

Laura Almond

From: Laura Almond
Sent: Tuesday, March 10, 2026 8:15 AM
To: 'apa.h-natr@legis.la.gov'; 'apa.s-envq@legis.la.gov'; 'apa.senatepresident@legis.la.gov'; 'apa.housespeaker@legis.la.gov'
Cc: Courtney Burdette (DEQ); Jill Clark; Deidra Johnson; William Little; Nathan Mills; Robert Shadoin; Jay Love
Subject: Summary Report for Proposed Rule HW140
Attachments: HW140 NOI.pdf

Tracking:	Recipient	Delivery
	'apa.h-natr@legis.la.gov'	
	'apa.s-envq@legis.la.gov'	
	'apa.senatepresident@legis.la.gov'	
	'apa.housespeaker@legis.la.gov'	
	Courtney Burdette (DEQ)	Delivered: 3/10/2026 8:15 AM
	Jill Clark	Delivered: 3/10/2026 8:15 AM
	Deidra Johnson	Delivered: 3/10/2026 8:15 AM
	William Little	Delivered: 3/10/2026 8:15 AM
	Nathan Mills	Delivered: 3/10/2026 8:15 AM
	Robert Shadoin	Delivered: 3/10/2026 8:15 AM
	Jay Love	Delivered: 3/10/2026 8:15 AM

March 10, 2026

The Honorable Eddie J. Lambert, Chairman
c/o Committee Staff
Senate Committee on Environmental Quality

The Honorable Brett F. Geymann, Chairman
House Committee on Natural Resources and Environment
c/o Committee Staff

**RE: Summary Report for Proposed Rule HW140
Hazardous Waste Post Closure Fee Update
(LAC 33:V.5123 and 5149)
Proposed on January 20, 2026**

Pursuant to the Louisiana Administrative Procedure Act, the Louisiana Department of Environmental Quality is submitting a report regarding the above-referenced proposed rule, which was published in the *Louisiana Register*. Neither oral nor written comments were received. No changes have been made to the proposed rule since the report provided for in R.S. 49:966(B) was submitted. Attached is the Notice of Intent for informational purposes. The original proposed rule was previously provided to you and is not being resubmitted with this report.

We would appreciate it if you would acknowledge receipt of this message by return email. Please contact Laura Almond at laura.almond@la.gov or (225) 219-3981 if you have any questions regarding this material.

Sincerely yours,

Jill C. Clark
General Counsel

This concludes this transmission.

Laura Almond
Environmental Project Specialist
Louisiana Department of Environmental Quality
Legal Affairs Division
(225) 219-3985

- LAC 33:VII.505 removes redundant language.
- LAC 33:VII 507 clarifies that measures taken by nonpermitted facilities that collect, store, and off-site transport solid waste shall do so in a manner that minimizes impacts to the environment to the maximum extent possible.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The proposed rule change is not anticipated to impact revenue collections of state or local governmental units.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS (Summary)

While the Department of Environmental Quality (DEQ) does not anticipate that the proposed rule change will increase costs to any directly affected persons, small businesses, or nongovernmental groups, the changes may require entities that handle or store solid waste to make minor adjustments in current practices to ensure continued compliance with regulatory changes.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed rule change is not anticipated to impact competition or employment in either the private or public sector.

Jill C. Clark
General Counsel
2601#034

Patrice Thomas
Deputy Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

**Department of Environmental Quality
Office of the Secretary
Legal Affairs Division**

**Hazardous Waste Post Closure Fee Update
(LAC 33:V.5123 and 5149)**

Under the authority of the Louisiana Environmental Quality Act, R.S. 30:2001 et seq., and in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., the secretary gives notice that rulemaking procedures have been initiated to amend the Hazardous Waste regulations, LAC 33:V.5123 and 5149 (HW140).

