SECTION 1

PUBLIC NOTICE

SECTION 1

Public Notice

In accordance with La. R.S. 49:950 et seq., and to comply with 40 CFR 51.285, Public Notification, The Louisiana Department of Environmental Quality published in the *Louisiana Register* on August 20, 2009, a notice seeking comment on this SIP revision. A public hearing concerning this proposed SIP revision was held at 1:30 p.m. on September 24, 2009, in the Galvez Building, Oliver Pollock Conference Room, 602 N. Fifth Street, Baton Rouge, LA 70802. Interested parties were invited to submit written or oral comments on the proposed revision at that time. The comment period closed at 4:30 p.m. on September 24, 2009. Written comments were accepted via mail, fax, or email.

Table 1. Surface Coating Industries			
Affected Facility		Daily Weighted Average VOC Emission Limitation	
		Lbs. per Gal. of Coating as applied (minus water and exempt solvent)	Kgs. per Liter of Coating as applied (minus water and exempt solvent)
Final Repair Application (Including Flashoff Area and Oven)		4.8	0.58
Electrodeposition Primer Operations (Including Application Area, Spray/Rinse Stations, and Curing Oven)	When Solids Turnover Ratio is $R_T \geq 0.16$	When $0.040 \leq R_T < 0.160$	When $R_T < 0.040$
	0.084 kgs./liter (0.7 lbs./gal) coating solids applied	0.084 x $350^{0.160-R_T}$ kgs./liter (0.084 x $350^{0.160-R_T}$ x 8.34 lbs./gal.) coating solids applied	No VOC emission limit
17. Fiberglass Boat Manufacturing Materials			
These operations shall comply with all requirements of 40 CFR Part 63, Subpart VVVV, as incorporated by reference in LAC 33:III.3003, if total VOC emissions from all fiberglass boat manufacturing operations are more than 15 pounds (6.8 kilograms) per day.			

D. Control Techniques

1. If add-on controls such as incinerators or vapor recovery systems are used to comply with the emission limitation requirements, in terms of pounds per gallon of solids as applied (determined in accordance with Paragraph D.8 of this Section), the volatile organic compound capture and abatement system shall be at least 80 percent efficient overall (85 percent for industrial cleaning solvents; and 90 percent for factory surface coating of flat wood paneling, surface coating of metal furniture, large appliance coating, surface coating of miscellaneous metal parts and products, surface coating of miscellaneous plastic parts and products, surface coating of automotive/transportation plastic parts, surface coating of business machine plastic parts, surface coating of pleasure craft, and surface coating of motor vehicle materials). All surface coating facilities shall submit to the Office of Environmental Services, for approval, design data for each capture system and emission control device that is proposed for use. The effectiveness of the capture system (i.e., capture efficiency) shall be determined using the procedure specified in Paragraph E.6 of this Section.

2. – 3. ...

4. Compliance with the emission limits established in Table 1, Item 16 of Subsection C of this Section shall be determined in accordance with EPA's "Protocol for Determining the Daily Volatile Organic Compound Emission Rate of Automobile and Light Duty Truck Topcoat Operations", EPA 453/R-08-002, September, 2008.

5. ...

6. Surface coating facilities on any property in Ascension, Calcasieu, East Baton Rouge, Iberville, Livingston, Pointe Coupee, and West Baton Rouge parishes that when controlled have a potential to emit, at maximum production, a combined weight (total from the property) of VOCs less than 10 tons in any consecutive 12 calendar months are exempt from the provisions of Subsection C of this Section. Surface coating facilities on any property in parishes other than Ascension, Calcasieu, East Baton Rouge, Iberville, Livingston, Pointe Coupee, and West Baton Rouge that when uncontrolled have a potential to emit a combined weight of VOCs less than 100 pounds (45 kilograms) in any consecutive 24-hour period are exempt from the provisions of Subsection C of this Section. Any surface coating facility with VOC emissions of less than or equal to 15 pounds (6.8 kilograms) per day is exempt from the provisions of Table 1, Items 1, 7, and 15 of Subsection C of this Section.

7. - 9. ...

10. Control techniques for use of industrial cleaning solvents include:

a. covering open containers and used applicators;

b. minimizing air circulation around cleaning operations;

c. properly disposing of used solvent and shop towels;

d. implementing equipment practices that minimize emissions (e.g., keeping arts cleaners covered, maintaining cleaning equipment to repair solvent leaks, etc.);

e. employing cleaning material with a VOC content limit of 50 grams VOC per liter (0.42 lb./gal.), or a composite vapor pressure of 8 millimeters of mercury at 20 degrees Celsius.

E. - I. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2054.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Nuclear Energy, Air Quality Division, LR 13:741 (December 1987), amended LR 16:119 (February 1990), amended by the Office of Air Quality and Radiation Protection, Air Quality Division, LR 17:654 (July 1991), LR 18:1122 (October 1992), LR 22:340 (May 1996), LR 22:1212 (December 1996), LR 23:1678 (December 1997), LR 24:23 (January 1998), LR 24:1285 (July 1998), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 25:1240 (July 1999), LR 26:2453 (November 2000), LR 28:1765 (August 2002), LR 30:746 (April 2004), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2440 (October 2005), LR 33:2086 (October 2007), LR 35:1102 (June 2009), LR 36:

Herman Robinson, CPM
Executive Counsel

0908#037

POTPOURRI

Department of Environmental Quality
Office of the Secretary
Legal Affairs Division

Baton Rouge Area Ozone Attainment Demonstration
State Implementation Plan Revision (0908Pot2)

Under the authority of the Louisiana Environmental Quality Act, R.S. 30:2001 et seq., the secretary gives notice that the Office of Environmental Assessment, Air Quality Assessment Division, will submit a revision to the State Implementation Plan (SIP) for the five-parish Baton Rouge

ozone nonattainment area to implement specific emission reduction control strategies and demonstrate compliance with the 8-hour ozone air quality standard. The SIP revision is mandated under the requirements of the 1990 Clean Air Act Amendments.

The Baton Rouge ozone nonattainment area, namely Ascension, East Baton Rouge, Iberville, Livingston, and West Baton Rouge Parishes, did not attain the 8-hour National Ambient Air Quality Standards (NAAQS) by June 15, 2007, which was the attainment date for marginal nonattainment areas set forth by the Clean Air Act. As a result the U.S. Environmental Protection Agency (EPA), by operation of law, reclassified the Baton Rouge area from marginal to moderate nonattainment effective April 21, 2008. The new attainment date for the Baton Rouge area is June 15, 2010.

A public hearing will be held on September 24, 2009, 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 and submit oral comments on the SIP revision. Should individuals with a disability need an accommodation in order to participate, contact Vivian Aucoin at the address given below or at (225) 219-3509. Two hours of free parking are allowed in the Galvez Garage with a validated parking ticket.

All interested persons are encouraged to submit written comments on the attainment demonstration SIP revision. Comments are due no later than 4:30 p.m., September 24, 2009, and should be submitted to Vivian H. Aucoin, Office of Environmental Assessment, Box 4314, Baton Rouge, LA 70821-4314 or to FAX (225) 219-3240 or by e-mail to vivian.aucoin@la.gov. If you have any questions regarding this document please contact Vivian H. Aucoin at (225) 219-3509.

