

SECTION 4

CONTINGENCY PLAN

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Contingency Implementation

Maintenance plans, under Section 175A of the CAA (Clean Air Act), include contingency measures to promptly address any violation of the national ambient air quality standards (NAAQS) that occurs. The contingency plan ensures that the contingency measures are adopted expeditiously once they are triggered.

The contingency plan for the ozone maintenance area is triggered upon monitoring a violation of the 8-hour ozone standard. Implementation of contingency measures will occur within 24 months of the triggering event.

Implementation of the contingency plan involves analysis of data to determine the cause of the violation. If, after this analysis is complete, the state determines that the violation was caused by events that can be controlled within the state's jurisdiction through regulatory actions, the state will determine the appropriate measures for implementation in the area and implement such measures within the 24 month period suggested by EPA guidance.

Determination of the appropriate contingency measure(s) for implementation will involve the following actions:

- Identification of potential sources for emission reductions;
- Identification/evaluation of prospective control measures;
- Initiation of stakeholder process; and
- Implementation of contingency measures through promulgation of appropriate control rules adhering to public notice and comment requirement

Contingency Measures Plan

In this state implementation plan (SIP) revision, LDEQ is submitting a contingency measures plan as part of the maintenance plan for the Baton Rouge nonattainment area (BRNA). The contingency requirement is three percent of the 2002 adjusted base year inventory. Since EPA guidance allows the use of either reductions of volatile organic compounds (VOC), or oxides of nitrogen (NO_x) to satisfy the contingency requirement, LDEQ has chosen to rely on NO_x reductions to meet the contingency measures requirement. **For satisfying the contingency measures requirement LDEQ will extend the applicability of the state's NO_x control rule to include the months of April and October of each year.**

Chapter 22 in LAC 33:III, *Control of Emissions of Nitrogen Oxides (NO_x)*, that was promulgated in February 2002 (LR 28:290), sets emission factors for various categories of equipment in the BRNA. The regulation requires controls on boilers, heaters, furnaces, turbines, and internal combustion engines. In order to bring the area into attainment, the control requirements were selected to be more stringent than reasonably available control technology (RACT) requirements. The following table shows the requirements of the rule.

Table 1: Chapter 22 Emission Factors

Equipment Category	Maximum Rated Capacity	Chapter 22 Requirement
<u>Utility Boilers</u>		
Coal-Fired	<u>MMBtu/Hour</u> >= 40 to <80	<u>Pound/MMBtu</u> 0.50
	>=80	0.21
Oil-Fired	>= 40 to <80	0.30
	>=80	0.18
All Others (gas or liquid)	>= 40 to <80	0.20
	>=80	0.10
<u>Industrial Boilers</u>		
	>= 40 to <80	0.20
	>=80	0.10
<u>Process Heaters/Furnaces</u>		
Ammonia Reformers	>=40 to <80	0.30
	>=80	0.23
All Others	>= 40 to <80	0.18
	>=80	0.08
<u>Stationary Gas Turbines</u>		
Peaking Service, Oil-Fired	<u>MW</u> >= 5 to <10	<u>Pound/MMBtu</u> 0.37
	>=10	0.30
Peaking Service, Gas-Fired	>= 5 to <10	0.27
	>=10	0.20
All Others	>= 5 to <10	0.24
	>=10	0.16
<u>Stationary Internal Combustion Engines</u>		
Lean-Burn	<u>Hp</u> >=150 to <320	<u>Grams/Hp-Hour</u> 10
	>=320	4
Rich-Burn	>=150 to <300	2
	>=300	2

Currently, the provisions of Chapter 22 apply during the ozone season (May 1 to September 30) of each year. Approximately 200 facilities in the BRNA are affected. All affected facilities were required to be in compliance by no later than May 1, 2005.

The impact of Chapter 22 provisions on NOx emissions in the BRNA can be estimated by comparing the 2002 and 2006 point source inventories and adjusting for new and shutdown facilities. The 2002 and 2006 NOx point source inventories along with new and shutdown facilities information are detailed in the appendix. Table 2 below provides a summary.

Table 2: Summary of Chapter 22 Estimated NOx Reductions

Description	NOx Emissions, TPD
1. Certified 2002 Point Source Emissions	116.4
2. Facilities Shutdown by 2006	0.7
3. Adjusted 2002 Inventory Relative to 2006 (1 – 2)	115.7
4. Certified 2006 Point Source Emissions	71.5
5. New Facilities by 2006	0.8
6. Adjusted 2006 Inventory (4 - 5)	70.7
7. Reductions Due to Chapter 22 (3 – 6)	45.0

Contingency Measures Calculation

As stated above, LDEQ will extend the applicability of Chapter 22 to include the months of April and October of each year. This is appropriate since in the years 2003 to 2008, there were 17 ozone exceedance days during April and October. In the same six-year period, there were only three ozone exceedance days in the other five months – January, February, March, November, and December. Reducing NOx emissions during April and October will further reduce the incidence of high ozone days in BRNA.

The ratio of the number of days in the new, 7-month ozone season to the number of days in the current, 5-month ozone season can be used to provide a reasonable estimate of the amount of NOx emission reductions that can be expected if the contingency measures are triggered. The calculation follows:

May – September Days	153
April – October Days	214
Additional Controlled Days	61
Reductions from Chapter 22	40 TPD (*)
Estimated Contingency Reductions	15.9 TPD ((61/153)*40)

(*) Actual is 45 TPD; used 40 TPD as a conservative measure.

EPA guidance states that the contingency measures must be equal to three percent of the 2002 adjusted base year inventory. From Section B.4 of the SIP RFP document, this inventory is 193.3 TPD. Three percent times this inventory is equal to 5.8 TPD. Table 3 below summarizes the calculation.

Table 3: Maintenance Plan Contingency Demonstration

Description	NOx, TPD
2002 Adjusted NOx Base Year Inventory Relative to 2008 (RFP – Section B.4)	193.3
Maintenance Plan Contingency Requirement, 3%	5.8
Estimated Reduction from Contingency Measure	15.9
Are Estimated Reductions Greater than the Contingency Requirement?	Yes
Contingency Excess	10.1

The contingency requirement is met and there is an excess in estimated reductions of 10.1 TPD.