The proposed Rule removes duplicate language in the existing regulations and clarifies language concerning fees for hazardous waste units in post-closure to match the relevant statute. The basis and rationale for this proposed Rule are to mirror R.S. 30:2014.D.4.b.iii.aa. The annual maintenance fee for hazardous waste treatment, storage, and disposal facilities that are in post-closure are not to exceed four thousand one hundred twenty-five dollars. This proposed Rule meets an exception listed in R.S. 30:2019(D)(2) and R.S. 49:963.B(3); therefore, no report regarding environmental/health benefits and social/economic costs is required.

Title 33

ENVIRONMENTAL QUALITY

Part V. Hazardous Waste and Hazardous Materials

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

Chapter 51. Fee Schedules

§5123. Annual Fee for Facilities with Closed Hazardous Waste Units in Post-Closure

A. Post-Closure Annual Fee. This is an annual fee applied to defray the cost of annually inspecting the facilities with

closed hazardous waste units in post-closure. This fee shall be \$4,125 annually.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2014 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of the Secretary, Legal Division, LR 43:945 (May 2017), amended by the Office of the Secretary, Legal Affairs and Criminal Investigations Division, LR 44:1241 (July 2018), amended by the Office of Secretary, Legal Affairs Division, LR 52:

§5149. Annual Fee for Facilities with Closed Hazardous Waste Units in Post Closure

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2014.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of the Secretary, Legal Division, LR 43:946 (May 2017), repealed by the Office of Secretary, Legal Affairs Division, LR 52:

Family Impact Statement

This proposed Rule has no known impact on family formation, stability, and autonomy as described in R.S. 49:972.

Poverty Impact Statement

This proposed Rule has no known impact on poverty as described in R.S. 49:973.

Small Business Analysis

This proposed Rule has no known impact on small business as described in R.S. 49:974.1 - 974.8.

Provider Impact Statement

This proposed Rule has no known impact on providers as described in HCR 170 of 2014.

Public Comments

All interested persons are invited to submit written comments on the proposed Rule. Persons commenting should reference this proposed Rule by HW140. Such comments must be received no later than March 4, 2026, at 4:30 p.m., and should be sent to William Little, Attorney Supervisor, Office of the Secretary, Legal Affairs Division, P.O. Box 4302, Baton Rouge, LA 70821-4302, by fax (225) 219-4068, or by E-mail to DEQ.Reg.Dev.Comments@la.gov. Copies of the proposed Rule can be purchased by contacting the LDEQ Public Records Center at (225) 219-3168. Check or money order is required in advance for each copy of HW140. The proposed Rule is available on the Internet at <https://deq.louisiana.gov/page/rules-regulations>.

Public Hearing

A public hearing will be held on February 25, 2026, at 1:30 p.m. in the Galvez Building, Oliver Pollock Conference Room, 602 N. Fifth Street, Baton Rouge, LA 70802. Interested persons are invited to attend in person or online via Zoom at <https://deqlouisiana.zoom.us/j/6836133613?omn=96984013461> or by phone at (309) 740-3221. Meeting ID 683 613 3613. Should individuals with a disability need an accommodation in order to participate, contact Doug Bordelon at the address given below or at (225) 219-1325.

The proposed Rule is available for inspection at the following LDEQ office locations from 8 a.m. until 4:30 p.m.: 602 N. Fifth Street, Baton Rouge, LA 70802; 508 Downing Pines Road, West Monroe, LA 71292; State Office Building, 1525 Fairfield Avenue, Shreveport, LA 71101; 1301 Gadwall Street, Lake Charles, LA 70615; 111 New Center Drive, Lafayette, LA 70508; 110 Barataria Street, Lockport, LA

70374; 201 Evans Road, Bldg. 4, Suite 420, New Orleans, LA 70123.