A copy of the attainment demonstration SIP revision may be viewed from 8 a.m. to 4:30 p.m. in the DEQ Public Records Center, Room 127, 602 N. Fifth Street, Baton Rouge, LA. This SIP revision is available on the internet at http://www.deq.louisiana.gov/portal/tabid/2920/Default.aspx

Herman Robinson, CPM
Executive Counsel

0908#038

POTPOURRI

Department of Environmental Quality
Office of the Secretary
Legal Affairs Division

Baton Rouge Area Redesignation Request and
1997 8-Hour Ozone Maintenance Plan (0908Pot3)

Under the authority of the Louisiana Environmental Quality Act, R. S. 30:2001 et seq., the secretary gives notice that the Office of Environmental Assessment, Air Quality Assessment Division, will submit a proposed Redesignation Request and Ozone Maintenance Plan for the 1997 8-Hour Ozone National Ambient Air Quality Standards (NAAQS) for the Baton Rouge Area, which includes the parishes of East Baton Rouge, West Baton Rouge, Livingston, Ascension, and Iberville. The Redesignation Request is being submitted as required under the Section 107(d)(3)(E) of the 1990 Clean Air Act Amendments (CAAA), and the Ozone Maintenance Plan is being submitted as required under Section 175A of the 1990 CAAA.

A public hearing will be held at 1:30 p.m. on September 24, 2009, in the Galvez Building, Oliver Pollock Conference Room, 602 N. Fifth Street, Baton Rouge, LA. Should individuals with a disability need an accommodation in order to participate, please contact Vivian H. Aucoin at (225) 219-3509 or at the address listed below. Interested persons are invited to attend and submit oral comments on the proposal.

All interested persons are invited to submit written comments concerning the Redesignation Request and the Ozone Maintenance Plan for the Baton Rouge Area no later than 4:30 p.m., September 24, 2009, to Vivian H. Aucoin, Office of Environmental Assessment, Box 4314, Baton Rouge, LA 70821-4314 or to FAX (225) 219-3240 or by e-mail to vivian.aucoin@la.gov.

A copy of the Redesignation Request and Ozone Maintenance Plan for the Baton Rouge Area may be viewed from 8 a.m. to 4:30 p.m. in the DEQ Public Records Center, Room 127, 602 N. Fifth Street, Baton Rouge, LA. The document is available on the Internet at www.deq.louisiana.gov/portal/Default.aspx?tabid=2381.

Herman Robinson,
CPM Executive Counsel

0908#039

POTPOURRI

Department of Environmental Quality
Office of the Secretary
Legal Affairs Division

Control Techniques Guidelines (CTG) State
Implementation Plan (SIP) (0908Pot4)

Under the authority of the Louisiana Environmental Quality Act, R. S. 30:2001 et seq., the secretary gives notice that the Office of Environmental Assessment, Air Quality Assessment Division, will submit a revision to the State Implementation Plan (SIP) to demonstrate specific emission reduction control strategies to bring Louisiana into compliance with the ozone National Ambient Air Quality Standards (NAAQS). The SIP revision is mandated under the requirements of the 1990 Clean Air Act Amendments.

The Clean Air Act (CAA) Section 172(c)(1) provides that state implementation plans (SIPs) for nonattainment areas must include reasonably available control measures (RACM), including reasonably available control technology (RACT), for sources of emissions. CAA Section 182(b)(2)(A) provides that for certain nonattainment areas, states must revise their SIPs to include RACT for each category of volatile organic compound (VOC) source covered by a Control Techniques Guidelines (CTG) document issued between November 15, 1990, and the date of attainment. The Environmental Protection Agency (EPA) provides states with guidance concerning what types of controls could constitute RACT for a given source category

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LEGAL AFFAIRS DIVISION

POTPOURRI

DEPARTMENT OF Environmental Quality Office of the Secretary Legal Affairs Division

Baton Rouge Area Ozone Attainment Demonstration State Implementation Plan Revision (0908Pot2)

Under the authority of the Louisiana Environmental Quality Act, R.S. 30:2001 et seq. the secretary gives notice that the Office of Environmental Assessment, Air Quality Assessment Division will submit a revision to the State Implementation Plan (SIP) for the five parish Baton Rouge ozone nonattainment area to implement specific emission reduction control strategies and demonstrate compliance with the 8-hour ozone air quality standard. The SIP revision is mandated under the requirements of the 1990 Clean Air Act Amendments.

The Baton Rouge ozone nonattainment area, namely Ascension, East Baton Rouge, Iberville, Livingston and West Baton Rouge Parishes, did not attain the 8-hour National Ambient Air Quality Standards (NAAQS) by June 15, 2007, which was the attainment date for the original nonattainment areas set forth by the Clean Air Act. As a result the U.S. Environmental Protection Agency (EPA) by operation of law reclassified the Baton Rouge area from marginal to moderate ozone nonattainment effective April 21, 2008. The new attainment date for the Baton Rouge area is June 15, 2010.

A public hearing will be held on September 24, 2009, at 3:00 p.m. in the Galvez Building, Oliver Pollock Conference Room, 602 N. Fifth Street, Baton Rouge, LA 70802. Interested persons are invited to attend and submit oral comments on the SIP revision. Should individuals with a disability need an accommodation in order to participate, contact Vivian Aucoin at the address given below or at (225) 219-3509. Two hours of free parking are allowed in the Galvez Garage with a validated parking ticket.

All interested persons are encouraged to submit written comments on the attainment demonstration SIP revision. Comments are due no later than 4:30 p.m. September 24, 2009, and should be submitted to Vivian H. Aucoin, Office of Environmental Assessment, Box 4314, Baton Rouge, LA 70821-4314 or to FAX (225) 219-3240 or by email to vivian.aucoin@la.gov. If you have any questions regarding this document please contact Vivian H. Aucoin at (225) 219-3509.

A copy of the attainment demonstration SIP revision may be viewed from 8 a.m. to 4:30 p.m. in the DEQ Public Records Center, Room 127, 602 N. Fifth Street, Baton Rouge, LA. This SIP revision is available on the internet http://www.deq.louisiana.gov/portal/tabid/2920/Default.aspx

Herman Robinson, CPM
Executive Counsel
August 15, 2009
0001224129

Publisher of

THE NEWS-STAR
MONROE, LOUISIANA
PROOF OF PUBLICATION

The hereto attached advertisement

Was published in the NEWS-STAR.

A daily newspaper of general circulation.

Published in Monroe, Louisiana.

Parish of Ouachita in the issues of:

August 15, 2009

Kim Drake

LEGAL AD DEPT.

Sworn and subscribed before me by

The person whose signature appears above in Monroe, LA on this

18th day of August 20 09 AD

SARAH M. WALKER
OUACHITA PARISH
MY COMMISSION IS FOR LIFE
ID# 62422
NOTARY PUBLIC
LOUISIANA

Sarah M Walker

62422 **NOTARY PUBLIC**

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AUG 24 2009
DEQ-FINANCIAL SERVICES

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AUG 24 2009
LA. DEPT. OF ENVIRONMENTAL QUALITY
LEGAL AFFAIRS DIVISION

The Times-Picayune

3800 HOWARD AVENUE, NEW ORLEANS, LOUISIANA 70140-1097 TELEPHONE (504) 826-3201

POTPOURRI

Department of Environmental Quality
Office of the Secretary
Legal Affairs Division

Baton Rouge Area Ozone Attainment Demonstration State Implementation Plan Revision
(0908Pot2)

Under the authority of the Louisiana Environmental Quality Act, R.S. 30:2001 et seq., the secretary gives notice that the Office of Environmental Assessment, Air Quality Assessment Division, will submit a revision to the State Implementation Plan (SIP) for the five-parish Baton Rouge ozone nonattainment area to implement specific emission reduction control strategies and demonstrate compliance with the 8-hour ozone air quality standard. The SIP revision is mandated under the requirements of the 1990 Clean Air Act Amendments.