Appendix - Certified NOx Pollutant Emissions (in tons per year) by Facility

Parish	AI #	2002 Company/Facility Name	2006 Company/Facility Name	2002 NOx	2006 NOx
ASCENSION	529	UNIVAR USA, INC/GEISMAR	Univar USA - Geismar Facility	0.0	0.0
ASCENSION	1093	MONOCHEM INC/GEISMAR FACILITY	LC Geismar Services LLC - Geismar Facility	392.0	203.9
ASCENSION	1136	SHELL CHEMICAL LP/GEISMAR PLANT	Shell Chemical Co - Geismar Plant	739.0	626.9
ASCENSION	1138	WESTLAKE VINYLs COMPANY LP/GEISMAR SITE	Westlake Vinyls Co LP	130.0	107.0
ASCENSION	1433	CHEMTURA CORP/GEISMAR PLANT	Lion Copolymer Geismar LLC - Geismar Facility	100.0	30.9
ASCENSION	1468	RUBICON, LLC	Rubicon LLC - Geismar Plant	588.0	472.9
ASCENSION	2049	BASF CORPORATION/GEISMAR SITE	BASF Corp - Geismar Site	671.0	796.2
ASCENSION	2082	HONEYWELL INTERNATIONAL INC/GEISMAR PLANT	Honeywell International Inc - Geismar Complex	49.0	70.0
ASCENSION	2218	PRAXAIR INC/GEISMAR HYCO FACILITY	Praxair Inc - Geismar HYCO Facility	199.0	167.8
ASCENSION	2245	TERRA MISSISSIPPI NITROGEN/TMNI DONALDSONVILLE	Terra Mississippi Nitrogen Inc - Donaldsonville Facility	2368.0	23.1
ASCENSION	2398	TERRA MISSISSIPPI NITROGEN INC/DONALDSONVILLE FAC	shutdown or below reporting limit	2.0	
ASCENSION	2416	CF INDUSTRIES INC/DONALDSONVILLE NITROGEN COMPLEX	CF Industries Inc - Donaldsonville Nitrogen Complex	3429.0	2637.6
ASCENSION	2679	AIR PRODUCTS & CHEMICALS INC/GEISMAR SMR FACILITY	Air Products & Chemicals Inc - Syngas Plant	56.0	56.7
ASCENSION	3302	CROSSTEX PROCESSING SERVICES/RIVERSIDE FRACTIONATION	Crosstex Processing Services LLC - Riverside Fractionation	288.0	150.8
ASCENSION	3400	OCCIDENTAL CHEMICAL CORP/GEISMAR PLANT	Occidental Chemical Corp - Geismar Plant	1286.0	150.7
ASCENSION	3420	ORMET CORP/BURNSIDE ALUMINA PLANT	Ormet Primary Aluminum Corp - Burnside Alumina Plant	6.0	679.4
ASCENSION	3732	PCS NITROGEN FERTILIZER LP/GEISMAR	PCS Nitrogen Fertilizer LP - Nitrate Group - Geismar Agricultural Nitrogen & Phosphate Plant	1329.0	269.9
ASCENSION	3990	WAGNER OIL CO/DARROW COMM LEASE	shutdown or below reporting limit	0.0	
ASCENSION	4762	ENTERPRISE GAS PROC LLC/TEBONE FRAC PLANT	Enterprise Gas Processing LLC - Tebone Fractionation Plant	49.0	44.2
ASCENSION	4803	BFI WASTE SYSTEMS OF LA INC/COLONIAL LANDFILL	BFI - Colonial Landfill	11.0	5.7
ASCENSION	5565	WILLIAMS OLEFINS LLC/GEISMAR ETHYLENE PLANT	Williams Olefins LLC - Geismar Ethylene Plant	703.0	724.9
ASCENSION	8142	WAGNER OIL CO/DARROW GRC BATTERY	Darrow Field Facility - Darrow Field	41.0	5.5
ASCENSION	11416	BRIDGELINE HOLDINGS LP/SORRENTO UNDERGROUND GAS STORAGE FACILITY	Sorrento Underground Gas Storage Facility	44.0	11.4
ASCENSION	17771	T. T. BARGE CLEANING MILE 183 INC	T T Barge Cleaning Mile 183 Inc	1.8	2.8
ASCENSION	20506	ENTERPRISE PRODUCTS CO/SORRENTO PHT	Enterprise Products Operating LP - Sorrento Products Handling Terminal	3.0	2.9
ASCENSION	26272	DSI TRANSPORTS INC/GEISMAR LA TERMINAL	Trimac - Geismar Terminal	1.0	0.9
ASCENSION	27834	EXXONMOBIL PIPELINE CO/SORRENTO STORAGE	ExxonMobil Pipeline Co - Sorrento Storage Facility	2.0	1.2
ASCENSION	30073	BASF CORPORATION/DINITROTOLUENE PLANT	Air Products & Chemicals Inc	25.0	35.1
ASCENSION	31513	AIR LIQUIDE LARGE INDUSTRIES US/GEISMAR FACILITY	Air Liquide Large Industries US LP - Geismar	269.0	112.3
ASCENSION	31514	GABRIEL CHEMICALS LLC/CHLOROSULFONIC ACID PLANT	Gabriel Chemicals LLC - CSA Plant	0.0	
ASCENSION	33564	did not exist or below reporting limit	Cooper T Smith Stevedoring Co - America Weigh Rig Loading & Transfer Facility		24.7
ASCENSION	33579	did not exist or below reporting limit	Cooper T Smith Stevedoring Co - Floating Grain Elevator Rig #1		0.0
ASCENSION	39945	ORMET CORP/BURNSIDE BULK MARINE TERMINAL	Ormet Corp - Burnside Bulk Marine Terminal - Division of Ormet Primary Aluminum Corp	89.0	12.1
ASCENSION	41417	SHELL PIPELINE CO LP/SORRENTO DOME STORAGE	Shell Pipeline Co LP - Dome Storage Facility	2.0	1.9
ASCENSION	46968	MID-AMERICA RESOURCES CORPORATION/SORRENTO FIELD PRODUCTION FACILITY	Mid-America Resources Corp - Sorrento Field Production Facility	0.0	0.2
ASCENSION	67572	EI DUPONT DE NEMOURS & CO INC/BURNSIDE PLANT	E I Dupont de Nemours & Co Inc - Burnside Plant A H2SO4 Contact Facility	55.0	54.4
ASCENSION	83718	LOUIS DREYFUS OLEFINS LLC/GEISMAR FRAC PLANT	LDH Energy Olefins LLC	44.0	59.4
ASCENSION	86181	TEXACO PIPELINES LLC/SORRENTO TENDS PUMP STATION	Sorrento TENDS Pumping Station	0.0	
ASCENSION	88164	ENTERPRISE PROD OPER LP/SORRENTO RAIL RACK	Enterprise Products Operating LLC - Sorrento Loading Facility	0.0	0.1

