

MM 002

Departmental Designation

LAC 33.III. 111,211,501,504,505,506,507,613,
918, 919,1105,1107,1410,1434,1507,2103, 2108,
2113, 2116, 2121,2122, 2123, 2132,
2153,2159,2201,2301, 2303, 2307,
2511,2521,2531)

reasonably necessary in accordance with LAC 33:IX.4769.D.

b. For a fixed facility that chooses Track II, the administrative authority must review the information submitted with the comprehensive demonstration study required in LAC 33:IX.4773.C.2 and evaluate the suitability of the proposed design and construction technology and/or operational measures to determine whether they will reduce both impingement mortality and entrainment of all life stages of fish and shellfish to 90 percent or greater of the reduction that could be achieved through Track I. In addition, the administrative authority must review the verification monitoring plan required in LAC 33:IX.4773.C.2.c.iii and require that the proposed monitoring begin at the start of operations of the cooling water intake structure and continue for a sufficient period of time to demonstrate that the technologies and operational measures meet the requirements in LAC 33:IX.4769.C.1. Under subsequent permits, the administrative authority must review the performance of the additional and/or different technologies or measures used and determine that they reduce the level of adverse environmental impact from the cooling water intake structures to a comparable level that the facility would achieve were it to implement the requirements of LAC 33:IX.4769.B.3 and, if applicable, LAC 33:IX.4769.B.6.

c. If a facility requests alternative requirements in accordance with LAC 33:IX.4771, the administrative authority must determine if data specific to the facility meet the requirements in LAC 33:IX.4771.A and include requirements in the permit that are no less stringent than justified by the wholly-out-of-proportion cost or the significant adverse impacts on local water resources other than impingement or entrainment, or significant adverse impacts on energy markets.

2. Monitoring Conditions. At a minimum, the permit must require the permittee to perform the monitoring required in LAC 33:IX.4775. The administrative authority may modify the monitoring program when the permit is reissued and during the term of the permit based on changes in physical or biological conditions in the vicinity of the cooling water intake structure. The administrative authority may require continued monitoring based on the results of monitoring done pursuant to the verification monitoring plan required in LAC 33:IX.4773.C.2.c.iii.

3. Recordkeeping and Reporting. At a minimum, the permit must require the permittee to report and keep records as required by LAC 33:IX.4777.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq., and in particular Section 2074(B)(3) and (B)(4).

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of the Secretary, Legal Affairs Division, LR 33:2076 (October 2007).

Herman Robinson, CPM
Executive Counsel

0710#021

RULE

Department of Environmental Quality Office of the Secretary Legal Affairs Division

Departmental Designations
(LAC 33:I, III, V, VI, VII, IX, XI, and XV) (MM002)

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 has amended the Environmental Quality regulations, LAC 33:I, III, V, VI, VII, IX, XI, and XV (Log #MM002). The Sections amended in this Rule are as follows:

~~LAC 33:I.501, 907, 1109, 1111, 1113, 1117, 1203, 1307, 1505, 1701, 1803, 2005, 2307, 3905, 3917, 3919, 3923, 3925, 4701, 4703, 4705, 4711, 5707, 6905, and 6921;~~

~~LAC 33:III.111, 211, 501, 504, 505, 506, 507, 613, 918, 919, 1105, 1107, 1410, 1434, 1507, 2103, 2108, 2113, 2116, 2121, 2122, 2123, 2132, 2153, 2159, 2201, 2301, 2303, 2307, 2511, 2521, 2531, 2701, 2719, 2723, 2735, 2799, 2805, 2807, 2809, 2811, 3003, 5107, 5111, 5113, 5116, 5122, 5151, 5307, 5311, and 5911;~~

~~LAC 33:V.105, 106, 109, 303, 309, 321, 323, 501, 520, 537, 565, 590, 708, 1105, 1107, 1109, 1111, 1113, 1123, 1125, 1127, 1199, 1504, 1505, 1513, 1516, 1527, 1529, 1531, 1715, 1737, 1739, 1745, 1747, 1755, 1767, 1802, 1905, 1907, 1913, 2227, 2237, 2239, 2241, 2245, 2246, 2247, 2253, 2271, 2273, 2303, 2306, 2307, 2508, 2521, 2707, 2711, 2719, 2803, 2805, 2903, 2906, 3005, 3007, 3009, 3103, 3115, 3317, 3319, 3321, 3503, 3505, 3513, 3517, 3523, 3525, 3527, 3707, 3711, 3715, 3717, 3719, 3831, 3841, 3853, 3875, 4029, 4043, 4045, 4065, 4083, 4201, 4241, 4301, 4320, 4367, 4373, 4375, 4381, 4383, 4387, 4391, 4393, 4395, 4403, 4407, 4411, 4413, 4437, 4449, 4451, 4462, 4472, 4474, 4489, 4512, 4522, 4534, 4703, and 5309;~~

