amended LR 16:683 (August 1990), LR 17:362 (April 1991), LR 21:565 (June 1995), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2469 (November 2000), amended by the Office of the Secretary, Legal Affairs Division, LR 34:\*\*.