Appendix - Certified NOx Pollutant Emissions (in tons per year) by Facility

ASCENSION	90203	PLAINS MARKETING LP/DARROW CRUDE OIL TERM	Plains Marketing LP - Darrow Crude Oil Terminal	0.0	
ASCENSION	92534	HEXION SPECIALTY/FORMALDEHYDE PLANT	Hexion Specialty Chemicals Inc - Formaldehyde Plant	3.0	0.7
ASCENSION	97675	CHEMTECH CHEMICAL SERVICES LLC/GEISMAR BLENDING FACILITY	ChemTech Chemical Services LLC - Blending Facility	0.0	
ASCENSION	99129	MEDCO ENERGI US LLC/UNITED LANDS #1	United Lands #1 Facility	1.0	2.0
ASCENSION	100581	WILLIAMS OLEFINS LLC/HC BARGE LOAD	shutdown or below reporting limit	0.0	
ASCENSION	100651	LOUIS DREYFUL OLEFINS LLC/SORRENTO GAS PROCESSING PLANT	LDH Energy Olefins LLC - Convent Gas Plant	0.2	1.4
ASCENSION	122402	did not exist or below reporting limit	International Matex Tank Terminals - Geismar Logistics Center		
ASCENSION	143528	did not exist or below reporting limit	State Lease 17446 Tank Battery - Darrow Field		
ASCENSION	143529	did not exist or below reporting limit	SL 17446 Well - Darrow Field		0.3
ASCENSION	145270	did not exist or below reporting limit	Sorrento Production Facility		0.0
E BATON ROUGE	248	DELTECH CORPORATION/BATON ROUGE FACILITY	Deltech Corp - Baton Rouge Facility	256.0	77.0
E BATON ROUGE	285	EXXONMOBIL CHEMICAL CO/BATON ROUGE PLASTICS PLANT	ExxonMobil Chemical Co - Baton Rouge Plastics Plant	108.0	123.8
E BATON ROUGE	286	EXXONMOBIL CHEM CO/BATON ROUGE CHEMICAL PLANT	ExxonMobil Chemical Co - Baton Rouge Chemical Plant	2560.0	2175.5
E BATON ROUGE	288	FORMOSA PLASTICS CORPORATION, LA	Formosa Plastics Corp Louisiana - Baton Rouge Plant	570.0	367.8
E BATON ROUGE	289	HONEYWELL/BATON ROUGE PLANT	Honeywell International Inc - Baton Rouge South Works	21.0	15.3
E BATON ROUGE	332	EXXONMOBIL CORP/BATON ROUGE MARKETING TERMINAL	ExxonMobil Corp - Baton Rouge Terminal #5005	0.0	
E BATON ROUGE	582	PLANTATION PIPE LINE CO/BATON ROUGE BREAKOUT TANK FARM	Plantation Pipe Line Co - Baton Rouge Breakout Tank Farm	0.0	
E BATON ROUGE	669	ALBEMARLE CORP/PROCESS DEVELOPMENT CENTER	Albemarle Corp - Process Development Center	11.0	14.3
E BATON ROUGE	1000	ASHLAND CHEM CO/BATON ROUGE DISTRIBUTION	Ashland Chemical Co	0.0	
E BATON ROUGE	1157	STUPP CORP/BAKER	shutdown or below reporting limit	0.0	
E BATON ROUGE	1186	ENTERGY GSI/LA STATION 2 GENERATING PLANT	Entergy Louisiana Station Electrical Generating Plant	0.0	1694.0
E BATON ROUGE	1186	ENTERGY GSI/LA STATION 1 GENERATING PLANT	(consolidated with Station 2)	1833.0	
E BATON ROUGE	1314	RHODIA INC/BATON ROUGE FACILITY	Rhodia Inc	74.0	58.8
E BATON ROUGE	1395	LION COPOLYMER/BATON ROUGE PLANT	Lion Copolymer LLC - Baton Rouge Plant	127.0	246.8
E BATON ROUGE	1396	EXIDE TECHNOLOGIES/BATON ROUGE SMELTER	Exide Technologies - Baton Rouge Smelter	9.0	16.2
E BATON ROUGE	1413	UOP LLC/BR PLANT	UOP LLC - Baton Rouge Plant	46.0	34.5
E BATON ROUGE	1516	CLEAN HARBORS BATON ROUGE, LLC	Clean Harbors Baton Rouge LLC	0.0	0.0
E BATON ROUGE	2617	GEORGIA PACIFIC/PORT HUDSON OPERATIONS	Georgia-Pacific Consumer Operations LLC - Port Hudson Operations	1916.0	1653.1
E BATON ROUGE	2638	EXXONMOBIL REF & SUPPLY CO/BATON ROUGE REFINERY	ExxonMobil Refining & Supply Co - Baton Rouge Refinery	3583.0	2245.3
E BATON ROUGE	3085	ETHYL CORPORATION/BATON ROUGE PLANT	Ethyl Corp - Baton Rouge Plant	0.0	
E BATON ROUGE	3230	EXXONMOBIL CHEM CO/BATON ROUGE RESIN FINISHING PLANT	ExxonMobil Chemical Co - Baton Rouge Resin Finishing Plant	16.0	15.2
E BATON ROUGE	3387	FERRO CORPORATION/BATON ROUGE SITE	Ferro Corp - Baton Rouge Site	8.0	12.2
E BATON ROUGE	3519	EXXONMOBIL CHEM CO/BATON ROUGE POLYOLEFINS	ExxonMobil Chemical Co - Baton Rouge Polyolefins Plant	105.0	115.9
E BATON ROUGE	3587	PPG INDUSTRIES INC/BATON ROUGE SOLVENT PLANT - GROW AUTOMOTIVE	PPG Industries Inc - Grow Automotive	0.0	
E BATON ROUGE	3991	did not exist or below reporting limit	Genesis Crude Oil LP - Truck Loading Facility		
E BATON ROUGE	4407	did not exist or below reporting limit	EBR Parish Renewable Energy Center		1.0
E BATON ROUGE	4993	BP AMERICA PROD/PORT HUDSON GAS PLANT	Port Hudson Gas Plant	20.0	1.4
E BATON ROUGE	5190	ALLWASTE CONTAINER SVCS/BATON ROUGE PLANT	Allwaste Tank Cleaning Inc	2.0	2.0

Appendix - Certified NOx Pollutant Emissions (in tons per year) by Facility

E BATON ROUGE	5540	LOUISIANA STATE UNIVERSITY/BATON ROUGE CAMPUS	Louisiana State University - LSU	133.4	94.3
E BATON ROUGE	8007	FLORIDA GAS TRANSMISSION CO/ZACHARY COMPRESSOR STATION	Florida Gas Transmission Co - Zachary Compressor Station #8	940.0	331.8
E BATON ROUGE	11595	FLOWERS BAKING CO OF BATON ROUGE LLC	Flowers Baking Co of Baton Rouge LLC - Baton Rouge Facility	1.5	1.6
E BATON ROUGE	17129	HILCORP ENERGY CO/COMITE FIELD FACILITY	Comite Field Facility	9.0	15.0
E BATON ROUGE	22750	EDO SPECIALTY PLASTICS	EDO Specialty Plastics - Perkins Rd Fac	0.0	
E BATON ROUGE	25383	LAMAR CORP/LAMAR GRAPHICS	Lamar Graphics	0.0	
E BATON ROUGE	27559	BAYOU COATING LLC	Bayou Coating LLC	2.0	2.5
E BATON ROUGE	29884	GREAT LAKES CARBON LLC/BATON ROUGE CALCINED COKE PLANT	Oxbow Calcining LLC - Baton Rouge Calcined Coke Plant	380.0	182.7
E BATON ROUGE	31128	did not exist or below reporting limit	East Baton Rouge Parish Landfill (BFI North)		4.5
E BATON ROUGE	32045	HILCORP ENERGY CO/MANCHAC POINT	Manchac Point Oil & Gas Field Facility	19.0	22.7
E BATON ROUGE	32050	SCHERING-PLOUGH ANIMAL HEALTH CORP/VET OPERATIONS	shutdown or below reporting limit	0.7	
E BATON ROUGE	32056	EXXON MOBIL CORP/PROCESS RESEARCH (EMPR)	ExxonMobil Refining & Supply Co - Process Research Laboratories	4.0	1.2
E BATON ROUGE	88139	BP AMERICA PROD/PORT HUDSON CENTRAL TANK BATTERY	Port Hudson Central Tank Battery	14.0	23.1
E BATON ROUGE	90176	BP PIPELINES NORTH AMERICA/PORT HUDSON TERMINAL	Genesis Crude Oil LP - Port Hudson Terminal	0.0	0.0
E BATON ROUGE	95859	BRECHTEL ENERGY CORP/UNIVERSITY FIELD PF	University Field Production Facility	10.0	9.6
E BATON ROUGE	98136	GOLDKING OPERATING CO/COBB #1 COMITE FIELD	shutdown or below reporting limit	35.0	
E BATON ROUGE	96336	did not exist or below reporting limit	US Composite Pipe South LLC - Baton Rouge Plant		4.7
E BATON ROUGE	114658	did not exist or below reporting limit	Siegen Production Facility - Siegen Field		5.8
E BATON ROUGE	114659	did not exist or below reporting limit	Port Hudson Field Production Facility		0.2
E BATON ROUGE	119007	did not exist or below reporting limit	Duplantier Tank Battery - University Field		24.0
E BATON ROUGE	119008	did not exist or below reporting limit	Nelson Tank Battery - University Field		18.0
E BATON ROUGE	138716	did not exist or below reporting limit	North Burtville Field Facility - North Burtville Field		0.0
E BATON ROUGE	144826	did not exist or below reporting limit	Crown Paper #1 Production Facility - Profit Island Field		
E BATON ROUGE	146877	did not exist or below reporting limit	Crown Paper #1 Treating Facility - Profit Island Field		
IBERVILLE	1306	CORA TEXAS MFG INC/SUGAR MILL	Cora Texas Manufacturing Co	215.0	201.0
IBERVILLE	1409	DOW CHEMICAL CO/LA OPERATIONS	The Dow Chemical Co - Louisiana Operations	8611.0	4337.7
IBERVILLE	1607	TOTAL PETROCHEMICALS USA INC/COSMAR COMPANY STYRENE PLANT	TOTAL Petrochemicals USA Inc - Cos-Mar Co	682.0	284.4
IBERVILLE	2043	PETROLOGISTICS OLEFINS LLC/CHOCTAW TERMINAL	PetroLogistics Olefins LLC - Choctaw Terminal	12.0	10.8
IBERVILLE	2367	SYNGENTA CROP PROTECTION INC/ST. GABRIEL PLANT	Syngenta Crop Protection Inc - St Gabriel Plant	215.0	175.2
IBERVILLE	2455	GEORGIA GULF CHEM & VINYLs LLC/PLAQUEMINE FACILITY	Georgia Gulf Chemicals & Vinyls LLC - Plaquemine Division	1265.0	1182.9
IBERVILLE	2625	ENTERGY GSI/WILLOW GLEN GENERATING PLANT	Entergy Gulf States Utilities Inc - Willow Glen Plant	2437.0	36.0
IBERVILLE	2644	PIONEER AMERICAS LLC/CHLOR-ALKALI PLANT	Pioneer Americas LLC - St Gabriel Facility	16.7	23.4
IBERVILLE	3129	ASHLAND CHEMICAL CO/PLAQUEMINE METHANOL PLNT	shutdown or below reporting limit	0.3	
IBERVILLE	3263	TAMINCO HIGHER AMINES INC/ST. GABRIEL	Taminco Higher Amines Inc	64.0	73.5
IBERVILLE	3492	LBC BATON ROUGE LLC/SUNSHINE TERMINAL	LBC Baton Rouge LLC - Sunshine Terminal	1.0	2.6
IBERVILLE	4197	SOUTHERN NATURAL GAS/WHITE CASTLE CS	Southern Natural Gas Co - White Castle Compressor Station	404.0	160.9
IBERVILLE	5176	TOTAL PETROCHEMICALS USA INC/CARVILLE POLYSTYRENE	TOTAL Petrochemicals USA Inc - Carville Polystyrene Plant	33.0	22.5
IBERVILLE	7359	TEXAS EASTERN TRANSMISSION LP/WHITE CASTLE COMPRESSOR STATION	Texas Eastern Transmission LP - White Castle Compressor Station	180.0	0.0
IBERVILLE	8055	did not exist or below reporting limit	State of Louisiana Military - Gillis W Long Center		32.2