The Baton Rouge ozone nonattainment area, namely Ascension, East Baton Rouge, Iberville, Livingston, and West Baton Rouge Parishes, did not attain the 8-hour National Ambient Air Quality Standards (NAAQS) by June 15, 2007, which was the attainment date for marginal nonattainment areas set forth by the Clean Air Act. As a result the U.S. Environmental Protection Agency (EPA), by operation of law, reclassified the Baton Rouge area from marginal to moderate nonattainment effective April 21, 2008. The new attainment date for the Baton Rouge area is June 15, 2010.

A public hearing will be held on September 24, 2009, 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 and submit oral comments on the SIP revision. Should individuals with a disability need an accommodation in order to participate, contact Vivian Aucoin at the address given below or at (225) 219-3509. Two hours of free parking are allowed in the Galvez Garage with a validated parking ticket.

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Herman Robinson, CPM
Executive Counsel

I attest that the copy attached hereto as "Exhibit A" is a true and correct copy of the advertisement published in The Times-Picayune on these dates.

State of Louisiana

Parish of Orleans

City of New Orleans

Personally appeared before me, a Notary in and for the parish of Orleans, Elizabeth C. Darcey who deposes and says that she is an Assistant Controller of The Times-Picayune, L.L.C., a Louisiana Corporation, Publishers of The Times-Picayune, Daily and Sunday, of general circulation; doing business in the City of New Orleans and the State of Louisiana, and that the attached

LEGAL NOTICE/0908Pot2

Re:Potpourri Dept Envrionmental Quality Baton Rouge Area Ozone Attainment Demonstration State Implement.

Advertisement of Louisiana Dept. of Environemental

OESC/Legal Affairs Division/P.O. BOX 4302
Baton Rouge, La. 70821-4302

Was published in The Times Picayune

3800 Howard Ave.
New Orleans, La. 70125

On the following dates August 20, 2009

Elizabeth C Darcey

Sworn to and subscribed before me this 20th Day of August, 2009

Notary Public

My commission expires at my death.
Charles A. Ferguson, Jr.

Notary identification number 23492

RECEIVED
AUG 17 2009
LA. DEPT. OF ENVIRONMENTAL QUALITY
LEGAL AFFAIRS DIVISION

State of Louisiana
Parish of Rapides
AFFIDAVIT OF PUBLICATION

POT POURRI

Department of Environmental Quality
Office of the Secretary
Legal Affairs Division

Baton Rouge Area Ozone Attainment Demonstration State Implementation Plan Revision
(0908Pot2)

Under the authority of the Louisiana Environmental Quality Act, R.S. 30:2001 et seq., the secretary gives notice that the Office of Environmental Assessment, Air Quality Assessment Division, will submit a revision to the State Implementation Plan (SIP) for the five parish Baton Rouge ozone nonattainment area to implement specific emission reduction control strategies and demonstrate compliance with the 8-hour ozone air quality standard. The SIP revision is mandated under the requirements of the 1990 Clean Air Act Amendments.

The Baton Rouge ozone nonattainment area, namely Ascension, East Baton Rouge, Iberville, Livingston, and West Baton Rouge Parishes, did not attain the 8-hour National Ambient Air Quality Standards (NAAQS) by June 15, 2007, which was the attainment date for marginal nonattainment areas set forth by the Clean Air Act. As a result, the U.S. Environmental Protection Agency (EPA) by operation of law reclassified the Baton Rouge area from marginal to moderate nonattainment, effective April 26, 2008. The new attainment date for the Baton Rouge area is June 15, 2010.

A public hearing will be held on September 24, 2009, 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 and submit oral comments on the SIP revision. Should individuals with a disability need an accommodation in order to participate, contact Vivian Aucoin at the address given below or at (225) 219-3509. Two hours of free parking are allowed in the Galvez Garage with a validated parking ticket.

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HERMAN ROBINSON, CPM
Executive Counsel

(8) 12

I, Harold Constance, Classified Sales Manager of THE TOWN TALK, published at Alexandria, Louisiana do solemnly swear that the

Public Notice

advertisement, as per clipping attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof for one insertion(s) commencing with the issue dated August 12, 2009 and ending with the issue dated August 12, 2009.

Harold Constance

Subscribed and sworn to before me this 12th day of August, 2009 at Alexandria, Louisiana.

Terry A. Broussard
Notary Number 19477
My commission is for life.

CAPITAL CITY PRESS

Publisher of
THE ADVOCATE

RECEIVED
AUG 28 2009
LA. DEPT. OF ENVIRONMENTAL QUALITY
LEGAL AFFAIRS DIVISION

PROOF OF PUBLICATION

The hereto attached notice was published in THE ADVOCATE, a daily newspaper of general circulation published in Baton Rouge, Louisiana, and the Official Journal of the State of Louisiana, City of Baton Rouge, and Parish of East Baton Rouge, in the following issues:

08/13/09

Susan A. Bush, Public Notice Clerk

Sworn and subscribed before me by the person whose signature appears above

August 13, 2009

M. Monic McChristian,
Notary Public ID# 88293
Livingston Parish, State of Louisiana
My Commission Expires: Indefinite

M. MONIC McCHRISTIAN NOTARY PUBLIC NOTARY NO. 88293 LIVINGSTON PARISH, LA

POTPOURRI

Department of Environmental Quality
Office of the Secretary
Legal Affairs Division

Baton Rouge Area Ozone Attainment Demonstration State Implementation Plan Revision
(0908Pot2)

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The Baton Rouge ozone nonattainment area, namely Ascension, East Baton Rouge, Iberville, Livingston, and West Baton Rouge Parishes, did not attain the 8-hour National Ambient Air Quality Standards (NAAQS) by June 15, 2007, which was the attainment date for marginal nonattainment areas set forth by the Clean Air Act. As a result, the U.S. Environmental Protection Agency (EPA) by operation of law, reclassified the Baton Rouge area from marginal to moderate nonattainment effective April 21, 2008. The new attainment date for the Baton Rouge area is June 15, 2010.

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Herman Robinson, CPM
Executive Counsel

4137301-aug-13-1t

DEQ - OSEC/LAD REG ***4137301***
REMENDER WEATHERSPOON
PO BOX 4302 RM 821-74
BATON ROUGE LA 70821-4314

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AUG 17 2009
LA. DEPT. OF ENVIRONMENTAL QUALITY
LEGAL AFFAIRS DIVISION

The Times

PROOF OF PUBLICATION

POTPOURRI

Department of Environmental Quality Office of the Secretary Legal Affairs Division

Baton Rouge Area Ozone Attainment Demonstration State Implementation Plan Revision (0908Pot2)

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STATE OF LOUISIANA

PARISH OF CADDO

Before me, the undersigned authority, personally came and appeared

Altheas Critton personally known to me,

Who being duly sworn, deposes and says that she is the Assistant to the Classified Advertising Manager of The Times, and that the attached Advertisement entitled:

POTPOURRI Department of Environmental Quality Office of the Secretary Legal Affairs Division Baton Rouge Area Ozone Attainment Demonstration State Implementation Plan Revision (0908Pot2)

As per copy of advertisement hereto annexed, was published in

The Times on the following dates to wit:

August 14, 2009

(Signed) Altheas Critton

Sworn to and subscribed before me this 14th day of August, 2009

Diana W. Barber

(Notary)

DIANA W. BARBER, NOTARY PUBLIC # 60491
CADDO PARISH, LOUISIANA
MY COMMISSION IS FOR LIFE

A public hearing will be held on September 24, 2009, 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 and submit oral comments on the SIP revision. Should individuals with a disability need an accommodation in order to participate, contact Vivian Aucoin at the address given below or at (225) 219-3509. Two hours of free parking are allowed in the Galvez Garage with a validated parking ticket.

