

LOUISIANA PUBLIC SERVICE COMMISSION

ORDER NUMBER T-37516

EDI ENVIRONMENTAL SERVICES, INC.
EX PARTE

Docket No. T-37516, In re: Application for a Common Carrier Certificate of non-hazardous oilfield waste, non-hazardous industrial solid waste and hazardous waste for disposal, statewide.

(Decided June 25, 2025.)

ORDER

Background

EDI Environmental Services, Inc. (“EDI” or “Applicant”) submitted an application (“Application”) with attachments on February 21, 2025, seeking from the Louisiana Public Service Commission (“LPSC” or “Commission”) a common carrier certificate authorizing it to transport non-hazardous oilfield waste, non-hazardous industrial solid waste, and hazardous waste for disposal, statewide. Notice of the Application was published in the Commission’s *Official Bulletin* on February 28, 2025, for a 15-day intervention period. No interventions were filed.

At a status conference on April 1, 2025, representatives of the Applicant and the Commission Staff agreed to a procedural schedule that was included in the *Report of Status Conference* issued on the same day. Per the schedule, EDI and Commission Staff filed their pre-hearing statements on June 2, 2025. As there are no intervenors and Commission Staff supports the Application, the Application is considered unopposed.

Jurisdiction and Applicable Law

The Commission derives its jurisdiction over common carriers and public utilities from the Louisiana Constitution of 1974. Article IV, Section 21(B) of the Constitution provides, in pertinent part, that:

[t]he [C]ommission shall regulate all common carriers and public utilities and have such other regulatory authority as provided by law. It shall adopt and enforce reasonable rules, regulations and procedures necessary for the discharge of its duties, and shall have other powers and perform other duties as provided by law.

In addition, La. R.S. 45:163 provides that “[t]he [C]ommission has the power and authority necessary to supervise, govern, regulate, and control motor carriers...which transport household goods, passengers, or waste intrastate and to fix reasonable and just rates, fares, tolls, or charges

for the commodities furnished or services rendered by such motor carriers.” La. R.S. 45:164 states that “[n]o motor carrier of waste shall operate without first having obtained from the [C]ommission a common carrier certificate or contract carrier permit.” La. R.S. 45:164(B) provides that an applicant for a common carrier certificate, contract carrier permit, or expansion of authority granted in an existing certificate must prove fitness by proving all of the following:

- (1) The applicant holds, or is capable of acquiring, an insurance policy that complies with [C]ommission rules.
- (2) The applicant has the financial ability to provide the transportation of waste for disposal in a safe and efficient manner.
- (3) The applicant holds, or is capable of acquiring all the necessary authorizations required by any and all regulatory authorities for the transportation of waste for disposal.
- (4) The applicant holds, or is capable or [sic] acquiring for use, equipment and man power to provide transportation services in a safe and efficient manner.
- (5) The applicant has in place, or is capable of establishing, a safety program necessary for the safe and efficient transportation of waste for disposal.

The Commission’s *General Order* dated January 23, 2018 incorporated the above requirements into Rule 33 of the Commission’s *Rules of Practice and Procedure*, which now reads (in pertinent part) as follows:

- A. An applicant applying for a common carrier certificate, contract carrier permit, or expansion of authority granted in an existing certificate or permit authorizing the transportation of non-hazardous oilfield waste, hazardous waste or non-hazardous industrial solid waste shall prove fitness...in a hearing before an administrative law judge or hearing officer by proving that the applicant:
 1. holds, or is capable of acquiring, an insurance policy providing coverage of two hundred fifty thousand dollars for injury or death per person or five hundred thousand dollars per occurrence, and ten thousand dollars property damage,
 2. has the financial ability to provide the transportation of waste for disposal in a safe and efficient manner,
 3. holds, or is capable of acquiring, all of the necessary authorizations required by any and all regulatory authorities for the transportation of waste for disposal[,]
 4. holds, or is capable of acquiring for use, equipment and man power to provide transportation services in a safe and efficient manner, and
 5. has in place, or is capable of establishing, a safety program necessary for the safe and efficient transportation of waste for disposal.

...

- D. The provisions of this rule are applicable to all applications for common carrier certificates and contract carrier permits of waste and all applications for expansion of existing waste authority, including those applications which are presently pending before the Commission but have not yet gone to hearing on the merits.
- E. All restrictions on existing certificates or permits are valid until expansion of authority is applied for and a new certificate or permit is granted. However, any restrictive language in any existing common carrier certificate or any contract carrier permit of waste that prevents the carrier from applying for expanded authority for any period of time is null and void...
- F. Certificates or permits issued after the adoption of this rule shall not contain restrictions.