~~LAC 33:VI.103, 117, 201, 303, 403, 501, 502, 505, 507, 509, 515, 521, 607, 705, 709, 711, 801, 803, 911, and 913;~~

~~LAC 33:VII.113, 301, 303, 305, 307, 311, 401, 403, 407, 501, 508, 509, 513, 515, 517, 519, 711, 713, 715, 717, 719, 721, 723, 725, 803, 805, 909, 1103, 1301, 1303, 1305, 1403, 1405, 3001, 10307, 10513, 10515, 10517, 10519, 10521, 10523, 10525, 10531, 10533, 10535, and 10536;~~

~~LAC 33:IX.301, 303, 307, 309, 311, 315, 708, 905, 1117, 1121, 1507, 2109, 2111, 2115, 2119, 2123, 2125, 2501, 2511, 2515, 2521, 2523, 2525, 2529, 2701, 2703, 2709, 3115, 3117, 4505, 5709, 6113, 6117, 6121, 6123, 6125, 6135, and 6507;~~

~~LAC 33:XI.301, 303, 507, 701, 703, 715, 903, 905, 907, 1111, 1113, 1123, 1129, 1131, 1139, 1205, 1209, 1305, and 1309; and~~

~~LAC 33:XV.102, 204, 205, 209, 211, 212, 213, 320, 321, 322, 324, 325, 326, 328, 331, 332, 361, 390, 399, 430, 436, 438, 442, 461, 488, 490, 496, 499, 575, 577, 578, 579, 603,~~

~~608, 704, 710, 719, 737, 761, 803, 907, 911, 1016, 1017, 1103, 1104, 1303, 1309, 1314, 1325, 1331, 1332, 1333, 1407, 1408, 1410, 1417, 1418, 1420, 1515, 1516, 1707, 1711, 1755, 2014, 2017, 2022, 2506, 2507, and 2508.~~

Technical amendments have been made to the rule, including additional changes to office and division references that were inadvertently not included in the original proposed rule. This Rule will change references to various DEQ divisions in the regulations to references to the statutory office designations, update some office designations to reflect the current organizational structure of the department, and make miscellaneous format and typographical corrections in the related text. Each division will internally prepare documentation identifying the various reports and other submittals the division may require. This information will be available through the department's website. The names and organizational placement of divisions are sometimes changed during reorganizations within the department, which initiates a need to update the division names in the department's regulations. Changing the departmental regulations through formal rulemaking each time there is a division name change or a change in the organizational placement of a division is an inefficient use of resources. The basis and rationale for this Rule are to decrease the effect that departmental reorganizations have on the regulations.

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 I. Office of the Secretary

Subpart 1. Departmental Administrative Procedures

Chapter 5. Confidential Information Regulations

§501. Scope

A. Department of Environmental Quality information and records obtained under the Louisiana Environmental Quality Act, or by any rule, regulation, order, license, registration, or permit term or condition adopted or issued thereunder, or by any investigation authorized thereby, shall be available to the public, unless confidentiality is requested in writing to the Office of the Secretary and the information or records are determined by the department to require confidentiality.

B. – B.6. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2030.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of the Secretary, LR 22:342 (May 1996), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2439 (November 2000), LR 30:742 (April 2004), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2432 (October 2005), LR 33:2078 (October 2007).

Chapter 9. Petition for Rulemaking

§907. Content of a Rulemaking Petition

A. ...

B. The petition shall be addressed to the Office of the Secretary.

C. – E.2. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of the Secretary, LR 23:297 (March 1997), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2439 (November 2000), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2432 (October 2005), LR 33:2078 (October 2007).

Chapter 11. Declaratory Rulings

§1109. Declaratory Rulings Officer

A. – B. ...

C. The declaratory rulings officer shall have the authority to regulate all matters concerning a request for declaratory ruling and to issue the declaratory ruling after concurrence as to legal sufficiency by the Office of the Secretary.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2050.10.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of the Secretary, LR 23:1141 (September 1997), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2440 (November 2000), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2432 (October 2005), LR 33:2078 (October 2007).