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Herman Robinson, CPM
Executive Counsel

The Times: August 14, 2009

RECEIVED
AUG 24 2009
LA. DEPT. OF ENVIRONMENTAL QUALITY
LEGAL AFFAIRS DIVISION

Affidavit of Publication

POTPOURRI

Department of Environmental Quality
Office of the Secretary
Legal Affairs Division

Baton Rouge Area
Ozone Attainment Demonstration
State Implementation
Plan Revision
(0908Pot2)

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STATE OF LOUISIANA
Parish of Calcasieu

Before me the undersigned authority, personally came and appeared

Karen Dollins

who being duly sworn, deposes and says:

He/She is a duly authorized agent of
LAKE CHARLES AMERICAN PRESS
a newspaper published daily at 4900 Highway 90 East,
Lake Charles, Louisiana, 70615. (Mail address: P.O. Box 2893
Lake Charles, LA 70602)

The attached Notice was published in said newspaper in its issue(s) dated:

00550643 - $31.00
August 19, 2009

Karen Dollins
Duly Authorized Agent

Subscribed and sworn to before me on this 19th day of August, 2009 at Lake Charles, LA

Gwendolyn R. Dugas
Notary Public

00053262

LDEQ-OSEC-LAD

Gwendolyn R. Dugas
#056523

All interested persons are encouraged to submit written comments on the attainment demonstration SIP revision. Comments are due no later than 4:30 p.m., September 24, 2009, and should be submitted to Vivian H. Aucoin, Office of Environmental Assessment, Box 4314, Baton Rouge, LA 70821-4314 or to FAX (225) 219-3240 or by email to vivian.aucoin@la.gov. If you have any questions regarding this document, please contact Vivian H. Aucoin at (225) 219-3309.

A copy of the attainment demonstration SIP revision may be viewed from 8 a.m. to 4:30 p.m. in the DEQ Public Records Center, Room 127, 602 N. Fifth Street, Baton Rouge, LA. This SIP revision is available on the internet at http://www.deq.louisiana.gov/portal/tabid/2920/Default.aspx.

Herman Robinson,
CPM
Executive Counsel

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POTPOURRI
Department of Environmental Quality
Office of the Secretary
Legal Affairs Division
Baton Rouge Area Ozone Attainment Demonstration
State Implementation Plan Revision
(0908Pot2)

was published in THE ADVERTISER on the following dates:

***Thursday, August 13, 2009**

Rose Penfold

ROSE PENFOLD
LEGAL CLERK

Sworn to and subscribed before me this 18th day of August, 2009.

Christie Veazey

Notary Public - Christie Veazey ID# 058555

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POTPOURRI

Department of Environmental Quality
Office of the Secretary
Legal Affairs Division

Baton Rouge Area Ozone Attainment Demonstration State Implementation Plan Revision
(0908Pot2)

Under the authority of the Louisiana Environmental Quality Act, R.S. 30:2001 et seq., the secretary gives notice that the Office of Environmental Assessment, Air Quality Assessment Division, will submit a revision to the State Implementation Plan (SIP) for the five-parish Baton Rouge ozone nonattainment area to implement specific emission reduction control strategies and demonstrate compliance with the 8-hour ozone air quality standard. The SIP revision is mandated under the requirements of the 1990 Clean Air Act Amendments.

The Baton Rouge ozone nonattainment area, namely Ascension, East Baton Rouge, Iberville, Livingston, and West Baton Rouge Parishes, did not attain the 8-hour National Ambient Air Quality Standards (NAAQS) by June 15, 2007, which was the attainment date for marginal nonattainment areas set forth by the Clean Air Act. As a result, the U.S. Environmental Protection Agency (EPA) by operation of law reclassified the Baton Rouge area from marginal to moderate nonattainment, effective April 21, 2008. The new attainment date for the Baton Rouge area is June 15, 2010.

A public hearing will be held on September 24, 2009, 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 and submit oral comments on the SIP revision. Should individuals with a disability need an accommodation in order to participate, contact Vivian Aucoin at the address given below or at (225) 219-3509. Two hours of free parking are allowed in the Galvez Garage with a validated parking ticket.

All interested persons are encouraged to submit written comments on the attainment demonstration SIP revision. Comments are due no later than 4:30 p.m., September 24, 2009, and should be submitted to Vivian H. Aucoin, Office of Environmental Assessment, Box 4314, Baton Rouge, LA 70821-4314 or to FAX (225) 219-3240 or by email to vivian.aucoin@la.gov. If you have any questions regarding this document please contact Vivian H. Aucoin at (225) 219-3509.

A copy of the attainment demonstration SIP revision may be viewed from 8 a.m. to 4:30 p.m. in the DEQ Public Records Center, Room 127, 602 N. Fifth Street, Baton Rouge, LA. This SIP revision is available on the internet at http://www.deq.louisiana.gov/portal/tabid/2920/Default.aspx.

Herman Robinson, CPM
Executive Counsel

D

DEPARTMENT OF ENVIRONMENTAL QUALITY
ATTENDANT SIGN-IN SHEET
Rulemaking Hearing, 1:30 p.m.

September 24, 2009

0908Pot1 — Advance Notice of Rulemaking and Solicitation of Comments on Organic Solvents and Solvent Degreasers, Log #AQ307 (LAC 33:III.111 and 2123)
0908Pot2 — Baton Rouge Area Ozone Attainment Demonstration State Implementation Plan Revision
0908Pot3 — Baton Rouge Area Redesignation Request and 1997 8-Hour Ozone Maintenance Plan
0908Pot4 — Control Techniques Guidelines (CTG) State Implementation Plan (SIP)

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Sandy Stephens	LDEQ				N
Tim Bergeron	LDEQ				N
Gilberto Cuadra	LDEQ				N
Michelle Morgan	LDEQ				N
Thomas Holbert	Kean Miller	PO Box 3513 BR LA 70821		382-3412	N
Henry Graham	LCA			3767642	N
Tokesha Collins	Kean Miller	PO Box 3513 BR LA 70821		382-3426	N
Tara Blank	ARI	PO Bx 85 Darrville 70051		504915-0812	N

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DEPARTMENT OF ENVIRONMENTAL QUALITY

REGULATION DEVELOPMENT SECTION

In Re: Potpourri Notice # 0908Pot2

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OCT 27 2009
LA. DEPT. OF ENV. QUALITY
LEGAL AFFAIRS DIVISION

The above-entitled cause came in for a meeting in the Galvez Building, Oliver Pollock Conference Room, 602 North Fifth Street, Baton Rouge, Louisiana on Thursday, September 24, 2009, commencing at 1:29 p.m.

Reported by:

Tara Torres-Blank
Certified Court Reporter

1 **A P P E A R A N C E S**

2 **The Hearing Officer:**

3 Gretchen Soniat

4

5

6 **The Court Reporter:**

7 Tara Torres-Blank

8

9

10 **I N D E X**

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12 Caption 1

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15 Reporter's Page 7

16 Reporter's Certificate 8

17

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25

1 (The Meeting was called to order and
2 proceeded as follows:)
3 **MS. SONIAT:**
4 Good afternoon. My name is
5 Gretchen Soniat, and I'm employed by
6 the Louisiana Department of
7 Environmental Quality. I'll be
8 serving as Hearing Officer this
9 afternoon to receive comments
10 regarding proposed amendments to the
11 Air Regulations and the Air Quality
12 State Implementation Plan.
13 The comment period for these
14 amendments began on August 20, 2009,
15 when the Potpourri Notices were
16 published in the *Louisiana Register*.
17 The comment period will close at
18 4:30 p.m. today, September 24, 2009.
19 It would be helpful to us if all
20 oral comments received today were
21 followed up in writing.
22 This public hearing provides a
23 forum for all interested parties to
24 present comments on the proposed
25 changes. This hearing is not being

conducted in a question and answer format. Please remember that the purpose of this public hearing is to allow you, the public, an opportunity to express your thoughts concerning today's proposed amendments.