Jill C. Clark
General Counsel

**FISCAL AND ECONOMIC IMPACT STATEMENT
FOR ADMINISTRATIVE RULES
RULE TITLE: Hazardous Waste
Post Closure Fee Update**

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

The proposed rule change is not anticipated to increase costs or savings to state or local governmental units. The proposed rule change is technical in nature and clarifies post closure permit fees apply at sites that also have an operating permit, "Annual Fee for Facilities with Closed Hazardous Waste Units in Post-Closure", and removes duplicative language in the administrative code.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

There is no estimated effect on revenue collections of state or local governmental units as a result of the proposed rule change.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS (Summary)

There are no estimated costs and/or economic benefits to directly affected persons, small businesses, or nongovernmental groups as a result of the proposed rule change.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed rule change is not anticipated to impact competition or employment in either the public or private sector.

Jill C. Clark
General Counsel
2601#032

Patrice Thomas
Deputy Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

**Department of Environmental Quality
Office of the Secretary
Legal Affairs Division**

Late Fee Update

(LAC 33:I.1413, 4707, and 7013; LAC 33:III.217; LAC 33:V.5129; LAC 33:VII.1509; LAC 33:IX.1309 and 7315; LAC 33:XI.307; LAC 33:XV.2510)

Under the authority of the Louisiana Environmental Quality Act, R.S. 30:2001 et seq., and in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., the secretary gives notice that rulemaking procedures have been initiated to amend the Office of the Secretary regulations, LAC 33:I.1413, 4707, 7013; III.217; V.5129; VII.1509; IX.1309, 7315; XI.307; XV.2510 (MM024).

Late fees are a compliance tool to encourage timely payment of invoice amounts. Payments are routinely received within 60-90 days from the invoice date with no additional effort on the part of department staff. Assignment of late fees during this time period creates an unnecessary burden to both industry and the department. The proposed Rule will update the current late fee regulations for efficiency and align them with industry standards. The basis and rationale for the proposed Rule are to increase efficiency with collection of funds owed to the department. This Rule meets an exception listed in R.S. 30:2019(D)(2) and R.S. 49:963.B(3); therefore, no report regarding environmental/health benefits and social/economic costs is required.

Title 33

ENVIRONMENTAL QUALITY

Part I, Office of the Secretary

Subpart 1. Departmental Administrative Procedures

Chapter 14. Groundwater Fees

NOTE: The information contained in Chapter 14 was previously located in LAC 33:XIII Chapter 13. It was relocated and renumbered in November, 1998.

§1413. Late Payment Fee

A. A late payment fee of 15 percent may be applied to an invoice remaining unpaid after a period of 90 days from the date of the invoice. This late payment fee shall be calculated based on the total outstanding amount of the invoice.

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

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Water Resources, Ground Water Protection Division, LR 18:730 (July 1992), amended LR 21:797 (August 1995), amended by the Office of Management and Finance, Fiscal Services Division, LR 25:426 (March 1999), amended by the Office of the Secretary, Legal Division, LR 43:932 (May 2017), LR 52:

Subpart 3. Laboratory Accreditation

Chapter 47. Louisiana Environmental Laboratory Accreditation Program (LELAP) State Accreditation Requirements

§4707. Fees

A. - G.3. ...

H. Late Payment Fee

Laura Almond

From: APA - House Natural Res <apa.h-natr@legis.la.gov>
Sent: Tuesday, March 10, 2026 8:15 AM
To: Laura Almond
Subject: Request received

EXTERNAL EMAIL: Please do not click on links or attachments unless you know the content is safe.

ELECTRONIC RECEIPT BY COMMITTEE

Your Administrative Procedure Act (APA) submission has been received by the Committee on Natural Resources, Louisiana House.

(Please do not respond to this automatically generated response.)

If your communication is unrelated to an APA required submission, it has been deleted.

If you would like to contact your state legislator, click here <https://www.legis.la.gov/legis/HowDoI2.aspx?p=3#11> to determine the name of your state representative and state senator and to find their contact information.

If you would like to contact members of a particular committee, click here for House Committees <https://www.legis.la.gov/legis/Committees.aspx?c=H> and here for Senate Committees <https://www.legis.la.gov/legis/Committees.aspx?c=S>. The name and contact information of all committee members is available at these sites.

