Louisiana SIP Infrastructure Checklist
2008 Ozone National Ambient Air Quality Standards Revision

THE CLEAN AIR ACT
TITLE I—AIR POLLUTION PREVENTION AND CONTROL
PART A—AIR QUALITY AND EMISSION LIMITATIONS
SECTION 110—IMPLEMENTATION PLANS

Section 110(a)(1) and (2)

Federal CAA Citation	Summary of Federal Language	State Citation (if applicable)	Comments on State Language
§110(a)(1)	Each State shall, after reasonable notice and public hearings, adopt and submit to the Administrator, …, a plan which provides for implementation, maintenance, and enforcement of such primary standard in each air quality control region (or portion thereof) within such State. In addition, such State shall adopt and submit to the Administrator (either as a part of a plan submitted under the preceding sentence or separately) …, a plan which provides for implementation, maintenance, and enforcement of such secondary standard in each air quality control region (or portion thereof) within such State. Unless a separate public hearing is provided, each State shall consider its plan implementing such secondary standard at the hearing required by the first sentence of this paragraph.		Louisiana submitted to EPA State Implementation Plan (SIP) Revisions that dealt with the Ozone NAAQS. A SIP revision for the "Baton Rouge Severe Area Rule Update" was submitted on June 15, 2005 and approved by EPA on July 5, 2011 (see 76 FR 38990). Louisiana submitted (January 7, 2008) a letter to EPA certifying that the 1997 8-Hour SIP Infrastructure requirements were satisfied in accordance with Section 110(a)(1) and (2) of the CAA. EPA approved the Infrastructure elements on July 19, 2011 (see 76 FR42549). The SIP plans: "Baton Rouge Ozone Area Redesignation Request and Maintenance"; "Baton Rouge 1997 8-Hour Moderate Reclassification"; and "Baton Rouge Nonattainment Redesignation and Maintenance Plan Technical Amendment to Section 5, Attainment Inventory and Supporting Appendix E documentation" were submitted August 31, 2010 and approved by EPA on November 30, 2011 (see 76 FR 7400).

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§110(a)(2)(A) Emission Limits and Other Control Measures	Each implementation plan submitted by a State under this Act shall be adopted by the State after reasonable notice and public hearing. Each such plan shall—include enforceable emission limitations and other control measures, means, or techniques (including economic incentives such as fees, marketable permits, and auctions of emissions rights), as well as schedules and timetables for compliance, as may be necessary or appropriate to meet the applicable requirements of this Act;	La. R.S. 30:2054; LAC 33:III Chapters 2, 5,9, 21 and 22.	Louisiana has approved and implemented rules that provide for adequate coverage of this requirement.
§110(a)(2)(B) Ambient Air Quality Monitoring/Data System	provide for establishment and operation of appropriate devices, methods, systems, and procedures necessary to— (i) monitor, compile, and analyze data on ambient air quality, and (ii)upon request, make such data available to the Administrator;		Louisiana operates an approved air quality monitoring network consistent with EPA regulations (40 CFR 50.4). Under LDEQ's Grant Work Plan, the department monitors, compiles, and analyzes the data for Ozone. Currently there are twenty-four (24) Ozone monitors in the state with an additional monitor planned for Alexandria, Louisiana, with the finalization of the 2008 Ozone Standard. Current Louisiana air quality monitoring network implements the 8-hour Ozone NAAQS. Air monitoring data can be accessed through the following websites: http://www.deq.louisiana.gov/portal/DIVISIONS/Assessment/AirFieldServices/AmbientAirMonitoringProgram/AmbientAirMonitoringDataandReports.aspx http://www.deq.louisiana.gov/portal/DIVISIONS/Assessment/AirFieldServices/AmbientAirMonitoringProgram/AirMonitoringData.aspx LDEQ reports the air quality data to EPA on a quarterly basis.

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§110(a)(2)(C) Program for Enforcement of Control Measures	include a program to provide for the enforcement of the measures described in subparagraph (A), and regulation of the modification and construction of any stationary source within the areas covered by the plan as necessary to assure that national ambient air quality standards are achieved, including a permit program as required in parts C and D;	LAC 33:III Chapters 3 and 5	Louisiana operates an EPA-approved air permitting program for major and minor sources.
§110(a)(2)(D) Interstate Transport	contain adequate provisions— (i) prohibiting, consistent with the provisions of this title, any source or other type of emissions activity within the State from emitting any air pollutant in amounts which will— (i)(I) contribute significantly to nonattainment in, or interfere with maintenance by, any other State with respect to any such national primary or secondary ambient air quality standard, or (i)(II) interfere with measures required to be included in the applicable implementation plan for any other State under part C to prevent significant deterioration of air quality or to protect visibility, (ii) insuring compliance with the applicable requirements of sections 126 and 115 (relating to interstate and international pollution abatement);	LAC 33:III.506	Louisiana has submitted and EPA has approved the CAIR SIPs for both SO2 and NOx. Both of these SIPs meet the requirements of Sec 110(a)(2)(D). See 72 FR 39741/72 FR 55064.* *On August 21, 2012, the U.S. Court of Appeals vacated the 2011 Cross-State Air Pollution Rule (CSAPR) and also ordered the EPA to "continue administering CAIR pending the promulgation of a valid replacement." In a November 19, 2012, Memorandum by EPA Assistant Administrator Gina McCarthy, EPA stated that CAIR emission reductions are permanent and enforceable until any "further proceedings in the CSAPR case are resolved or … until a valid replacement rule is developed …" While the SIPs may be revised following the outcome of EPA's petition and/or an interstate transport rule replacement, the controls that have been installed under CAIR will remain in place in accordance with LAC 33:III. 905, which states that when air pollution control facilities have been installed on a property "they shall be used and diligently maintained in proper working order whenever any emissions are being made which can be controlled by the facilities, even though the ambient air quality standards in affected areas are not exceeded."