I'll ask that each person commenting come up and sit at the front table and begin by stating his or her name and affiliation for the Record.

The next agenda item is Potpourri Notice 0908Pot2, regarding a Baton Rouge area ozone attainment demonstration revision to the Air Quality State Implementation Plan (SIP).

The secretary gives notice that the Office of Environmental Assessment, Air Quality Assessment Division, will submit a revision to the SIP for the five-parish Baton Rouge ozone nonattainment area to implement specific emission

1 reduction control strategies and
2 demonstrate compliance with the 8-
3 hour ozone air quality standard.
4 The SIP revision is mandated
5 under the requirements of the 1990
6 Clean Air Act Amendments (CAAA).
7 The Baton Rouge ozone
8 nonattainment area, namely the
9 parishes of Ascension, East Baton
10 Rouge, Iberville, Livingston, and
11 West Baton Rouge, did not attain the
12 8-hour National Ambient Air Quality
13 Standards (NAAQS) by June 15, 2007,
14 which was the attainment date for
15 marginal nonattainment areas set
16 forth in the Clean Air Act.
17 As a result the U.S.
18 Environmental Protection Agency, but
19 operation of law, reclassified the
20 Baton Rouge area from marginal to
21 moderate nonattainment effective
22 April 21, 2008. The new attainment
23 date for the Baton Rouge area is
24 June 15, 2010.
25 Does anyone care to comment on

this amendment? If not, the hearing on Potpourri Notice 0908Pot2 is closed.

1 **R E P O R T E R ' S P A G E**

2 I, Tara Torres-Blank, Certified
3 Court Reporter, in and for the State of
4 Louisiana, the officer, as defined in Rule
5 28 of the Federal Rules of Civil Procedure
6 and/or Article 1434(b) of the Louisiana
7 Code of Civil Procedure, before whom this
8 sworn testimony was taken, do hereby state
9 on the Record:
10 That due to the interaction in the
11 spontaneous discourse of this proceeding,
12 dashes (--) have been used to indicate
13 pauses, changes in thought, and/or
14 talkovers; that same is the proper method
15 for a Court Reporter's transcription of
16 proceeding, and that the dashes (--) do not
17 indicate that words or phrases have been
18 left out of this transcript;
19 That any words and/or names which
20 could not be verified through reference
21 material have been denoted with the phrase
22 "(phonetic)."
23 Tara Blank
Tara Torres-Blank, CCR
24 Certified Court Reporter
25

1 **C E R T I F I C A T E**

2 This certification is valid only for a
3 transcript accompanied by my original signature and
4 original raised seal on this page.

5 I, Tara Torres-Blank, Certified Court
6 Reporter, in and for the State of Louisiana, as the
7 officer before whom this testimony was taken, do
8 hereby certify that after having first been duly
9 sworn by me upon authority of R.S. 37:2554, did
10 testify as hereinbefore set forth in the foregoing
11 pages;

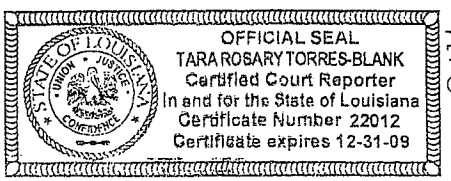
12 That this testimony was reported by me in
13 the Stenomask method (voice-writing), was prepared
14 and transcribed by me or under my personal
15 direction and supervision, and is a true and
16 correct transcript to the best of my ability and
17 understanding;

18 That I am not related to counsel or to the
19 parties herein; am not otherwise interested in the
20 outcome of this matter; and am a valid member in
21 good standing of the Louisiana State Board of
22 Examiners of Certified Shorthand Reporters.

23 Tara Blank

24 Tara Torres-Blank (#22012)
Certified Court Reporter

25



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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 6
1445 ROSS AVENUE, SUITE 1200
DALLAS, TX 75202-2733

SEP 24 2009

Vivian H. Aucoin
Office of Environmental Assessment
Box 4314
Baton Rouge, LA 70821-4314

Dear Ms. Aucoin:

Thank you for the opportunity to submit comments on the August 20, 2009, proposed version of the Louisiana Department of Environmental Quality State Implementation Plan (SIP) revision titled, "Baton Rouge 1997 8-Hour Moderate Reclassification." This SIP revision is an important element of Louisiana's plan to be redesignated to attainment for the 1997 8-Hour Ozone National Ambient Air Quality Standard.

To be redesignated to attainment, the Clean Air Act requires a State to meet five conditions. One of those is that the State has met all applicable requirements for the area under Section 110 and Part D of the Clean Air Act. This submittal will contribute toward addressing that condition by providing an attainment demonstration designed to show how the area is able to attain the 1997 8-Hour Ozone Standard by June 15, 2010. We offer detailed comments by section in the enclosure to this letter. Our comments are designed to improve and enhance what will be submitted in final form.

Please contact me or Ms. Sandra Rennie of my staff at 214-665-7367 if you have any questions.

Sincerely yours,

Guy Donaldson
Chief
Air Planning Section (6PD-L)

Enclosure

Cc: Michael Vince, Louisiana Department of Environmental Quality

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Comments on the Baton Rouge 1997 8-Hr Moderate Reclassification
(Attainment Demonstration)

Executive Summary.

We reiterate that the requested clean data finding would not lead to a redesignation to attainment of either ozone standard, only a determination of attainment for the 1-hour standard.

Section 2. Attainment Demonstration

2.1 TECHNICAL SUPPORT DOCUMENT: MODELING TO SUPPORT THE BATON ROUGE, LOUISIANA 8-HOUR OZONE STATE IMPLEMENTATION PLAN

Overall, the Technical Support Document (TSD) covers most of the necessary elements and does a good job of documenting the detailed work that was completed in developing this attainment demonstration. Our review has identified some items that if added will ensure that all elements necessary for an attainment demonstration are covered and will provide a more complete and easier to understand modeling and weight of evidence demonstration.

First, it would be helpful if a color version of the TSD were made publicly available on LDEQ's website. Many of the graphics are difficult to review in black and white.

CHAPTER 1

Alpine Geophysics performed modeling for a May 22-26, 2005 period. While this episode did not perform as well as the 2006 episode and was not used in the attainment demonstration test, the results of the 2005 episode could also be presented to corroborate the results from the 2006 episode as a Weight of Evidence (WOE) element in chapter 6.

A brief explanation of why the 2005 episode was dropped should also be included in this chapter or elsewhere in the TSD as the episode is disussed but no explanation for its exclusion is included.

CHAPTER 2

The SIP should have a more thourough documentation of the analyses that have been performed regarding the meteorological model performance. For example, the TSD includes a reference to a powerpoint presentation in May 2008 by Alpine Geophysics on the met. modeling. Any presentations or reports should be available to the public and could be included as an attachment. In addition to the powerpoint, is the raw analysis of

the meteorology that Alpine Geophysics performed available from LDEQ? If so, this information should also be included.

CHAPTER 3

The emissions discussion in Chapter 3 does not give details on what databases are included in the 2006 and 2009 emission inventories from the Texas Commission on Environmental Quality (TCEQ) for the areas outside of Louisiana , but cites TCEQ 2008b. These files have been updated by TCEQ since Environ retrieved the files and the older files were not available on TCEQ's ftp site. Since these files are no longer available on TCEQ's ftp, the text should indicate how the files can be obtained from LDEQ. Some write-up should be added to document what databases and assumptions were in the TCEQ emission files that were used for other states in the modeling domain for the 2006 and 2009 emission inventories.

In Chapter 3, there is not a discussion on how the emission files were QA/QC'd. Some write-up should be added on what QA/QC was carried out on the emission files.