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IBERVILLE	8072	HILCORP ENERGY CO/BAYOU BOUILLON PF	Bayou Bouillon Facility	60.0	5.0
IBERVILLE	14139	PLAINS MARKETING LP/ST GABRIEL TERMINAL	Plains Marketing LP - St Gabriel Terminal	0.0	
IBERVILLE	14535	INEOS FLUOR AMERICAS LLC/KLEA-134A PLANT	INEOS Fluor Americas LLC - KLEA Plant	15.6	8.1
IBERVILLE	17383	CROSTEX LIG LLC/MYRTLE GROVE COMPRESSOR STATION	Crosstex LIG - Myrtle Grove Station	19.0	5.1
IBERVILLE	19184	CROSTEX LIG LIQUIDS CO LLC/PLAQUEMINE GAS PROCESSING PLANT	Crosstex LIG Liquids LLC - Plaquemine Gas Plant	151.0	122.8
IBERVILLE	20411	TEXAS PETRO INVESTMENT CO/BAYOU BLEU CENTRAL FAC #2	Bayou Bleu Central Facility #2	113.0	69.7
IBERVILLE	24479	SCS IBERVILLE COATINGS INC	SCS Iberville Coatings Inc	0.0	0.2
IBERVILLE	26034	LA ENERGY & POWER AUTHORITY/PLAQUEMINE STEAM & DIESEL POWER PLANT	Louisiana Energy & Power Authority (LEPA) - Plaquemine Steam Electric Power Plant	1.1	0.7
IBERVILLE	26984	HUNTSMAN INTERNATIONAL LLC/ST. GABRIEL FACILITY	Huntsman International LLC - St Gabriel Facility	4.0	2.1
IBERVILLE	27495	BCP INGREDIENTS INC.	BCP Ingredients Inc	1.7	0.1
IBERVILLE	32133	BAYOU SORREL OIL/BAYOU SORREL CF	Bayou Sorrel Commingling Facility	43.0	19.4
IBERVILLE	32135	JP OIL CO/WHITE CASTLE PRODUCTION FACILITY	White Castle Field Production Facility	37.0	12.4
IBERVILLE	32141	BRIDGELINE HOLDINGS LP/TALLY HO COMPRESSOR STATION	Tally Ho Compressor Station	1.0	0.1
IBERVILLE	32145	GOLDKING OPERATING CO/NW BAYOU CHOCTAW	Northwest Bayou Choctaw Production Facility	16.0	6.8
IBERVILLE	32146	CLK ENERGY PARTNERS INC/BAYOU CHOCTAW FIELD PRODUCTION FACILITY	shutdown or below reporting limit	32.8	
IBERVILLE	32154	JP OIL CO/GRAND RIVER	shutdown or below reporting limit	0.0	
IBERVILLE	32160	did not exist or below reporting limit	Bayou Bleu Field Production Facility		25.7
IBERVILLE	32161	OLEUM OPERATING CO LC/BAYOU HENRY FIELD PRODUCTIN FACILITIES	Bayou Henry Field Production Facility	14.6	14.5
IBERVILLE	33667	did not exist or below reporting limit	Basic Industries Inc - Sandblast & Spray Paint Yard		7.0
IBERVILLE	39633	did not exist or below reporting limit	Command Services Inc		13.4
IBERVILLE	39978	KINDER MORGAN LIQUIDS TERMINALS ST. GABRIEL LLC	Kinder Morgan Liquids Terminals St Gabriel LLC	0.0	0.6
IBERVILLE	40037	SOMERVILLE PARTNERS LP/STATE LEASE 14371	State Lease 14371 Production Facility	0.0	0.5
IBERVILLE	51854	CARVILLE ENERGY LLC/CARVILLE ENERGY CENTER	Carville Energy LLC - Carville Energy Center	18.0	275.5
IBERVILLE	84377	OLEUM OPERATING CO, LC/BAYOU DES GLAISES-WILBERT MINERAL B LEASE	shutdown or below reporting limit	30.0	
IBERVILLE	84483	SOUTHERN BAY OPERATING LLC/FROG LAKE FACILITY	shutdown or below reporting limit	29.0	
IBERVILLE	85393	PETRO HUNT LLC/BAYOU HENRY CENTRAL FACILITY	Bayou Henry Central Facility	48.0	
IBERVILLE	85652	DOW CHEMICAL CO/PLAQUEMINE COGEN FACILITY	The Dow Chemical Co - Plaquemine Cogeneration Plant	0.0	340.0
IBERVILLE	86585	SHELL PIPELINE CO LP/GRAND RIVER BARGE LOADING	shutdown or below reporting limit	0.0	
IBERVILLE	89237	INEOS LLC/INEOS OXIDE	shutdown or below reporting limit	0.0	
IBERVILLE	89512	LIBERTY RESOURCES INC/DUGAS & LEBLANC LTD ET AL #1	Dugas & LeBlanc Ltd et al #1 Production Facility	0.0	5.0
IBERVILLE	90197	EOTT ENERGY PIPELINE LP/BAYOU BLUE CRUDE OIL TERM	shutdown or below reporting limit	0.0	
IBERVILLE	101588	PETROQUEST ENERGY LLC/EEX CORP PF #1	EEX Corp Production Facility #1	11.0	23.6
IBERVILLE	113166	did not exist or below reporting limit	Bayou Bouillon Production Facility		7.9
IBERVILLE	118389	did not exist or below reporting limit	Bayou Bleu - Central Facility #1		10.4
IBERVILLE	119219	did not exist or below reporting limit	White Castle Deep Production Facility		3.3
IBERVILLE	125240	did not exist or below reporting limit	Chatham Farms #1 Production Facility		
IBERVILLE	126487	did not exist or below reporting limit	Dent et al #1 Production Facility - Musson Field		1.1
IBERVILLE	126578	did not exist or below reporting limit	Shintech Louisiana LLC - Plaquemine PVC Plant		
IBERVILLE	126748	did not exist or below reporting limit	Schwing 10 Production Facility - Frog Lake Field		1.5
IBERVILLE	126750	did not exist or below reporting limit	Dow Chemical Co Production Facility - Frog Lake Field		4.3
IBERVILLE	128638	did not exist or below reporting limit	Forest Home Partnership Facility		1.1
IBERVILLE	132984	did not exist or below reporting limit	Schwing #1 Production Facility - Sullivan Lake Field		0.2
IBERVILLE	134264	did not exist or below reporting limit	Gueymard Production Facility - St Gabriel Field		0.5
IBERVILLE	135484	did not exist or below reporting limit	Kessler #1 & Kessler #2 Production Facility		22.5
IBERVILLE	138856	did not exist or below reporting limit	St Gabriel Dehy & NGL Production Facility		0.0
IBERVILLE	139760	did not exist or below reporting limit	Bayou Bouillon etal #1 Production Facility		
LIVINGSTON	1467	EAST JORDAN IRON WORKS	East Jordan Iron Works	14.0	7.7
LIVINGSTON	4990	BP AMERICA PROD/LOCKHART CROSSING CF # 1	Lockhart Crossing CF #1	38.0	15.9