§1111. Duty to Maintain List

A. The secretary shall maintain, in a place accessible to the public in the Office of the Secretary, a list of all petitions for declaratory rulings and declaratory rulings and an index to the list. The list shall identify the petitioner, the matter to be decided, and when applicable, the location of the activity or facility that is the subject of the petition. The list shall also include the date on which the petition is received, the date the secretary decides whether a declaratory ruling will be issued, the date the secretary sets for issuance of the ruling, the date the ruling issues, and the date of any request for modification or appeal.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2050.10.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of the Secretary, LR 23:1141 (September 1997), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2440 (November 2000), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2432 (October 2005), LR 33:2078 (October 2007).

§1113. Declaratory Rulings Clerk

A. The administrative authority shall designate a person in the Office of the Secretary to serve as the declaratory rulings clerk, who shall be the official custodian of declaratory rulings records. The clerk shall maintain these records separately from other records of the department.

B. – B.5....

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2050.10.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of the Secretary, LR 23:1142 (September 1997), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2440 (November 2000), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2433 (October 2005), LR 33:2078 (October 2007).

§1117. Petition Contents and Form

A. – A.9. ...

B. A petition for declaratory ruling shall be filed with the Office of the Secretary by either of the following methods:

Assessment, Environmental Planning Division, LR 26:2444 (November 2000), amended by the Office of the Secretary, Legal Affairs Division, LR 33:2081 (October 2007).

§6921. Reporting Requirements

A. No later than 30 days after material from the cleanup and/or abatement of an off-site emergency condition is removed from an emergency response storage facility, the owner or operator of the facility shall submit a written report detailing the ultimate disposition of the material, by mail or fax to SPOC. The report shall be clearly marked "WASTE DISPOSITION REPORT." The report shall reference the department-issued incident number. Other information in the report may include location and date of the emergency incident, name and address of the company transporting the pollutant that resulted from the emergency incident, name and location of the facility where the pollutant is/was stored, and name and location of the facility accepting the pollutant for disposal, recycling, or reuse.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2011(D)(1), (14), and (15).

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of the Secretary, LR 22:979 (October 1996), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2444 (November 2000), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2435 (October 2005), LR 33:2082 (October 2007).

Part III. Air

Chapter 1. General Provisions

§111. Definitions

A. When used in these rules and regulations, the following words and phrases shall have the meanings ascribed to them below.

* * *

SPOC—the Office of Environmental Compliance, Emergency and Radiological Services Division, Single Point of Contact (SPOC).

* * *

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 14:348 (June 1988), LR 15:1061 (December 1989), amended by the Office of Air Quality and Radiation Protection, Air Quality Division, LR 17:777 (August 1991), LR 21:1081 (October 1995), LR 22:1212 (December 1996), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2444 (November 2000), amended by the Office of the Secretary, Legal Affairs Division, LR 32:808 (May 2006), LR 32:1599 (September 2006), LR 33:2082 (October 2007).

Chapter 2. Rules and Regulations for the Fee System of the Air Quality Control Programs

§211. Methodology

A. - B.9. ...

10. When a permanent shutdown occurs and a company properly notifies the Office of Environmental Services by official change in the Emission Inventory Questionnaire (EIQ) and permit, then the maintenance fee would be dropped for that shutdown portion of the process/plant. This fee reduction or cancellation shall apply only in the fiscal years in which the shutdown portion of the plant or process did not operate at all. The EIQ and permit shall also need to be changed to delete the emissions from the shutdown

portion of the plant or process before the start of the fiscal year in which the fee would have been charged.

11. - 15.b. ...

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 14:611 (September 1988), amended by the Office of Air Quality and Radiation Protection, Air Quality Division, LR 17:1205 (December 1991), LR 18:706 (July 1992), LR 19:1419 (November 1993), amended by the Office of Management and Finance, Fiscal Services Division, LR 22:17 (January 1996), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:264 (February 2000), LR 26:2444 (November 2000), LR 29:2776 (December 2003), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2435 (October 2005), LR 33:2082 (October 2007).

Chapter 5. Permit Procedures

§501. Scope and Applicability

A. - B.7. ...

C. Scope

1. For each source to which this Chapter applies, the owner or operator shall submit a timely and complete permit application to the Office of Environmental Services as required in accordance with the procedures delineated herein. Permit applications shall be submitted prior to construction, reconstruction, or modification unless otherwise provided in this Chapter.

