

# Louisiana State Police Emergency Services Unit

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# Authority

The Emergency Planning and Community Right-to-Know Act (EPCRA) of 1986, also known as the Superfund Amendments and Reauthorization Act (SARA) provided the authority to regulate the hazardous materials industry.

# Hazardous Materials Revised Statutes Continued

## Revised Statute 30:2376

### Monitoring and Enforcement

- The department has the right to monitor by entering and inspecting any facility that is:
  - Manufacturing
  - Storing
  - Using
  - Releasing or released hazardous materials covered in this chapter

# Right to Know Unit

The Right to Know Unit was created in 1987 as a response to the Hazardous Materials Information Development Preparedness and Response Act.

Authority is derived from:

LAC Title 33:V Subpart 2 Chapter 101

# EPCRA

There are 4 major provisions under this Act

1. Emergency Planning
2. Emergency Release Notification
3. Community Right-to-Know
4. Toxic Release Inventory

# Tier II

## Reporting requirements:

Any business which has 500 lbs of a regulated substance on site for any **ONE** day in the preceding calendar year, must file a Tier II report.

This report must also be filed with the LEPC and the SERC.

Information regarding Tier II, Fixed Site and Transportation related regulations can be found on the Louisiana State Police web site:

**<http://www.lsp.org/rtk.html>**

Information regarding underground utility regulations are found on the Legislature web site:

**<http://www.legis.state.la.us/lss.asp?doc=87408>**

# Incident Reporting Requirements

Fixed Site Incident Reporting:

Revised Statute 30:2373

Transportation Incident Reporting:

Revised Statute 32:1510

Underground Utilities Reporting:

Revised Statute 40:1749.11-26



# Fixed Site Reporting

## Revised Statute 30:2373 Incident Reporting Requirements

1. The release causes any **INJURY** requiring hospitalization, defined as “The admission into a hospital as a patient for an overnight stay or emergency treatment at a hospital to the extent that the owner or operator requested such treatment or becomes aware of such treatment within twenty-four (24) hours of the initiation of the relevant release.” or any **FATALITY**; or

# Fixed Site Reporting

2. The release results in a **FIRE OR EXPLOSION** which could reasonably be expected to affect the public safety beyond the boundaries of the facility; or

# Fixed Site Reporting

3. The release exceeds the **REPORTABLE QUANTITY** during any continuous twenty-four (24) hours period when that reportable quantity could reasonably be expected to escape beyond the site of the facility; or

# Fixed Site Reporting

4. The incident, accident or clean-up within the facility could reasonably be expected to affect public safety beyond the boundaries of the facility; or

# Fixed Site Reporting

5. The owner or operator knows a protective action beyond the boundaries of the facility has been initiated.

# Transportation Reporting

Revised Statute 32:1510

Any person involved in a **INCIDENT, ACCIDENT, or CLEAN-UP** involving hazardous materials must notify the Louisiana State Police Haz-Mat Hotline immediately, whether or not there is a release of material if:

# Transportation Reporting

1. There is a fatality due to fire, explosion or exposure to the material; or

# Transportation Reporting

2. Hospitalization is required, defined as “The admission into a hospital as a patient for an overnight stay or emergency treatment at a hospital to the extent that the owner or operator requested such treatment or becomes aware of such treatment within twenty-four (24) hours of the initiation of the relevant release.”; or



# Transportation Reporting

3. There is a release of material; or

# Transportation Reporting

4. The transfer of bulk material is deemed necessary on a public highway or within five hundred feet of an inhabited building;  
or

# Transportation Reporting

5. If a bulk container is leaning at an angle of  $45^\circ$  or more; or

# Transportation Reporting

6. If there is property damage of \$10,000.00.

# Transportation Reporting

If there is mechanical damage unconnected to the hazardous materials involved, **NO** notification is necessary. **HOWEVER**, a courtesy notification to the LSP Hotline could be beneficial if problems arise during repairs.

# Underground Utility Reporting

Revised Statute 40:1749.11-26

Calls are made to the Regional Notification  
Center – LA One Call

**DOTTIE**

**Dial One Time To Inform Everyone**

# Underground Utility Reporting

LA OneCall Homepage

[www.laonecall.com/ticketsearch\\_frame\\_page.htm](http://www.laonecall.com/ticketsearch_frame_page.htm)

# Underground Utility Reporting

1. Each excavator or demolisher, including cable television owners or operators, shall serve telephonic notice to the regional notification center. LAONECALL

Excavation or demolition in any street, highway, public place or servitude, or near the location of an underground utility or on the premises of a customer served by an underground utility, must have a locate ticket.



# Underground Utility Reporting

2. Call must be made at least forty eight (48) hours before digging.  
Expires after 10 days.  
Call for a new ticket on day 8.

# Underground Utility Reporting

3. There is a provision for an emergency excavation.

# Precautions to Avoid Damage

## RS 40:1749:16

- ◆ Plan the excavation or demolition to avoid damage
- ◆ Maintain a safe clearance between the utility and the cutting edge or point of any powered equipment
- ◆ Provide support for utilities during excavation and back filling
- ◆ Dig test pits to determine the actual location of the utility

# Underground Utility Violations

1. If no OneCall is made.
2. If the waiting period is not adhered to.
3. If a cut utility is not reported.
4. If a contractor refused to stop after a utility is cut.

# LSP Haz-MAT Hotline

**225-925-6595**

Or Toll Free

**877-925-6595**

For additional information, please contact

Mr. Gene Dunegan with the Right-to-Know

Unit @ (225) 925-6113 ext 253

[gene.dunegan@dps.la.gov](mailto:gene.dunegan@dps.la.gov)

# Questions ?