The Hearing

A hearing on the Application was convened on June 11, 2025, at which EDI appeared through Clayton Courville and Jerry Landry and Commission Staff appeared through counsel.

Testimony and Evidence Presented by the Applicant

In support of its Application, EDI presented the testimonies of Clayton Courville and Jerry Landry.

Testimony of Clayton Courville

Mr. Courville testified that he is the President and Chief Executive Officer (“CEO”) of EDI, has been employed by EDI since 1996, and served as President and CEO since 1998. Mr. Courville testified regarding his employment background and provided an overview of the Applicant’s operations. EDI is a Louisiana corporation formed on March 16, 1992,¹ with an office in Carencro, Louisiana, and an office/terminal and a storage yard in Lafayette, Louisiana. EDI is owned 80 percent by Charles Chatelain, 18 percent by Mr. Courville, and 2 percent by Jerry Landry.

The Applicant’s current Louisiana operations include providing waste management compliance, environmental consulting, environmental remediation and assessment, and transportation services. The Applicant also provides consulting services in several other states. According to Mr. Courville, the Applicant seeks the requested authority to expand its service offerings to customers. EDI does not presently hold any LPSC authority. The Applicant has eight employees, two of whom are drivers, and all are located in Louisiana.

Mr. Courville confirmed that EDI is in good standing with the Louisiana Office of

¹ The Applicant was first registered to do business in Louisiana on March 17, 1992, as Environmental Dynamics, Inc. of Louisiana (EDI) and later changed its name to EDI Environmental Services, Inc. effective June 9, 1995. (See Applicant’s Exhibit A, *in globo*).

Secretary of State. Mr. Courville confirmed his understanding of myriad Commission rules and regulations, including filing annual reports and paying inspection and supervision fees. Per Mr. Courville, the Applicant intends to comply with all of the Commission's regulations.

Mr. Courville identified an *ACORD Certificate of Liability Insurance* showing the Applicant as an insured² and confirmed that the policies listed are current, cover all of EDI's equipment and drivers, meet or exceed the minimum requirements, and will be renewed on or before expiration. Mr. Courville confirmed his understanding of the Commission's requirement to maintain proof of insurance on file with the Commission through a Form E.

Mr. Courville testified regarding the Applicant's financial condition, identifying documents depicting the Applicant's finances, asserting that the Applicant is financially able to provide safe and efficient transportation of waste, and stating there are no financial factors that would limit that ability. According to Mr. Courville, the Applicant has not filed for bankruptcy, has not been the subject of a tax audit, and is current on federal and state tax filings. Mr. Courville provided that the Applicant's owners are willing and able to obtain or contribute capital to EDI if needed.

Mr. Courville testified regarding the Applicant's equipment. The Applicant owns and/or leases three trucks and three trailers to be used for the transportation of regulated waste. The Applicant does not utilize owner-operators and Mr. Courville stated that he understands the LPSC rules regarding owner-operators. Mr. Courville addressed the Applicant's maintenance policies and practices, including pre- and post-trip inspections, maintenance schedules, and maintenance documentation. Mr. Courville averred that all equipment to be used by the Applicant for transporting LPSC-regulated waste is in good working order. The Applicant's trucks are equipped with forward and cab-facing cameras. Mr. Courville testified that EDI is a member of ISNetwork and Veriforce safety networks with "A" ratings.

Mr. Courville stated that the Applicant has or is willing to acquire the necessary permits, equipment, finances, and personnel for the transportation of LPSC-regulated waste in a safe, efficient, and LPSC-compliant manner.

Testimony of Jerry Landry

² The *ACORD* certificate lists two other entities along with the Applicant as insureds. Mr. Courville explained that the other entities share common owners with EDI. Mr. Courville also stated that only Sea Shore Energy remains on the policy with EDI - the other entity was removed from the policy. (See Applicant's Exhibit A, *in globo*).

Mr. Landry testified that he is the Vice President and Operations Manager of the Applicant, and that he has been in that position since he began his employment with EDI in 2015. For the previous 29 years, Mr. Landry was employed by a waste-generating company and was responsible for ensuring its waste was picked up and transported for disposal. Mr. Landry is a certified safety specialist certified by the National Environmental Registry of Professionals.

Mr. Landry identified certain regulatory documents of the Applicant, and indicated that the Applicant has or is willing and able to acquire the necessary permits and authorizations from state and federal agencies to transport waste for disposal.