Appendix - Certified NOx Pollutant Emissions (in tons per year) by Facility

LIVINGSTON	6858	GRIFFIN INDUSTRIES, INC	Griffin Industries Inc	1.0	0.6
LIVINGSTON	9154	THE SHAW GROUP/SUNLAND FABRICATORS	Shaw Sunland Fabricators Inc	0.0	3.3
LIVINGSTON	11767	WASTE MANAGEMENT OF LA, LLC/WOODSIDE LANDFILL	Waste Management of LA LLC - Woodside Sanitary Landfill & Recycling Center	12.0	8.2
LIVINGSTON	17042	DENBURY RESOURCES INC/LOCKHART CROSS WILCOX CF3	Lockhart Crossing Central Facility #3	125.0	5.1
LIVINGSTON	19875	WEYERHAEUSER CO/HOLDEN SAWMILL & LOG PROCESS	Weyerhaeuser Co - Holden Wood Products	22.0	28.3
LIVINGSTON	26884	PLAINS MARKETING LP/LOCKHART CROSSING STATION	shutdown or below reporting limit	0.0	
LIVINGSTON	32465	TMR EXPLORATION INC/LVG WXI RA SU LB	LVG WX1 RA SU LB Facility	0.2	1.1
LIVINGSTON	32466	TUCKER OPER CO INC/ERVA S. MAYERS #1/1D PRODUCTION FACILITY	Erva S Mayers # 1	0.0	
LIVINGSTON	80537	DELTA ENVIRONMENTAL PRODUCTS INC/DENHAM SPRINGS FACILITY	Pentair Pump Group Inc - Delta Environmental Products Inc - Denham Springs Operations	0.0	1.5
LIVINGSTON	99952	did not exist or below reporting limit	O M Barnett #2 Facility - Lockhart Crossing Field		17.1
LIVINGSTON	120886	did not exist or below reporting limit	SL 7729 #2 Wellsite - Lockhart Crossing Field		
LIVINGSTON	130526	did not exist or below reporting limit	Blind River Facility (SL 18562 #1 Well) - Blind River Field Block 16		
LIVINGSTON	146741	did not exist or below reporting limit	Lockhart Crossing Central Processing Facility		
W BATON ROUGE	302	T.T. BARGE SERVICE MILE 237, LLC/BR SHIPYARD	TT Barge Services Mile 237	7.8	3.4
W BATON ROUGE	858	EXXONMOBIL REF & SUPPLY CO/ANCHORAGE TANK FARM	ExxonMobil Refining & Supply Co - Anchorage Tank Farm	0.0	4.7
W BATON ROUGE	1648	BP LUBRICANTS USA INC/PORT ALLEN FACILITY	BP Lubricants USA Inc - Port Allen Facility	3.3	6.9
W BATON ROUGE	2366	PLACID REFINING CO LLC/PORT ALLEN REFINERY	Placid Refining Co LLC - Port Allen Refinery	967.0	702.1
W BATON ROUGE	2519	DSM COPOLYMER/ADDIS PLANT	shutdown or below reporting limit	163.0	
W BATON ROUGE	3473	SHINTECH LOUISIANA LLC/ADDIS PLANT B	shutdown or below reporting limit	5.0	
W BATON ROUGE	4056	ALMA PLANTATION LLC/CINCLARE CENTRAL FACTORY	Harry L Laws & Co Inc - Cinclare Central Sugar Factory	121.0	
W BATON ROUGE	4174	SID RICHARDSON CARBON CO/ADDIS PLANT	Sid Richardson Carbon & Gasoline Co	220.0	307.9
W BATON ROUGE	9495	BASF CATALYSTS LLC/PORT ALLEN WORKS	BASF Catalyst LLC - Port Allen Works	30.0	26.5
W BATON ROUGE	11059	did not exist or below reporting limit	Specialty Application Services Inc - Port Allen Facility		5.6
W BATON ROUGE	12096	did not exist or below reporting limit	Westway Terminal Co Inc		0.3
W BATON ROUGE	17161	EXXONMOBIL PROD CO/BATON ROUGE GAS PLANT	ExxonMobil Production Corp - Baton Rouge Gas Plant	114.0	153.5
W BATON ROUGE	19338	PETROLEUM FUEL & TERM/PORT ALLEN	shutdown or below reporting limit	2.0	
W BATON ROUGE	19556	INTERCONTINENTAL TERMINALS CO/ANCHORAGE CHEM TERM	Intercontinental Terminals Co	0.3	
W BATON ROUGE	25344	did not exist or below reporting limit	Criterion Catalysts & Technologies LP - HPA Port Allen Plant		4.3
W BATON ROUGE	25344	did not exist or below reporting limit	Criterion Catalysts & Technologies LP - HPA Port Allen Plant		2.2
W BATON ROUGE	26217	TURNER INDUSTRIES GROUP/INTL PAINTING CORP	Turner Industries Group LLC	0.0	
W BATON ROUGE	40198	BATON ROUGE FRACTIONATORS/BATON ROUGE COMPLEX	Enterprise Products Operating LLC - Baton Rouge Act Frac/PCU	42.0	37.3
W BATON ROUGE	43634	TRINITY MARINE PRODUCTS INC/PLANT 48	Trinity Marine Products Inc - Plant #48 (Trinity Brusly)	4.0	0.2
W BATON ROUGE	83425	SHINTECH LOUISIANA, LLC/ADDIS PLANT A	Shintech Louisiana LLC - Addis Plant A	34.0	31.5
W BATON ROUGE	98796	EXXONMOBIL PIPELINE CO/ANCHORAGE TERMINAL	ExxonMobil Pipeline Co - Anchorage Terminal	0.0	0.2
W BATON ROUGE	126510	did not exist or below reporting limit	Bueche Heirs Well #1 Facility SN 228905 - Profit Island Oil Field		5.3
W BATON ROUGE	139063	did not exist or below reporting limit	Oliver #1 Tank Battery - Profit Island Field		0.8
				42497.0	26094.6

Notes:

id were either shutdown or below reporting limit by 2006.
or were below the reporting limit in 2002 and new by 2006.

299.8 TPY
249.5 TPY

Notices of Intent

NOTICE OF INTENT

Department of Environmental Quality
Office of the Secretary
Legal Affairs Division

Control of Emissions of Nitrogen Oxides
(LAC 33:III.2201 and 2202)(AQ305)

Under the authority of the Environmental Quality Act, R.S. 30:2001 et seq., and in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., the secretary gives notice that rulemaking procedures have been initiated to amend the Air regulations, LAC 33:III.2201 and 2202 (Log #AQ305).