2. - 13. ...

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 by the Office of Air Quality and Radiation Protection, Air Quality Division, LR 16:613 (July 1990), LR 17:478 (May 1991), LR 19:1420 (November 1993), LR 20:1281 (November 1994), LR 20:1375 (December 1994), LR 23:1677 (December 1997), amended by the Office of the Secretary, LR 25:660 (April 1999), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2445 (November 2000), LR 28:997 (May 2002), amended by the Office of Environmental Assessment, LR 31:1063 (May 2005), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2436 (October 2005), LR 32:1842 (October 2006), LR 33:2082 (October 2007).

§504. Nonattainment New Source Review Procedures

A. - B.5. ...

C. Source Information. The owner or operator of a proposed major stationary source or major modification shall submit all information necessary to the Office of Environmental Services in order to perform any analysis or make any determination required under this regulation. Information shall include, but is not limited to:

C.1. - F.6. ...

7. The owner or operator desiring to utilize emission reductions as an offset shall submit to the Office of Environmental Services the following information:

C.7.a. - M.3. ...

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

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Radiation Protection, Air Quality Division, LR 19:176 (February 1993), repromulgated LR 19:486 (April 1993), amended LR 19:1420 (November 1993), LR 21:1332 (December 1995), LR 23:197

(February 1997), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2445 (November 2000), LR 27:2225 (December 2001), LR 30:752 (April 2004), amended by the Office of Environmental Assessment, LR 30:2801 (December 2004), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2436 (October 2005), LR 31:3123, 3155 (December 2005), LR 32:1599 (September 2006), LR 33:2082 (October 2007).

§505. Acid Rain Program Permitting Requirements

A. ...

B. Copies of documents incorporated by reference in this Section may be obtained from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20242 or their website, www.gpoaccess.gov/cfr/index.html; from the Department of Environmental Quality, Office of Environmental Services; or from a public library.

C. Modifications or Exceptions. A copy of each report or notice or of any other documentation required by the referenced regulations (i.e., 40 CFR Part 72) to be provided to "the Administrator" shall be provided to the Office of Environmental Services by the person required to make the submission to "the Administrator."

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 by the Office of Air Quality and Radiation Protection, Air Quality Division, LR 19:1420 (November 1993), LR 21:678 (July 1995), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2446 (November 2000), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2429, 2436 (October 2005), LR 32:1598 (September 2006), LR 33:2083 (October 2007).

§506. Clean Air Interstate Rule Requirements

A. - C. ...

D. Copies of documents incorporated by reference in this Section may be obtained from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20242 or their website, www.gpoaccess.gov/cfr/index.html; from the Department of Environmental Quality, Office of Environmental Services; or from a public library.

E. Modifications or Exceptions. A copy of each report or notice or of any other documentation required by the referenced regulations (i.e., 40 CFR Part 96) to be provided to "the Administrator" shall be provided to the Office of Environmental Services by the person required to make the submission to "the Administrator."

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

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of the Secretary, Legal Affairs Division, LR 32:1597 (September 2006), amended LR 33:1622 (August 2007), LR 33:2083 (October 2007).

§507. Part 70 Operating Permits Program

A. - C.2. ...

3. Newly Regulated Sources. The owner or operator of any source that becomes subject to the requirements of this Section after the effective date of the Louisiana Part 70 program due to regulations promulgated by the administrator or by the Department of Environmental Quality shall submit an application to the Office of Environmental Services in accordance with the requirements established by the

applicable regulation. In no case shall the required application be submitted later than one year from the date on which the source first becomes subject to this Section.

D. - H.3. ...

4. a requirement for progress reports to be submitted to the Office of Environmental Compliance at least semiannually, or at a more frequent period if specified in the applicable requirement. Such progress reports shall contain the following:

4.a. - 5.c.v. ...

d. a requirement that all compliance certifications be submitted to the administrator as well as to the Office of Environmental Compliance; and

H.5.e. - J.5. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2011, 2023, 2024, and 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 by the Office of Air Quality and Radiation Protection, Air Quality Division, LR 19:1420 (November 1993), LR 20:1375 (December 1994), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2447 (November 2000), LR 27:2229 (December 2001), LR 28:994 (May 2002), LR 29:698 (May 2003), LR 30:1008 (May 2004), amended by the Office of Environmental Assessment, LR 31:1061 (May 2005), LR 31:1568 (July 2005), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2437 (October 2005), LR 32:808 (May 2006), LR 33:1619 (August 2007), LR 33:2083 (October 2007).