Laura Almond

From: APA - Senate Environment <apa.s-envq@legis.la.gov>
Sent: Tuesday, March 10, 2026 8:15 AM
To: Laura Almond
Cc: APA - Senate Environment
Subject: Request received

EXTERNAL EMAIL: Please do not click on links or attachments unless you know the content is safe.

ELECTRONIC RECEIPT BY COMMITTEE

Your Administrative Procedure Act (APA) submission has been received by the Committee on Environment, Louisiana Senate.

(Please do not respond to this automatically generated response.)

If your communication is unrelated to an APA required submission, it has been deleted.

If you would like to contact your state legislator, click here <https://www.legis.la.gov/legis/HowDoI2.aspx?p=3#11> to determine the name of your state representative and state senator and to find their contact information.

If you would like to contact members of a particular committee, click here for House Committees <https://www.legis.la.gov/legis/Committees.aspx?c=H> and here for Senate Committees <https://www.legis.la.gov/legis/Committees.aspx?c=S>. The name and contact information of all committee members is available at these sites.

Laura Almond

From: APA - Senate President <APA.senatepresident@legis.la.gov>
Sent: Tuesday, March 10, 2026 8:15 AM
To: Laura Almond
Subject: Request received

EXTERNAL EMAIL: Please do not click on links or attachments unless you know the content is safe.

ELECTRONIC RECEIPT FROM THE OFFICE OF THE PRESIDENT

Your Administrative Procedure Act (APA) submission has been received by the Office of the President, Louisiana Senate.

(Please do not respond to this automatically generated response.)

If your communication is unrelated to an APA required submission, it has been deleted.

If you would like to contact your state legislator, click here <https://www.legis.la.gov/legis/HowDoI2.aspx?p=3#11> to determine the name of your state representative and state senator and to find their contact information.

If you would like to contact members of a particular committee, click here for House Committees <https://www.legis.la.gov/legis/Committees.aspx?c=H> and here for Senate Committees <https://www.legis.la.gov/legis/Committees.aspx?c=S>. The name and contact information of all committee members is available at these sites.

Laura Almond

From: APA - House Speaker <apa.housespeaker@legis.la.gov>
Sent: Tuesday, March 10, 2026 8:15 AM
To: Laura Almond
Subject: Request received

EXTERNAL EMAIL: Please do not click on links or attachments unless you know the content is safe.

ELECTRONIC RECEIPT FROM THE OFFICE OF THE SPEAKER

Your Administrative Procedure Act (APA) submission has been received by the Office of the Speaker, Louisiana House of Representatives.

(Please do not respond to this automatically generated response.)

If your communication is unrelated to an APA required submission, it has been deleted.

If you would like to contact your state legislator, click here <https://www.legis.la.gov/legis/HowDol2.aspx?p=3#11> to determine the name of your state representative and state senator and to find their contact information.

If you would like to contact members of a particular committee, click here for House Committees

<https://www.legis.la.gov/legis/Committees.aspx?c=H> and here for Senate Committees

<https://www.legis.la.gov/legis/Committees.aspx?c=S>. The name and contact information of all committee members is available at these sites.

Laura Almond

From: Microsoft Outlook
To: 'apa.h-natr@legis.la.gov'; apa.s-envq@legis.la.gov; 'apa.senatepresident@legis.la.gov';
apa.housespeaker@legis.la.gov
Sent: Tuesday, March 10, 2026 8:15 AM
Subject: Relayed: Summary Report for Proposed Rule HW140

Delivery to these recipients or groups is complete, but no delivery notification was sent by the destination server:

'apa.h-natr@legis.la.gov' (apa.h-natr@legis.la.gov)

apa.s-envq@legis.la.gov (apa.s-envq@legis.la.gov)

'apa.senatepresident@legis.la.gov' (apa.senatepresident@legis.la.gov)

apa.housespeaker@legis.la.gov (apa.housespeaker@legis.la.gov)

Subject: Summary Report for Proposed Rule HW140



Summary Report
for Proposed Ru...