CHAPTERS 4 AND 5

In Figure 4-4e of Chapter 4, or in Appendix B, it would be helpful if plots were given for all modeled days, or at least all days used in the attainment test. These additional plots could be in included in the Chapter or in Appendix B. Plots for these additional days should also be included in Chapter 5 or in Appendix B. This would give a more complete picture of the model response on different days.

A table with the daily 8 hour maximums for each monitor, both base and future year, for each of the episode days (May 27 – July 1) would be helpful to evaluate daily model response.

CHAPTER 6

Chapter 6 should include some additional items that could be easily pulled together from the redesignation proposal, EPA's modeling guidance indicates that three topic areas should be covered in the WOE analysis. These are additional modeling, emissions and monitoring trends, and receptor modeling. Since the area is monitoring attainment of the 1 Hr and 1997 8 Hour Ozone standards based on 2006-2008 monitoring data in addition to modeling attainment in 2009, the amount of supplemental WOE needed is not significant, but some level of these WOE elements should be included.

Inclusion of Chart 1 and Tables 1, 5, and 6 from the Baton Rouge Ozone Redesignation and Maintenance proposed package would provide information on projected emission trends and recent monitoring that shows attainment of the 1 Hour and 1997 8 Hour ozone standards. A few sentences could be added to Chapter 6 explaining how the recent monitoring trends have been downward and showing attainment. Also an explanation could be included describing how future emissions in the 5 parish area are expected to continue to trend downward.

Appendix B includes some basic HYSPLIT runs for some of the episode days being modeled. A brief mention of these runs and how they help to validate the meteorological modeling for the days that were used in the modeled attainment test (how the HYSPLIT runs help to validate the source and elevated monitored ozone levels) should be included.

There is already some additional modeling in the iterative runs that are documented in the TSD and it's Appendix B. As discussed in our comments on Chapter 1, A brief discussion of the 2005 episode modeling (and 2009 projected results) by Alpine Geophysics for the industrial coalition would provide further modeling analysis helping to address this WOE topic area.

Overall, these additional items would round out the WOE and be supportive of the modeling conclusion that the area will be in attainment in 2009.

2.2 MOBILE6 MOTOR VEHICLE EMISSIONS BUDGETS FOR THE BATON ROUGE 8-HOUR OZONE NONATAINMENT AREA

Please provide a table/summary of source types (area, point, non-road, on-road) emissions values for the 2009 attainment year, for comparison with the 2009 MVEBs presented in Table 3-1. This will help satisfy the requirements of 40 CFR 93.118(e)(4)(iv)-(v), as well as clearly outlining what amount of the available on-road emissions inventory was used to constitute the MVEB numbers.

Section 3. Reasonable Further Progress

A. General Requirements

Section 182 of the Clean Air Act (CAA) and EPA's 1997 8-hour ozone regulations (40 CFR 51.910) require each moderate and above 8-hour ozone nonattainment area to submit an emissions inventory and RFP SIP revision, which describes how the area will achieve actual emissions reductions of volatile organic compounds (VOC) and nitrogen oxides (NOx) from a baseline emissions inventory. An emissions inventory is an estimation of actual emissions of air pollutants in an area. The emissions inventory for an ozone nonattainment area contains VOC and NOx emissions, as these pollutants are precursors to ozone formation. In this case, the baseline emissions inventory is for the year 2002.

For moderate 8-hour ozone nonattainment areas with an attainment date more than 5 years after designation, a 15% reduction in ozone precursor emissions is required within six years (2002 to 2008). For a moderate area with an approved 15% VOC "Rate of Progress" plan under the 1-hour ozone standard, states can use reductions from VOC or NOx or a combination of either (40 CFR 51.910(a)(1)(ii) and 51.910(b)(2)(ii)).

In addition, RFP plans must include contingency measures, which are additional controls that would be implemented if the area fails to make reasonable further progress (See CAA section 172(c)(9)). Implementation of these measures would provide additional emissions reductions of up to three percent of the adjusted base year inventory (or a lesser percentage that will make up the identified shortfall). For more information on contingency measures, please see the April 16, 1992 General Preamble (57 FR 13498, 13510) and the November 29, 2005 Phase 2 8-hour ozone standard implementation rule (70 FR 71612, 71650).

B. EPA's Analysis

EPA has reviewed the Louisiana Department of Environmental Quality (LDEQ) submittal for consistency with the requirements of EPA regulations. The following is a summary of the analysis based on the information provided by LDEQ.

1. Base Year Emissions Inventory

The 2002 Base Year Inventory is the starting point for calculating the reductions necessary to meet the requirements of the CAA. Sections 172 (c)(3) and 182(b)(1) of the CAA require that nonattainment plan provisions include an inventory of actual emissions from all sources of relevant pollutants in the nonattainment area. . Our records indicate that the 2002 Emissions Inventory was submitted to EPA on September 29, 2007 rather than July 20, 2007 (Section 3, Reasonable Further Progress, page 430). The September 2007 inventory also had slightly different numbers for the NOx emissions then the inventory listed in Table B-1.

EPA reviewed the 2002 base year inventory and determined that it was developed in accordance with EPA guidelines. The inventory includes all area, point, non-road mobile, and on-road mobile source emissions in the BRNA ozone nonattainment area. The inventory also includes a description of the methods used to estimate emissions. EPA approved the 2002 base year inventory in a Federal Register notice published on 9/3/2009 (74 FR 45561).

2. Adjusted Base Year Inventory, Required Reductions and Target Level Emissions

The CAA and 40 CFR 51.910 specify the emission baseline from which the 15 percent reduction is calculated. This baseline value is termed the 2002 adjusted base year inventory. Sections 182(b)(1)(C) and (D) exclude from the base year inventory the emissions that would be eliminated by Federal Motor Vehicle Control Program (FMVCP) regulations promulgated by January 1, 1990, and Reid Vapor Pressure (RVP) regulations (55 FR 23666, June 11, 1990), which require maximum RVP limits in nonattainment areas during the peak ozone season. The FMVCP and RVP emissions reductions are determined using EPA's on-road mobile source emissions modeling software, MOBILE6. These emission reductions are subtracted from the base year

inventory resulting in an adjusted base year inventory. The required emission reductions are calculated from the adjusted base year inventory. These reductions are then subtracted from the adjusted base year inventory to give the emissions target for the milestone year (2008). Louisiana relied on reductions of NOx emissions to demonstrate RFP.

Section 3 of the LDEQ document titled "Baton Rouge 1997 8-Hour Moderate Reclassification" discusses in detail the approach and methodology used to calculate both the target emission levels and RFP demonstration. EPA reviewed the approach and methods LDEQ used to calculate the rate of progress emission reductions and target levels and found them to be performed in accordance with EPA guidelines. EPA concluded that LDEQ has documented the correct amount for the total expected reductions in the nonattainment area by showing each step, discussing any assumptions made, and stating the origins of the numbers used in the calculations. The EPA guidelines are found in Appendix A of the Phase II 8-hour ozone implementation rule (November 29, 2005 Federal Register, 70 FR 71642).

3. **RFP Demonstration**

In order to show that the reductions associated with these control measures are adequate to meet the 15% reduction requirement, the 2002 base year emissions are projected to 2008. The total amount of NOx emissions in the 2008 projection inventory must be equal to or less than the 2008 target inventories LDEQ developed the 2008 projection inventory through a two-step process. First, LDEQ applied a model that incorporated a number of economic, industrial, and population growth factors (the EGAS model). Next, LDEQ applied the control measures listed in (LAC 33: III, Chapter 22). As a result, for NOx the target level of emissions is 164.3 tpd, and the 2008 projected inventory (after RFP reductions are applied) is 143.2 tpd. Since all reductions are accomplished with NOx reductions, there is no VOC reduction requirement for the area. The projected 2008 inventory is less than the target level of emissions; therefore, the control measures included in the 2008 projection inventory are adequate to meet the 15% RFP requirement.