Mr. Landry testified regarding the Applicant's driver hiring and training practices. Driver applicants must possess a valid Commercial Driver's License, and ideally, a hazardous materials endorsement. Driver applicants undergo motor vehicle and criminal background checks and submit to drug and alcohol screening. The Applicant hires drivers with at least two years of driving experience. Once hired, drivers undergo a training program with an experienced driver who conducts a skills assessment and authorizes the new driver to drive unaccompanied.

Mr. Landry addressed EDI's safety policies and practices, including driver safety policies and its *HSE Manual*. Mr. Landry identified and provided an overview of those policies, which are or will be given to all employees who must sign an acknowledgment that it has been read and understood. Mr. Landry advised that the Applicant will develop safety policies specific to the transportation of LPSC-regulated waste and provide those policies to the Commission as well as to all employees who must read and sign an acknowledgment. Mr. Landry discussed the Applicant's drug and alcohol and cell phone policies. Mr. Landry stated that the Applicant holds weekly and job-specific safety meetings at its office attended by all employees. Mr. Landry discussed some of the safety topics discussed at its safety meetings. Mr. Landry noted that EDI is a member of the ISNetworld safety network and other unspecified safety networks, all with a positive rating.

In connection with their testimonies, the witnesses identified the following exhibits which were admitted:

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| Exhibit A, <i>in globo</i> | The <i>Waste by Motor Vehicle Application</i> filed by EDI Environmental Services, Inc. on February 21, 2025, with attachments (excluding HSE Manual). |
| Exhibit B, <i>in globo</i> | Correspondence from Tammy Burl dated March 11, 2025, with attached <i>Waste by Motor Vehicle Application</i> filed by EDI Environmental Services, Inc. on February |

21, 2025, containing a revised first page (also filed on February 21, 2025) reflecting the correct legal name of the Applicant.

Exhibit C, *in globo*

The following financial documents for EDI Environmental Services, Inc. (**admitted confidentially under seal**):

- Balance Sheet as of December 31, 2024, also showing as of December 31, 2023
- Income by Customer Summary, January - December 2024
- Profit & Loss, January - December 2024, also showing January - December 2023.

Exhibit D

EDI Environmental Services, Inc. *HSE Manual* Table of Contents.

Exhibit D-1

EDI Environmental Services, Inc. *HSE Manual* (submitted electronically on flash drive).

Exhibit E

EDI Environmental Services, Inc.'s responses (with attachments) to LPSC Staff's first set of data requests.

Exhibit F

EDI Environmental Services, Inc.'s responses (with attachments) to LPSC Staff's second set of data requests.

Commission Staff's Position

The Commission Staff expressed its support for the Application in its pre-hearing statement and confirmed at the hearing that there are no LPSC regulatory issues with the Applicant and that it supports the Application.

Conclusion

Having considered the Application of EDI, the testimony and evidence presented in support of the Application, the directives of the Commission's *General Order* dated January 23, 2018, Rule 33 of the Commission's *Rules of Practice and Procedure*, and other applicable law, we find that EDI has established its fitness to operate and that a common carrier certificate should be issued to the Applicant as requested.

Accordingly, **IT IS HEREBY ORDERED that:**

1. EDI Environmental Services, Inc. be issued a common carrier certificate authorizing operation in Louisiana intrastate commerce as a common carrier of non-hazardous oilfield waste, non-hazardous industrial solid waste, and hazardous waste for disposal, statewide.

2. The issuance of the common carrier certificate is conditioned upon the full compliance of EDI Environmental Services, Inc. with the laws of the State of Louisiana and the rules and regulations of the Louisiana Public Service Commission.
3. This order is effective immediately per Rule 43 of the Commission's *Rules of Practice and Procedure*.

BY ORDER OF THE COMMISSION
BATON ROUGE, LOUISIANA
June 25, 2025



A handwritten signature in blue ink that reads "Brandon M. Frey" followed by a stylized flourish.

BRANDON M. FREY
SECRETARY

/S/ MIKE FRANCIS
DISTRICT IV
CHAIRMAN MIKE FRANCIS

/S/ ERIC F. SKRMETTA
DISTRICT I
VICE CHAIRMAN ERIC F. SKRMETTA

/S/ FOSTER L. CAMPBELL
DISTRICT V
COMMISSIONER FOSTER L. CAMPBELL

/S/ DAVANTE LEWIS
DISTRICT III
COMMISSIONER DAVANTE LEWIS

/S/ JEAN-PAUL P. COUSSAN
DISTRICT II
COMMISSIONER JEAN-PAUL P. COUSSAN