This rule provides a new contingency plan to further control emissions of nitrogen oxides (NO_x) from facilities located in the Baton Rouge area (i.e., the parishes of Ascension, East Baton Rouge, Iberville, Livingston, and West Baton Rouge) and the Region of Influence (i.e., the parishes of East Feliciana, Pointe Coupee, St. Helena, and West Feliciana) in the event that EPA notifies the department that the Baton Rouge area has exceeded the 1997 8-hour National Ambient Air Quality Standard (NAAQS) for ozone and contingency has been triggered. This rule amends the contingency plan to extend the applicability of the regulations by two months. There is evidence that many of the past violations of the ozone standard have occurred outside the ozone season defined in LAC 33:III.Chapter 22 (i.e., before May 1 and after September 31). It is expected that extending the use of NO_x controls beyond the ozone season may prevent some of these violations. This rule also modifies definitions and makes revisions to clarify the regulations. This rule is also a revision to the Louisiana State Implementation Plan for air quality. The basis and rationale for this rule are to provide a necessary element in the State Implementation Plan revisions that will occur when the Baton Rouge Nonattainment Area is redesignated to attainment and to continue to provide protection of human health and welfare. This rule meets an exception listed in R.S. 30:2019(D)(2) and R.S. 49:953(G)(3); therefore, no report regarding environmental/health benefits and social/economic costs is required.

Title 33

ENVIRONMENTAL QUALITY

Part III. Air

Chapter 22. Control of Emissions of Nitrogen Oxides (NO_x)

§2201. Affected Facilities in the Baton Rouge Nonattainment Area and the Region of Influence

A. – A.1. ...

2. The provisions of this Chapter shall apply during the *ozone season*, as defined in Subsection B of this Section, of each year.

3. ...

B. Definitions. Unless specifically defined in this Subsection or in LAC 33:III.111 or 502, the words, terms, and abbreviations in this Chapter shall have the meanings commonly used in the field of air pollution control. For purposes of this Chapter only, the following definitions shall supersede any definitions in LAC 33:III.111 or 502.

* * *

Affected Facility—any facility within the Baton Rouge Nonattainment Area with one or more affected point sources that collectively emit or have the potential to emit 25 tons or more per year of NO_x, unless exempted in Subsection C of this Section, or any facility within the Region of Influence with one or more affected point sources that collectively emit or have the potential to emit 50 tons or more per year of NO_x, unless exempted in Subsection C of this Section. Exempt sources in a facility shall not be included in the determination of whether it is an affected facility.

* * *

Low Ozone Season Capacity Factor Boiler or Process Heater/Furnace—a boiler or process heater/furnace in the Baton Rouge Nonattainment Area with a maximum rated capacity greater than or equal to 40 MMBtu/hour and an ozone season average heat input less than or equal to 12.5 MMBtu/hour, using a 30-day rolling average; or in the Region of Influence with a maximum rated capacity greater than or equal to 80 MMBtu/hour and an ozone season average heat input less than or equal to 25 MMBtu/hour, using a 30-day rolling average.

* * *

Ozone Season—except as provided in LAC 33:III.2202, the period May 1 to September 30, inclusive, of each year.

* * *

Thirty-Day (30-Day) Rolling Average—an average, calculated daily, of all hourly data for the last 30 days for an affected point source. At the beginning of each ozone season, use one of the following methods to calculate the initial 30-day averages:

a. calculate and record the average of all hourly readings taken during the first day of the ozone season for day one, then the average of all hourly readings taken during the first and second days for day two, and so on until the first full 30-day average falling entirely within the ozone season is reached;

b. calculate and record a 30-day rolling average for day one of the ozone season using the hourly readings from that day and the previous 29 calendar days, for the second day of the ozone season using the readings from the first two ozone season days and the preceding 28 calendar days, and so on until the first full 30-day average falling entirely within the current ozone season is reached; or

c. calculate and record a 30-day rolling average for day one of the ozone season using the hourly readings from that day and the last 29 days of the previous ozone season, for the second day of the ozone season using the readings

from the first two current ozone season days and the last 28 days of the previous ozone season, and so on until the first full 30-day average falling entirely within the current ozone season is reached.

* * *

C. Exemptions. The following categories of equipment or processes located at an affected facility within the Baton Rouge Nonattainment Area or the Region of Influence are exempted from the provisions of this Chapter:

1. - 3.b. ...
4. *low ozone season capacity factor boilers and process heater/furnaces*, as defined in Subsection B of this Section, in accordance with Paragraph H.11 of this Section;
5. - 5.g. ...
6. any point source, in accordance with Paragraph H.12 of this Section, that operates less than 3 hours per day, using a 30-day rolling average, during the ozone season;
7. - 14. ...
15. any affected point source that is required to meet a more stringent state or federal NO_x emission limitation, whether by regulation or permit. In this case, the monitoring, reporting, and recordkeeping requirements shall be in accordance with the more stringent regulation or permit and not this Chapter. If the applicable regulation or permit does not specify monitoring requirements, the provisions of Subsection H of this Section shall apply;
16. - 17. ...
18. any affected point source firing fuel oil during a period of emergency and approved by the administrative authority;
19. - 20. ...

D. Emission Factors

1. The following tables list NO_x emission factors that shall apply to affected point sources located at affected facilities in the Baton Rouge Nonattainment Area or the Region of Influence.

Category	Maximum Rated Capacity	NO _x Emission Factor ^a
Electric Power Generating System Boilers:		
Coal-fired	>= 40 to <80 MMBtu/Hour	0.50 pound/MMBtu
	>= 80 MMBtu/Hour	0.21 pound/MMBtu
Number 6 Fuel Oil-fired	>= 40 to <80 MMBtu/Hour	0.30 pound/MMBtu
	>= 80 MMBtu/Hour	0.18 pound/MMBtu
All Others (gaseous or liquid)	>= 40 to <80 MMBtu/Hour	0.20 pound/MMBtu
	>= 80 MMBtu/Hour	0.10 pound/MMBtu
Industrial Boilers:		

Category	Maximum Rated Capacity	NO _x Emission Factor ^a
All Fuels	>= 40 to <80 MMBtu/Hour	0.20 pound/MMBtu
	>= 80 MMBtu/Hour	0.10 pound/MMBtu
Process Heater/Furnaces:		
Ammonia Reformers	>= 40 to <80 MMBtu/Hour	0.30 pound/MMBtu
	>= 80 MMBtu/Hour	0.23 pound/MMBtu
All Others	>= 40 to <80 MMBtu/Hour	0.18 pound/MMBtu
	>= 80 MMBtu/Hour	0.08 pound/MMBtu
Stationary Gas Turbines:		
Peaking Service, Fuel Oil-fired	>= 5 to <10 MW	0.37 pound/MMBtu
	>= 10 MW	0.30 pound/MMBtu
Peaking Service, Gas-fired	>= 5 to <10 MW	0.27 pound/MMBtu
	>= 10 MW	0.20 pound/MMBtu
All Others	>= 5 to <10 MW	0.24 pound/MMBtu ^b
	>= 10 MW	0.16 pound/MMBtu ^c
Stationary Internal Combustion Engines:		
Lean-burn	>= 150 to <320 Hp	10 g/Hp-hour
	>= 320 Hp	4 g/Hp-hour
Rich-burn	>= 150 to <300 Hp	2 g/Hp-hour
	>= 300 Hp	2 g/Hp-hour

^a based on the higher heating value of the fuel

^b equivalent to 65 ppmv (15 percent O₂, dry basis) with an F factor of 8710 dscf/MMBtu

^c equivalent to 43 ppmv (15 percent O₂, dry basis) with an F factor of 8710 dscf/MMBtu

Category	Maximum Rated Capacity	NO _x Emission Factor ^a
Electric Power Generating System Boilers:		
Coal-fired	>= 80 MMBtu/Hour	0.21 pound/MMBtu
Number 6 Fuel Oil-fired	>= 80 MMBtu/Hour	0.18 pound/MMBtu
All Others (gaseous or liquid)	>= 80 MMBtu/Hour	0.10 pound/MMBtu
Industrial Boilers:		
All Fuels	>= 80 MMBtu/Hour	0.10 pound/MMBtu
Process Heater/Furnaces:		
Ammonia Reformers	>= 80 MMBtu/Hour	0.23 pound/MMBtu
All Others	>= 80 MMBtu/Hour	0.08 pound/MMBtu
Stationary Gas Turbines:		
Peaking Service, Fuel Oil-fired	>= 10 MW	0.30 pound/MMBtu
Peaking Service, Gas-fired	>= 10 MW	0.20 pound/MMBtu
All Others	>= 10 MW	0.16 pound/MMBtu ^b
Stationary Internal Combustion Engines:		
Lean-burn	>= 1500 Hp	4 g/Hp-hour
Rich-burn	>= 300 Hp	2 g/Hp-hour

^a all factors are based on the higher heating value of the fuel

^b equivalent to 43 ppmv (15 percent O₂, dry basis) with an F factor of 8710 dscf/MMBtu

2. - 8. ...