Chapter 6. Regulations on Control of Emissions through the Use of Emission Reduction Credits Banking

§613. ERC Bank Recordkeeping and Reporting Requirements

A. - B.1. ...

2. An annual report summarizing all records required by Subsection A of this Section shall be submitted to the department by March 31 of each year. This submittal shall be certified as specified in Subsection C of this Section and submitted to the Office of Environmental Services in a format specified by the department.

B.3. - C. ...

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

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Radiation Protection, Air Quality Division, LR 20:877 (August 1994), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 25:1622 (September 1999), LR 26:486 (March 2000), LR 26:2449 (November 2000), LR 28:303 (February 2002), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2437 (October 2005), LR 33:2083 (October 2007).

Chapter 9. General Regulations on Control of Emissions and Emission Standards

§918. Recordkeeping and Annual Reporting

A. Data for emissions reports shall be collected annually. These reports are to be submitted to the Office of Environmental Assessment by March 31 of each year (for the period January 1 to December 31 of the previous year) unless otherwise directed by the department. The report shall include all data applicable to the emissions source or sources as required under LAC 33:III.919.

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 by the Office of Air Quality and Radiation Protection, Air Quality Division, LR 22:339 (May 1996), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2450 (November 2000), LR 29:2776 (December 2003), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2438 (October 2005), LR 33:2083 (October 2007).

§919. Emissions Inventory

Emissions inventory data shall be submitted to the department on magnetic media in the format specified by the Office of Environmental Assessment. *Facilities* are defined as all emissions points under common control on contiguous property. *Emissions point* is defined as the source of emissions that should have a Source Classification Code (SCC). Detailed instructions are provided, on an annual basis, for completing and submitting emissions inventories. The state point source emissions inventory will be compiled from the emissions inventories submitted in accordance with this Section from the facilities that meet the criteria for applicability in Subsection A of this Section. The state area source, non-road and on-road mobile source, and biogenic emissions inventories are compiled by the department from data that may be requested from other federal, state, or local agencies or other private entities.

A. Applicability. The owner or operator of the following facilities shall submit annual emissions inventories to the Office of Environmental Assessment. The inventory shall include all air pollutants for which a National Ambient Air Quality Standard (NAAQS) has been issued and all NAAQS precursor pollutants.

A.1. - F. ...

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), repealed and repromulgated by the Office of Air Quality and Radiation Protection, Air Quality Division, LR 19:184 (February 1993), repromulgated LR 19:485 (April 1993), amended LR 19:1418 (November 1993), LR 20:1101 (October 1994), LR 22:339 (May 1996), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2450 (November 2000), LR 29:2776 (December 2003), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2438 (October 2005), LR 32:241 (February 2006), LR 33:2084 (October 2007).

Chapter 11. Control of Emissions of Smoke

§1105. Smoke from Flaring Shall Not Exceed 20 Percent Opacity

A. The emission of smoke from a flare or other similar device used for burning in connection with pressure valve releases for control over process upsets shall be controlled so that the shade or appearance of the emission does not exceed 20 percent opacity (LAC 33:III.1503.D.2, Table 4) for a combined total of six hours in any 10 consecutive days. If it appears the emergency cannot be controlled in six hours, SPOC shall be notified by the emitter in accordance with LAC 33:I.3923 as soon as possible after the start of the upset period. Such notification does not imply the administrative authority will automatically grant an exemption to the source(s) of excessive emissions.

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 by the Office of Air Quality and Radiation Protection, Air Quality Division, LR 25:656 (April 1999), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2450 (November 2000), LR 30:1671 (August 2004), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2438 (October 2005), LR 33:2084 (October 2007).

§1107. Exemptions

A. Exemptions from the provisions of LAC 33:III.1105 may be granted by the administrative authority during start-up and shutdown periods if the flaring was not the result of failure to maintain or repair equipment. A report in writing, explaining the conditions and duration of the start-up or shutdown and listing the steps necessary to remedy, prevent, and limit the excess emission, shall be submitted to SPOC within seven calendar days of the occurrence. In addition, the flaring must be minimized and no ambient air quality standard may be jeopardized.

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 by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2451 (November 2000), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2438 (October 2005), LR 33:2084 (October 2007).