The only specifically identified MVEBs are for 2009 and are based on the attainment modeling. We did not find any MVEBs associated with reasonable further progress. As per 40 CFR 93.118(a)(1)(i), LDEQ should establish MVEBs for the 2008 milestone year. The reasonable further progress MVEBs, when considered together with all other emissions sources, should be consistent with applicable requirements for reasonable further progress (40 CFR 93.118(e)(4)(iv)). If the MVEBs established by the 2009 attainment demonstration are more stringent than the 2008 RFP budgets, they will supersede the 2008 RFP budgets.

Under Subsection C of Section 3, (2008 RFP Milestone Year Emissions Projection), we request that LDEQ provide a table summarizing the control measures used for RFP and the expected emission reductions from the control measures.

4. Contingency Measures for the RFP plan.

For ozone nonattainment areas classified as moderate or above, states must include in their submittal contingency measures to be implemented if the area fails to make reasonable further progress (CAA sections172(c)(9) and 182(c)(9)). Contingency measures are additional controls to be implemented in the event the area fails to meet a RFP milestone. They are intended to achieve reductions over and beyond those relied on in the RFP demonstrations. This could include federal measures and local measures already scheduled for implementation. The CAA does not preclude a state from implementing such measures before they are triggered. EPA interprets the CAA to require sufficient contingency measures in the RFP submittal, so that upon implementation of such measures, additional emissions reductions of up to three percent of the adjusted base year inventory (or a lesser percentage that will make up the identified shortfall) would be achieved in the year after the failure has been identified. For more information on contingency measures pleas see the April 16, 1992 General Preamble (57 FR 13510) and the November 29, 2005 Phase 2 8-hour ozone standard implementation rule (70 FR 71612).

LDEQ used emission reductions in excess of those needed for RFP as the contingency measures for the BRNA RFP SIP (see Section 3, page 436 of the state's submittal). Therefore, the 2009 contingency plan for BRNA does not require any additional controls. A summary of the estimated control reductions and the required contingency level of reductions is presented in Table E-1 on page 436 of the submittal.

Section 4. Contingency Plan for Failure to Attain

The requirements for attainment plans under Sections 172(c)(9) and 182(c)(9) of the Clean Air Act include contingency provisions, as necessary to promptly correct any violation of the NAAQS that occurs prior to redesigation of the area or other missed milestone. The contingency plan is considered to be an enforceable part of the SIP. The measures must be adopted as part of an approvable attainment demonstration so that they can be implemented expeditiously upon a failure to meet a milestone without further action by the State. The plan should clearly identify the adopted measures and show how the measure meets the 3% of baseline emission reductions requirement. The measure included in the attainment demonstration plan is in the process of being adopted and does achieve the required 3% emission reductions.

Section 5. Outstanding Requirements.

The pages in this section are bound backwards and read from back to front.

CTG rule updates. EPA will be able to approve an attainment plan only when all required elements have been submitted and approved. This includes approvable CTG rule updates as well as a Section 185 Fee program. A review and comment of the CTG submittal of August 20, 2009, is being prepared separately.

Reasonably Available Control Technology (RACT). A RACT analysis for the Baton Rouge area was not included in this submittal. Approvability of the redesignation is directly related to the approvability of the required State Implementation Plan (SIP) submittals, including RACT. EPA is precluded from approving a redesignation to attainment without an approvable RACT demonstration. The RACT-related comments below concern both the VOC and NOx regulations within the affected Parishes.

As a moderate nonattainment area under the 1997 eight-hour ozone standard, the Baton Rouge area is required to meet the RACT mandates of the Clean Air Act (CAA) under §172(c)(1), §182(b)(2) and §182(f). In EPA's Final Rule to Implement the 8-Hour Ozone National Ambient Air Quality Standard (NAAQS) – Phase 2 (70 FR 71612, November 29, 2005), areas classified as moderate nonattainment or higher must demonstrate, by revision to their SIP, that their current rules fulfill eight-hour RACT for all Control Technique Guidelines (CTG) categories and all non-CTG major sources.

There are two main questions that need to be answered for a RACT analysis: (1) what are the sources in the Baton Rouge area that may need to be subject to RACT; and (2) whether the control measures approved into the SIP for these sources represent RACT.[1]

For each rule, the State must provide details of its evaluation of how RACT is satisfied. See 70 Fed. Reg. At 71655 ("States should ensure that their SIP's accurately reflect RACT based on the current availability of technically and economically feasible controls."). This is particularly true for rules that were approved by EPA long ago.[2] This analysis should not focus simply on the technology itself, but on the emission limits that can reasonably be achieved.

We appreciate your attention to these comments. An adequate and thorough analysis of reasonably available controls is a fundamental element of an approvable attainment plan and redesignation request. We hope the State will develop a RACT SIP that includes a true, detailed RACT analysis. Without an adequate RACT analysis EPA will not be able to approve an attainment demonstration plan for the area.

RACM Demonstration. Since a discussion of RACT cannot take place without consideration of RACM, it is appropriate to insert some language about it. Realizing that

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[1] CAA Section 182(b)(2) provides that, for moderate areas, the State shall submit a SIP revision to require RACT for:

(A) Each category of VOC sources in the area covered by a CTG document issued by the Administrator between November 15, 1990 and the date of attainment.

(B) All VOC sources in the area covered by any CTG issued before November 15, 1990.

(C) All other major stationary sources of VOC's which are located in the area.

[2] For example, rules that were adopted for the Baton Rouge area to address 1-hour ozone requirements.

certified air quality data shows attainment, and the area could not achieve that any faster than it has, a statement about RACM in that context would round out the required elements discussion.

5.1 Major Source Permits and Nonattainment New Source Review

Add a reference to the EPA Phase I rule. 69 FR 23857.

Section 5.1. This section contains a discussion of what happened with the Severe NSR requirements in the Baton Rouge nonattainment area. As pointed out in the SIP narrative, EPA believes that severe nonattainment NSR requirements should be implemented in Baton Rouge.

Section 5.2. Section 185 Fees. EPA will be able to approve an attainment plan only when all required elements have been submitted and approved. This includes an approvable 185 penalty fee program as well as the RACT Analysis. Realizing that guidance from EPA on how to set up a 185 fee program is limited, we still must be able to approve this element into the SIP before a redesignation can take place.

5.3 Reformulated Gasoline (RFG). RFG has other benefits including VOC and toxic reductions not realized by Tier II Low Sulfur Gasoline. We do not agree that the requirement is met by default using Tier II Low Sulfur Gasoline in place of RFG. The reason for not addressing RFG in this demonstration is that EPA has not responded to the Court's remand of the decision to implement RFG in Baton Rouge. Louisiana should consider what the impact on the maintenance projections would be if RFG is implemented at some future date.

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COMMENT 1: — Since the black and white graphics in the Technical Support Document (TSD) are difficult to review, a color version displayed on the department's website would be helpful.

RESPONSE 1: — A color version of the TSD has been made available on the department's website.

COMMENT 2: — In Chapter 6, the 2005 episode could be presented as a weight of evidence (WOE) element, even though it was not used in the attainment demonstration test. Include, somewhere in the TSD, an explanation of why the 2005 episode was dropped.

RESPONSE 2: — An explanation of why the 2005 episode was dropped has been added to Section 1.2.1 of the TSD.

COMMENT 3: Chapter 2 — A more thorough documentation of the analyses performed regarding the meteorological model performance is needed. Include any power point presentations or reports that are referenced in the state implementation plan (SIP). These should be available to the public, including the raw analysis of the meteorology that Alpine Geophysics performed, if it is available from the department.