9. On a day that is designated as an Ozone Action Day by the department, a facility shall not fire an affected point source with Number 6 fuel oil or perform testing of emergency and training combustion units without prior approval of the administrative authority. If a facility has received approval from the administrative authority for a plan to use Number 6 fuel oil, this is considered prior approval for purposes of this Paragraph.

E. - E.1.c.ii. ...

d. An owner or operator that chooses to use the provisions of Clause E.1.b.i or E.1.c.i of this Section to demonstrate compliance in an averaging plan shall include in the submitted plan a description of the actions that will be taken if any under-controlled unit is operated at more than 10 percent above its averaging capacity (HI, in Subparagraph E.1.a of this Section). Such actions may include a comparison of the total current emissions from all units in the averaging plan to the total emissions that would result if the units in the plan were operated in accordance with Subsection D of this Section, other reviews, reporting, and/or mitigation actions. If the department determines that the actions are not adequate to prevent an increase of emissions over the total emissions that would result if the units were operated in accordance with Subsection D of this Section, the department shall require that the averaging plan and/or the action plan be revised or shall disallow the use of the averaging plan.

e. ...

f. NO_x reductions accomplished after 1997 through curtailments in capacity of a point source with a permit revision or by permanently shutting down the point source may be included in the averaging plan. In order to include a unit with curtailed capacity or that has been permanently shut down in the averaging plan, the old averaging capacity, determined from the average of the two ozone seasons prior to the capacity curtailment or shutdown, or such other two-year period as the department may approve, shall be used to calculate the unit's contribution to the term FL. The new averaging capacity, determined from the enforceable permit revision, shall be multiplied by the owner-assigned limit to calculate the contribution of the curtailed unit to the cumulative emission factor for the averaging group. For a shut down source, the contribution to the cumulative emission factor shall be zero.

g. NO_x reductions from post 1997 modifications to exempted point sources, as defined in Subsection C of this Section, may be used in a facility-wide averaging plan. If a unit exempted in Subsection C of this Section is included in an averaging plan, the term R_{ij} in Equation E-1 shall be established, in accordance with Subsection G of this Section, from a stack test or other determination of emissions approved by the department that was performed before the NO_x reduction project was implemented, and the term R_{ai} shall be established from the owner-assigned emission factor in accordance with Subparagraph E.1.a of this Section. For the case of a point source exempted by Paragraph C.15 of this Section, if the permit limits were established after 1997 and were not required by a state or federal regulation, the source may be included in an averaging plan, with the term R_{ij} taken from Table D-1A or D-1B in Paragraph D.1 of this Section.

E.1.h. - G.4. ...

5. Compliance with the emission specifications of Subsection D or E of this Section for affected point sources operating without CEMS or PEMS shall be demonstrated while operating at the maximum rated capacity, or as near thereto as practicable. The stack tests shall be performed according to emissions testing guidelines located on the department website under Air Quality Assessment/Emission Testing Program. Three minimum 1-hour tests, or three minimum 20-minute tests for turbines, shall be performed and the following methods from 40 CFR Part 60, Appendix A shall be used:

G.5.a. - H.1.b.v. ...

vi. alternatively to Clauses H.1.b.ii-iv of this Section, the owner or operator may request approval from the administrator for an alternative monitoring plan that uses a fuel-oxygen operating window to demonstrate continuous compliance of NO_x and CO. In order to continuously demonstrate compliance with the NO_x limits of Subsection D or E of this Section, the owner or operator shall implement procedures to operate the boiler on or inside the fuel and oxygen lines that define the operating window. The corners of the window shall be established during the initial compliance test required by Subsection G of this Section or similar testing at another time. The details for use of an alternative monitoring plan shall be submitted in the permit application or in the optional compliance plan described in Paragraph F.7 of this Section. The plan shall become part of the facility permit and shall be federally enforceable.

2. - 2.b.v. ...

vi. alternatively to Clauses H.2.b.ii-iv of this Section, the owner or operator may request approval from the department for an alternative monitoring plan that uses a fuel-oxygen operating window, or other system, to demonstrate continuous compliance of NO_x and CO. In order to continuously demonstrate compliance with the NO_x limits of Subsection D or E of this Section, the owner or operator shall implement procedures to operate the process heater/furnace on or inside the fuel and oxygen lines that define the operating window. The corners of the window shall be established during the initial compliance test required by Subsection G of this Section or similar testing at another time. The details for use of an alternative monitoring plan shall be submitted in the permit application or in the optional compliance plan described in Paragraph F.7 of this Section. The plan shall become part of the facility permit and shall be federally enforceable.

3. - 9.b. ...

10. All affected point sources that rely on periodic stack testing to demonstrate continuous compliance and use a catalyst to control NO_x emissions shall be tested to show compliance with the emission factors of Subsection D or E or this Section after each occurrence of catalyst replacement. Portable analyzers shall be acceptable for this check. Documentation shall be maintained on-site, if practical, of the date, the person doing the test, and the test results. Documentation shall be made available for inspection upon request.

11. The owner or operator of any *low ozone season capacity factor boiler or process heater/furnace*, as defined in Subsection B of this Section, for which an exemption is granted shall install, calibrate, and maintain a totalizing fuel

meter, with instrumentation approved by the department, and keep a record of the fuel input for each affected point source during each ozone season. If the average Btu-per-ozone season-hour limit is exceeded, the owner or operator of any boiler or process heater/furnace covered under this exemption shall include the noncompliance in the written report that is due in accordance with Paragraph I.2 of this Section. If the average Btu-per-ozone season-hour limit is exceeded, the exemption shall be permanently withdrawn. Within 90 days after receipt of notification from the administrative authority of the loss of the exemption, the owner or operator shall submit a permit modification detailing how the facility will meet the applicable emission factor as soon as possible, but no later than 24 months, after exceeding the ozone season limit. Included with this permit modification, the owner or operator shall submit a schedule of increments of progress for the installation of the required control equipment. This schedule shall be subject to the review and approval of the department.

12. The owner or operator of any affected point source that is granted an exemption in accordance with Paragraph C.6 of this Section shall install, calibrate, and maintain a nonresettable, elapsed run-time meter to record the operating time in order to demonstrate compliance during the ozone season. If the average operating hours-per-day limit is exceeded the owner or operator shall include the noncompliance in the written report that is due in accordance with Paragraph I.2 of this Section. If the average operating hours-per-day limit is exceeded, the exemption shall be permanently withdrawn. Within 90 days after receipt of notification from the administrative authority of the loss of the exemption, the owner or operator shall submit a permit modification detailing how the facility will meet the applicable emission factor as soon as possible, but no later than 24 months, after exceeding the limit. Included with this permit modification, the owner or operator shall submit a schedule of increments of progress for the installation and operation of the required control equipment. This schedule shall be subject to the review and approval of the department.

