

**Title 33  
ENVIRONMENTAL QUALITY**

**Part VII. Solid Waste**

**Subpart 1. Solid Waste Regulations**

**Chapter 3. Scope and Mandatory Provisions of the Program**

**§301. Exempted Waste**

A. - A.2.d.iv. ...

e. source, special nuclear, or byproduct material as defined by the Atomic Energy Act of 1954 (42 U.S.C. 2011 et seq.); ~~and~~

f. compost produced by an individual for his own beneficial use, as provided in R.S. 30:2416(G);

g. uncontaminated scrap metal materials that are purchased for resale to be recycled or reused and are not destined for disposal; and

h. automotive fluff that results from the shredding of automobiles by a scrap metal recycling facility authorized under the laws of the state of Louisiana and from which metals have been recovered to the maximum extent practicable by the scrap metal recycling facility.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Solid Waste Division, LR 19:187 (February 1993), amended LR 22:279 (April 1996), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2515 (November 2000), LR 28:780 (April 2002), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2485 (October 2005), LR 33:1027 (June 2007), LR 33:2140 (October 2007), LR 33:2364 (November 2007), LR 34:\*\*.

**Chapter 5. Solid Waste Management System**

**Subchapter A. General Standards for Nonpermitted Facilities**

**[Formerly Chapter 7.Subchapter A]**

**§503. Standards Governing Solid Waste Accumulation and Storage**

**[Formerly §703]**

A. Solid Waste Accumulation

1. ...

2. Containers used for solid waste shall:

a. prevent access by rodents and insects; ~~shall~~

b. minimize the escape of odors to the maximum extent possible; and

c. prevent leakage into or out of and shall keep out water the container and prevent leakage.

A.3. - C.2. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq., and in particular R.S. 30:2154.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of the Solid and Hazardous Waste, Solid Waste Division, LR 19:187 (February 1993), amended by the Office of the Secretary, Legal Affairs Division, LR 33:1033 (June 2007), LR 34:\*\*.

**§508. Standards Governing Non-Processing Transfer Stations for Solid Waste**

A. – A.4. ...

B. New facilities in which construction has commenced after June 20, 2007, shall comply with ~~the~~ a buffer zone requirement of not less than 200 feet between the facility and the property line. Facilities transferring only nonputrescible waste shall comply with a buffer zone requirement of not less than 50 feet between the facility and the property line. A reduction in ~~this~~ the buffer zone requirement shall be allowed only with the permission, in the form of a notarized affidavit, of ~~the~~ all adjoining landowners. A copy of the notarized affidavit waiving the 200-foot or 50-foot buffer zone requirement shall be entered in the mortgage and conveyance records of the parish or parishes in which the adjoining landowner's' propertyies are ~~is~~ located. The affidavit shall be maintained with the records of the facility. No storage of solid waste shall occur within a facility's buffer zone.

C. - M. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of the Secretary, Legal Affairs Division, LR 33:1034 (June 2007), amended LR 33:2142 (October 2007), LR 34:\*\*

**Chapter 7. Solid Waste Standards**

**Subchapter A. Landfills, Surface Impoundments, Landfarms**

**§709. Standards Governing Type I and II Solid Waste Disposal Facilities**

**[Formerly some of the provisions in Subsections A and B existed in §521.]**

A. - B.2.d. ...

3. Buffer Zones

a. Buffer zones of not less than 200 feet shall be provided between the facility and the property line. A reduction in this requirement shall be allowed only with the permission, in the form of a notarized affidavit, of ~~the~~ all adjoining landowners. A copy of the notarized affidavit waiving the buffer zone requirement shall be entered in the mortgage and conveyance records of the parish or parishes for the adjoining landowner's' propertyies. Buffer zone requirements may be waived or modified by the administrative authority for areas of landfills that have been closed in accordance with these regulations and for existing facilities.

B.3.b. - E. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq.

**HISTORICAL NOTE:** Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Solid Waste Division, LR 19:187 (February 1993), repromulgated LR 19:1315 (October 1993), amended by the Office of the Secretary, LR 24:2250 (December 1998), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2521 (November 2000), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2490 (October 2005), LR 33:1045 (June 2007), LR 34:\*\*

### **Subchapter B. Solid Waste Processors**

#### **§717. Standards Governing All Type I-A and II-A Solid Waste Processors**

A. - B.2.d. ...

3. Buffer Zones

a. Buffer zones of not less than 200 feet shall be provided between the facility and the property line. A reduction in this requirement shall be allowed only with the permission, in the form of a notarized affidavit, of ~~the~~all adjoining landowners. A copy of the notarized affidavit waiving the buffer zone requirement shall be entered in the mortgage and conveyance records of the parish or parishes for the adjoining landowner's' propertyies. Buffer zone requirements may be waived or modified by the administrative authority for areas of processing facilities that have been closed in accordance with these regulations and for existing facilities.

B.3.b. - I.3. ...

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 30:2001 et seq.

**HISTORICAL NOTE:** Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Solid Waste Division, LR 19:187 (February 1993), amended by the Office of the Secretary, LR 24:2252 (December 1998), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2526, 2610 (November 2000), repromulgated LR 27:704 (May 2001), amended by the Office of Environmental Assessment, LR 30:2025 (September 2004), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2494 (October 2005), LR 33:1061 (June 2007), LR 33:2148 (October 2007), LR 34:\*\*.

### **Subchapter C. Minor Processing and Disposal Facilities**

#### **§719. Standards Governing All Type III Processing and Disposal Facilities**

**[Formerly some of the provisions in Subsections A, B, and E existed in §521.]**

A. - B.2.d. ...

3. Buffer Zones

a. Buffer zones of not less than 50 feet shall be provided between the facility and the property line. A reduction in this requirement shall be allowed only with the permission, in the form of a notarized affidavit, of ~~the~~all adjoining landowners. A copy of the notarized affidavit waiving the buffer zone requirement shall be entered in the mortgage and conveyance records of the parish or parishes for the adjoining landowner's' propertyies. Buffer zone requirements may be waived or modified by the administrative authority for areas of woodwaste/construction/demolition-debris

landfills that have been closed in accordance with these regulations and for existing facilities. Notwithstanding this Paragraph, Type III air curtain destructors and composting facilities that receive putrescible, residential, or commercial waste shall meet the buffer zone requirements in LAC 33:VII.717.B.3. In addition, air curtain destructors shall maintain at least a 1,000-foot buffer from any dwelling other than a dwelling or structure located on the property on which the burning is conducted (unless the appropriate notarized affidavit waivers are obtained).

B.3.b. - E.2. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Solid Waste Division, LR 19:187 (February 1993), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2527 (November 2000), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2495 (October 2005), LR 33:1065 (June 2007), LR 33:2148 (October 2007), LR 34:\*\*.