RESPONSE 3: Chapter 2— A thorough documentation of the analyses performed regarding the meteorological model performance can be found in Appendix C of the TSD.

COMMENT 4: Chapter 3 — The emissions discussion cites the Texas Commission on Environmental Quality (TCEQ) 2008b. The files are no longer available on TCEQ's ftp; therefore a mention should be included stating how the files can be obtained from LDEQ. Include a write-up to document what databases and assumptions were in the TCEQ emission files that were used for other states in the modeling domain for the 2006 and 2009 emission inventories.

Include a discussion on how the emission files were QA/QC'd.

RESPONSE 4: Chapter 3 — Discussions concerning TCEQ's files and databases can be found in Section 3.1.1 and Appendix E of the TSD.

COMMENT 5: Chapters 4 and 5 — To give a more complete picture of the model response on different days, plots for all modeled days, or at least all days used in the attainment test, should be included. Plots could be placed in either Chapter 4 or Chapter 5, as appropriate, or in Appendix B.

A table to evaluate daily model response would be helpful. The table should have the daily 8-hour maximums for each monitor, base and future year, for each episode day (May 27-July 1).

RESPONSE 5: Chapters 4 and 5 — To provide a complete picture of the model response, Appendix D (*Daily 8-hour Ozone Modeling Results — CAMx Runs 13 and 15*) has been added to the TSD.

COMMENT 6: Chapter 6 — Some additional items could be pulled from the redesignation proposal and when added to this SIP revision would round out the WOE and support the modeling conclusion that the area will be in attainment in 2009. For example, Chart 1 and Tables 1, 5, and 6 from the Baton Rouge Ozone Redesignation and Maintenance proposed package would provide information on projected emission trends and recent monitoring showing attainment of the 1-hour and 1997 8-hour ozone standards. A short explanation, describing how future emissions in the 5-parish area are expected to continue a downward trend, would also be helpful. Include a brief mention of how the HYSPLIT runs help to validate the meteorological modeling for the days used in the modeled attainment test.

RESPONSE 6: Chapter 6 — These items have now been addressed in Section 6.2 of the TSD.

COMMENT 7: Section 2.2 — Provide a table/summary of source types (area, point, non-road) emissions values for the 2009 attainment year, for comparison with the 2009 motor vehicle emissions budget (MVEB) in Table 3-1. This will help to satisfy the requirements in

40 CFR 93.118(e)(4)(iv)-(v). It will also outline what amount of the available on-road emissions inventory was used to constitute the MVEB numbers.

RESPONSE 7: Section 2.2 — The MVEB in Table 3-1 is the same as Table 3-13 in Section 3.2.2 (TSD) in Section 2.1 (SIP). Table 3-13 contains the other source type emissions values for 2009.

COMMENT 8: Section 3 — Base Year Emissions Inventory — The 2002 base year inventory was approved in a *Federal Register* notice (74 FR 45561) published on Sept. 3, 2009.

RESPONSE 8: Section 3 — Base Year Emissions Inventory — No response necessary.

COMMENT 9: Section 3 — Baton Rouge 1997 8-Hour Moderate Reclassification — The department has documented the correct amount for the total expected reductions in the nonattainment area by showing each step, discussing any assumptions made, and stating the origins of the numbers used in the calculations.

RESPONSE 9: Section 3 — Baton Rouge 1997 8-Hour Moderate Reclassification — No response necessary.

COMMENT 10: Section 3 — Reasonable Further Progress (RFP) Demonstration — The control measures included in the 2008 projection inventory are adequate to meet the 15% RFP requirement because the projected 2008 inventory is less than the target level of emissions.

No MVEBs associated with RFP were found in the document. The department should establish MVEBs for the 2008 milestone year (40 CFR 93.118(a)(1)(i)). If the MVEBs established by the 2009 attainment demonstration are more stringent than the 2008 RFP budgets, they will supersede the 2008 RFP budgets.

The department should provide a table summarizing the control measures used for RFP and the expected emission reductions from the control measures.

RESPONSE 10: Section 3 — Reasonable Further Progress (RFP) Demonstration — The 2009 MVEB is more stringent than the motor vehicle

emissions in the 2008 RFP and supersede the 2008 RFP budget. The control measures used for RFP are found in Section 3 (Reasonable Further Progress) of the SIP and the reductions are shown in Table D-1, Section 3 of the SIP.

COMMENT 11: Section 3 — Contingency Measures for the RFP Plan — No additional controls are required for the 2009 contingency plan for the Baton Rouge nonattainment area.

RESPONSE 11: Section 3 — Contingency Measures for the RFP Plan — No response necessary.

COMMENT 12: Section 4 — Contingency Plan for Failure to Attain — The failure to attain measure included in the attainment demonstration plan is in the process of being adopted and does achieve the required 3% emission reductions.

RESPONSE 12: Section 4 — Contingency Plan for Failure to Attain — No response necessary.

COMMENT 13: Section 5 — The pages in this Section are bound backwards and read from back to front.

RESPONSE 13: Section 5 — This oversight has been corrected.

COMMENT 14: Section 5 — Control Techniques Guidelines (CTG) Rule Updates — A review and comment of the CTG submittal of August 20, 2009, is being prepared separately.

RESPONSE 14: Section 5 — Control Techniques Guidelines (CTG) Rule Updates — No response necessary.

COMMENT 15: Section 5 — Reasonably Available Control Technology (RACT) — A RACT analysis for the Baton Rouge area was not included in this submittal. A redesignation to attainment cannot be approved without an approvable RACT demonstration. The state needs to

develop an adequate and thorough RACT SIP.

RESPONSE 15: Section 5 — Reasonably Available Control Technology (RACT) — A RACT analysis has been included in the final submittal.

COMMENT 16: Section 5 — Reasonably Available Control Measures (RACM) Demonstration — A statement about RACM in the context of RACT should be included in order to adequately discuss the required elements of RACT.

RESPONSE 16: Section 5 — Reasonably Available Control Measures (RACM) Demonstration — A RACM analysis has been included in the final submittal.

COMMENT 17: Section 5.1 — Major Source Permits and Nonattainment New Source Review (NSR) — Add a reference to the EPA Phase I rule. 69 FR 23857.

RESPONSE 17: Section 5.1 — Major Source Permits and Nonattainment New Source Review — The applicable reference has been made.

COMMENT 18: Section 5.1 — Major Source Permits and Nonattainment New Source Review — Severe nonattainment NSR requirements should be implemented in Baton Rouge.

RESPONSE 18: Section 5.1 — Major Source Permits and Nonattainment New Source Review — No response necessary.

COMMENT 19: Section 5.2 — Section 185 Fees — A Section 185 penalty fee program is a required element and must be in place before a redesignation can be approved.

RESPONSE 19: Section 5.2 — Section 185 Fees— Louisiana has requested a Termination Determination based on the guidance memorandum issued by EPA on Jan. 5, 2010 titled, *Guidance on Developing Fee Programs Required by Clean Air Act Section 185 for the 1-hour Ozone NAAQS*.

COMMENT 20: Section 5.3 — Reformulated Gasoline (RFG) — The state should consider what the impact on the maintenance projections would be if RFG is implemented at some future date.

RESPONSE 20: Section 5.3 — Reformulated Gasoline (RFG) — The state has considered the impact of the use of reformulated gasoline in the Baton Rouge nonattainment area (BRNA). Modeling in June of 2004 indicated that the use of RFG would increase nitrogen oxide (NO_x) levels by 0.04 tons per day, or 14.6 tons per year. This would pose a direct disadvantage to the BRNA air quality because the BRNA is a NO_x limited area.

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COMMENT No.	SUGGESTED BY
1 — 20	Guy Donaldson, Chief EPA, Air Planning Section