13. Elapsed run-time and fuel meters, oxygen, diluents, and CO monitors, and other such instrumentation required by this Section shall be performance tested according to the vendor's recommendations, but not less frequently than once per year. Testing records shall be maintained according to Paragraph I.3 of this Section.

14. Any unit with a permit that requires more stringent testing than this Chapter requires shall comply with the permit requirements rather than this Chapter.

15. Continuous demonstration of compliance with fuel, oxygen concentration, and other parameter limits shall be on a 30-day rolling average basis.

I. Notification, Recordkeeping, and Reporting Requirements

1. ...

2. The owner or operator of an affected point source granted an exemption in accordance with any part of Subsection C of this Section or required to demonstrate continuous compliance in accordance with Subsection H of this Section shall submit a written report within 90 days of the end of each ozone season to the administrative authority of any noncompliance of the applicable limitations of

Subsection D or E of this Section. The required information may be included in reports provided to the administrative authority to meet other requirements, so long as the report meets the deadlines and content requirements of this Paragraph. The report shall include the following information:

- a. a description of the noncompliance;
- b. a statement of the cause of the noncompliance;
- c. the anticipated time that the noncompliance is expected to continue or, if it has been corrected, the duration of the period of noncompliance; and
- d. the steps taken to prevent recurrence of the noncompliance.

I.3. - J.1. ...

2. The owner or operator shall complete all initial compliance testing, specified by Subsection G of this Section, for equipment modified with NO_x reduction controls or a NO_x monitoring system to meet the provisions of this Chapter within 60 days of achieving normal production rate or after the end of the shake down period, but in no event later than 180 days after initial start-up. Required testing to demonstrate the performance of existing, unmodified equipment shall be completed in a timely manner, but by no later than November 1, 2005.

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

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Environmental Assessment, Environmental Planning Division, LR 28:290 (February 2002), repromulgated LR 28:451 (March 2002), amended LR 28:1578 (July 2002), LR 30:748 (April 2004), LR 30:1170 (June 2004), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2441 (October 2005), LR 33:2088 (October 2007), LR 34:71 (January 2008), LR 35:

§2202. Contingency Plan

A. This Section shall become effective only in the event that the United States Environmental Protection Agency (EPA) determines and notifies the department in accordance with Section 175A(d) of the Clean Air Act as amended [42 USC 7511(b)(2)] that the Baton Rouge area has violated the 8-hour ozone National Ambient Air Quality Standard (NAAQS), and that the department must put this contingency plan into effect.

B. Definition of *Ozone Season*. In the event of notification from EPA in accordance with Subsection A of this Section, the definition of *ozone season* in LAC 33:III.2201.B will be the period April 1 to October 31, inclusive, of each year.

C. Effective Dates. An owner or operator of a source subject to this Chapter shall comply with this Section as expeditiously as possible, but not later than the first day of the next ozone season after determination and notification by the EPA in accordance with Subsection A of this Section.

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

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Environmental Assessment, Environmental Planning Division, LR 30:1170 (June 2004), amended by the Office of the Secretary, Legal Affairs Division, LR 35:

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

A public hearing will be held on July 28, 2009, at 1:30 p.m. in the Galvez Building, Oliver Pollock Conference

Room, 602 N. Fifth Street, Baton Rouge, LA 70802. The hearing will also be for the revision to the State Implementation Plan (SIP) to incorporate this rule. Interested persons are invited to attend and submit oral comments on the proposed amendments. Should individuals with a disability need an accommodation in order to participate, contact Donald Trahan at the address given below or at (225) 219-3985. Two hours of free parking are allowed in the Galvez Garage with a validated parking ticket.

All interested persons are invited to submit written comments on the proposed regulation. Persons commenting should reference this proposed regulation by AQ305. Such comments must be received no later than August 4, 2009, at 4:30 p.m., and should be sent to Donald Trahan, Attorney Supervisor, Office of the Secretary, Legal Affairs Division, Box 4302, Baton Rouge, LA 70821-4302 or to fax (225) 219-3398 or by e-mail to donald.trahan@la.gov. Copies of this proposed regulation can be purchased by contacting the DEQ Public Records Center at (225) 219-3168. Check or money order is required in advance for each copy of AQ305. This regulation is available on the Internet at www.deq.louisiana.gov/portal/tabid/1669/default.aspx.

This proposed regulation is available for inspection at the following DEQ office locations from 8 a.m. until 4:30 p.m.: 602 N. Fifth Street, Baton Rouge, LA 70802; 1823 Highway 546, West Monroe, LA 71292; State Office Building, 1525 Fairfield Avenue, Shreveport, LA 71101; 1301 Gadwall Street, Lake Charles, LA 70615; 111 New Center Drive, Lafayette, LA 70508; 110 Barataria Street, Lockport, LA 70374; 201 Evans Road, Bldg. 4, Suite 420, New Orleans, LA 70123.

Herman Robinson, CPM
Executive Counsel

**FISCAL AND ECONOMIC IMPACT STATEMENT
FOR ADMINISTRATIVE RULES
RULE TITLE: Control of Emissions of Nitrogen Oxides**

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

There are no expected implementation costs or savings to state or local governmental units from the proposed rule.

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

No effect on revenue collections of state or local governmental units is expected as a result of the proposed rule.

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

There will be no immediate costs or benefits from this rule revision. The provision in LAC 33:III.2202 will be enforced only upon notification from the EPA that the attainment area in which the facility is located violated the 1997 8-hour National Ambient Air Quality Standard (NAAQS) for ozone and contingency measures are therefore triggered. If contingency measures are triggered the only cost to the facility would be to continue NOx reduction measures for the extended period of time. These NOx reduction control measures are work practices which reduce emissions of NOx and are only currently required during ozone season. This rule revision simply extends the time the control measures will be in place based on the triggering of

the contingency measures. Therefore, the cost of extending the time they are required would be minimal.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

There will be no impact from the proposed action on competition or employment in the public or private sector.

Herman Robinson, CPM
Executive Counsel
0906#037

H. Gordon Monk
Legislative Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

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

Miscellaneous Corrections
(LAC 33:V.105, 321, 1513, 1529, 3005, and 3105;
VII.715 and 1101; IX.5903; and XI.1121)(MM010)

Under the authority of the Environmental Quality Act, R.S. 30:2001 et seq., and in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., the secretary gives notice that rulemaking procedures have been initiated to amend the Environmental Quality regulations, LAC 33:V.105, 321, 1513, 1529, 3005, and 3105; VII.715 and 1101; IX.5903; and XI.1121 (Log #MM010).

This rule corrects errors that have been found in the Environmental Quality regulations. Language found to be redundant or not required by federal regulations has been deleted, some wording has been restructured, and instances of improper regulation citations have been corrected. The rule also deletes information in LAC 33:V.3015, Table 2, to reflect a change in 40 CFR 261, Appendix VIII. Maintenance of the regulations is part of the responsibility of the department. An aspect of maintenance is for the department to correct errors when they are found. The basis and rationale for this rule are to maintain the regulations that protect the environment and public health of the state, as authorized by the Environmental Quality Act. This rule meets an exception listed in R.S. 30:2019(D)(2) and R.S. 49:953(G)(3); therefore, no report regarding environmental/health benefits and social/economic costs is required.

Title 33

ENVIRONMENTAL QUALITY

Part V. Hazardous Waste and Hazardous Materials

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

Chapter 1. General Provisions and Definitions

§105. Program Scope

These rules and regulations apply to owners and operators of all facilities that generate, transport, treat, store, or dispose of hazardous waste, except as specifically provided otherwise herein. The procedures of these regulations also apply to the denial of a permit for the active life of a hazardous waste management facility or TSD unit under LAC 33:V.706. Definitions appropriate to these rules and regulations, including *solid waste* and *hazardous waste*, appear in LAC 33:V.109. Wastes that are excluded from regulation are found in this Section.