Laura Almond

From: Microsoft Outlook
To: Nathan Mills
Sent: Tuesday, March 10, 2026 8:15 AM
Subject: Delivered: Summary Report for Proposed Rule HW140

Your message has been delivered to the following recipients:

Nathan Mills (Nathan.Mills@LA.GOV)

Subject: Summary Report for Proposed Rule HW140



Summary Report
for Proposed Ru...

Laura Almond

From: Microsoft Outlook
To: Courtney Burdette (DEQ)
Sent: Tuesday, March 10, 2026 8:15 AM
Subject: Delivered: Summary Report for Proposed Rule HW140

Your message has been delivered to the following recipients:

Courtney Burdette (DEQ) (Courtney.Burdette@LA.GOV)

Subject: Summary Report for Proposed Rule HW140



Summary Report
for Proposed Ru...

Laura Almond

From: Microsoft Outlook
To: William Little
Sent: Tuesday, March 10, 2026 8:15 AM
Subject: Delivered: Summary Report for Proposed Rule HW140

Your message has been delivered to the following recipients:

[William Little \(William.Little@la.gov\)](mailto:William.Little@la.gov)

Subject: Summary Report for Proposed Rule HW140



Summary Report
for Proposed Ru...

Laura Almond

From: Microsoft Outlook
To: Jay Love
Sent: Tuesday, March 10, 2026 8:15 AM
Subject: Delivered: Summary Report for Proposed Rule HW140

Your message has been delivered to the following recipients:

Jay Love (Jay.Love2@la.gov)

Subject: Summary Report for Proposed Rule HW140



Summary Report
for Proposed Ru...

Laura Almond

From: Microsoft Outlook
To: Deidra Johnson
Sent: Tuesday, March 10, 2026 8:15 AM
Subject: Delivered: Summary Report for Proposed Rule HW140

Your message has been delivered to the following recipients:

Deidra Johnson (Deidra.Johnson@LA.GOV)

Subject: Summary Report for Proposed Rule HW140



Summary Report
for Proposed Ru...

Laura Almond

From: Microsoft Outlook
To: Jill Clark
Sent: Tuesday, March 10, 2026 8:15 AM
Subject: Delivered: Summary Report for Proposed Rule HW140

Your message has been delivered to the following recipients:

Jill Clark (Jill.Clark@la.gov)

Subject: Summary Report for Proposed Rule HW140



Summary Report
for Proposed Ru...

Laura Almond

From: Microsoft Outlook
To: Robert Shadoin
Sent: Tuesday, March 10, 2026 8:15 AM
Subject: Delivered: Summary Report for Proposed Rule HW140

Your message has been delivered to the following recipients:

Robert Shadoin (Robert.Shadoin2@LA.GOV)

Subject: Summary Report for Proposed Rule HW140



Summary Report
for Proposed Ru...

Laura Almond

From: Stalder, Robin <stalderr@legis.la.gov>
To: Laura Almond
Sent: Tuesday, March 10, 2026 8:47 AM
Subject: Read: Summary Report for Proposed Rule HW140

Your message

To: Stalder, Robin
Subject: Summary Report for Proposed Rule HW140
Sent: Tuesday, March 10, 2026 8:14:52 AM (UTC-06:00) Central Time (US & Canada)

was read on Tuesday, March 10, 2026 8:47:27 AM (UTC-06:00) Central Time (US & Canada).

Laura Almond

From: Jay Love
To: Laura Almond
Sent: Tuesday, March 10, 2026 8:33 AM
Subject: Read: Summary Report for Proposed Rule HW140

Your message

To: Jay Love
Subject: Summary Report for Proposed Rule HW140
Sent: Tuesday, March 10, 2026 8:14:52 AM (UTC-06:00) Central Time (US & Canada)

was read on Tuesday, March 10, 2026 8:33:19 AM (UTC-06:00) Central Time (US & Canada).