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§110(a)(2)(E) Adequate Resources	provide (i) necessary assurances that the State (or, except where the Administrator deems inappropriate, the general purpose local government or governments, or a regional agency designated by the State or general purpose local governments for such purpose) will have adequate personnel, funding, and authority under State (and, as appropriate, local) law to carry out such implementation plan (and is not prohibited by any provision of Federal or State law from carrying out such implementation plan or portion thereof), (ii) requirements that the State comply with the requirements respecting State boards under section 128, and (iii) necessary assurances that, where the State has relied on a local or regional government, agency, or instrumentality for the implementation of any plan provision, the State has responsibility for ensuring adequate implementation of such plan provision;	R.S. 30:2011 et seq. La. R.S. 30:2014	Louisiana works closely with the various stakeholder groups upon the announcement of new national ambient air quality standards; the LDEQ participates in an advisory capacity in the Baton Rouge Clean Air Coalition. Louisiana has no local governmental entities that have air pollution control capacity.

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§110(a)(2)(F) Stationary Source Monitoring System	require, as may be prescribed by the Administrator— (i) the installation, maintenance, and replacement of equipment, and the implementation of other necessary steps, by owners or operators of stationary sources to monitor emissions from such sources, (ii) periodic reports on the nature and amounts of emissions and emissions-related data from such sources, and (iii) correlation of such reports by the State agency with any emission limitations or standards established pursuant to this chapter, which reports shall be available at reasonable times for public inspection;	LAC 33:III Chapter 9	The SIP pertaining to stationary source emissions monitoring was submitted to EPA on November 15, 1994 and was approved on February 6, 1995 (60 FR 02014). The most recent revisions were submitted on September 14, 2004 and November 9, 2007 and approved on July 5, 2011 (see 76 FR 38977). This SIP revision meets the requirements set forth in §110(a)(2)(F).
§110(a)(2)(G)	provide for authority comparable to that in section 303 and adequate contingency plans to implement such authority;	LAC 33:III.Chapter 56	The "Prevention of Air Pollution Emergency Episodes" provision was promulgated by LDEQ on December 20, 1987. Revisions were made to the SIP in January 1988, and approved on March 8, 1989 (54 FR 09795).

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§110(a)(2)(H)	provide for revision of such plan— (i) from time to time as may be necessary to take account of revisions of such national primary or secondary ambient air quality standard or the availability of improved or more expeditious methods of attaining such standard, and (ii) except as provided in paragraph (3)(C), whenever the Administrator finds on the basis of information available to the Administrator that the plan is substantially inadequate to attain the national ambient air quality standard which it implements or to otherwise comply with any additional requirements established under this Act;	N/A	LDEQ revises the SIP, as necessary, to comply with changes to the national ambient air quality standard or findings of inadequacies.
§110(a)(2)(J)	meet the applicable requirements of section 121 (relating to consultation), section 127 (relating to public notification), and part C (relating to prevention of significant deterioration of air quality and visibility protection);	LAC 33:III.509 (PSD and Visibility); LAC 33:III.531 Public Notice and Affected State Notice	Louisiana works with the Federal Land Manager on PSD projects and permits.
§110(a)(2)(K)	provide for— (i) the performance of such air quality modeling as the Administrator may prescribe for the purpose of predicting the effect on ambient air quality of any emissions of any air pollutant for which the Administrator has established a national ambient air quality standard, and (ii) the submission, upon request, of data related to such air quality modeling to the Administrator;	N/A	LDEQ contracts the attainment modeling requirement when necessary. Modeling was done for all nonattainment areas in the instance of Ozone as well as Regional Haze.

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§110(a)(2)(L)	require the owner or operator of each major stationary source to pay to the permitting authority, as a condition of any permit required under this Act, a fee sufficient to cover— (i) the reasonable costs of reviewing and acting upon any application for such a permit, and (ii) if the owner or operator receives a permit for such source, the reasonable costs of implementing and enforcing the terms and conditions of any such permit (not including any court costs or other costs associated with any enforcement action), until such fee requirement is superseded with respect to such sources by the Administrator's approval of a fee program under title V; and	LAC 33:III Chapter 2	Louisiana has an approved permit fee structure.
§110(a)(2)(M)	provide for consultation and participation by local political subdivisions affected by the plan.	La RS 30: 2011(D)(21)(b)	Louisiana includes these entities as part of the stakeholder group before plan implementation begins.

N/A - not applicable