Chapter 14. Conformity

Subchapter A. Determining Conformity of General Federal Actions to State or Federal Implementation Plans

§1410. Criteria for Determining Conformity of General Federal Actions

A. - A.5.a. ...

i. the total of direct and indirect emissions from the action (or portion thereof) is determined and documented by the department to result in a level of emissions that, together with all other emissions in the nonattainment or maintenance area, would not exceed the emissions budgets specified in the applicable SIP. As a matter of policy, should the department make such determination or commitment, the federal agency must provide to the Office of Environmental Assessment information on all known projects or other actions that may affect air quality or emissions in any area to which this rule is applicable, regardless of whether such project or action is determined to be subject to this rule under LAC 33:III.1405. The department may charge the federal agency requesting such determination a reasonable fee based on the number of manhours required to perform and document the determination; or

A.5.a.ii. - D. ...

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

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Radiation Protection, Air Quality Division, LR 20:1274 (November 1994), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2451 (November 2000), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2438 (October 2005), LR 33:2084 (October 2007).

Subchapter B. Conformity to State or Federal Implementation Plans of Transportation Plans, Programs, and Projects Developed, Funded, or Approved under Title 23 U.S.C. or the Federal Transit Act

§1434. Consultation

- A. - B.6.a. ...
- b. *DEQ*—secretary of the Department of Environmental Quality, or designee;
- c. *DOTD*—assistant secretary of the Office of Planning and Programming, or designee;

B.6.d. - E. ...
AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2054.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Radiation Protection, Air Quality Division, LR 20:1278 (November 1994), repromulgated LR 24:1280 (July 1998), amended LR 24:1684 (September 1998), repromulgated LR 24:1925 (October 1998), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2451 (November 2000), amended by the Office of the Secretary, Legal Affairs Division, LR 33:2085 (October 2007).

Chapter 15. Emission Standards for Sulfur Dioxide

§1507. Exceptions

- A. - A.1. ...
- a. A written report explaining the conditions and duration of the start-up and listing the steps necessary to remedy, prevent, and limit the excess emissions shall be submitted to SPOC within seven calendar days of the occurrence.

- A.1.b. - B.1. ...
- a. A written report explaining the conditions and duration of the upset and listing the steps necessary to remedy, prevent, and limit the excess emissions shall be submitted to SPOC within seven calendar days of the occurrence.

B.1.b. - C. ...
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 by the Department of Environmental Quality, Office of Air Quality and Radiation Protection, Air Quality Division, LR 18:375 (April 1992), LR 23:1678 (December 1997), LR 24:1284 (July 1998), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2451 (November 2000), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2439 (October 2005), LR 33:1011 (June 2007), LR 33:2085 (October 2007).

Chapter 21. Control of Emission of Organic Compounds

Subchapter A. General

§2103. Storage of Volatile Organic Compounds

- A. - D.4. ...
- a. Controls for nonslotted guide poles and stilling wells shall include pole wiper and gasketing between the well and sliding cover. Controls for slotted guide poles shall include a float with wiper, pole wiper, and gasketing between the well and sliding cover. The description of the method of control and supporting calculations based upon the Addendum to American Petroleum Institute Publication Number 2517, *Evaporative Loss from External Floating Roof Tanks*, (dated May 1994) shall be submitted to the

Office of Environmental Assessment for approval prior to installation.

D.4.b. - J. ...
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 15:1065 (December 1989), repromulgated LR 16:27 (January 1990), amended by the Office of Air Quality and Radiation Protection, Air Quality Division, LR 17:360 (April 1991), LR 18:1121 (October 1992), LR 20:1376 (December 1994), LR 21:1223 (November 1995), repromulgated LR 21:1333 (December 1995), amended LR 22:453 (June 1996), LR 22:1212 (December 1996), LR 24:20 (January 1998), LR 24:2242 (December 1998), LR 25:657 (April 1999), LR 25:852 (May 1999), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2452 (November 2000), LR 28:1763 (August 2002), LR 30:1671 (August 2004), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2439 (October 2005), LR 33:447 (March 2007), LR 33:2085 (October 2007).

§2108. Marine Vapor Recovery

- A. - E.5. ...
- F. Reporting and Recordkeeping
- 1. The results of any testing done in accordance with LAC 33:III.2108.E shall be reported to the Office of Environmental Assessment within 45 days of the test.

F.2. - H.2. ...
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 14:704 (October 1988), amended by the Office of Air Quality and Radiation Protection, Air Quality Division, LR 16:959 (November 1990), LR 22:1212 (December 1996), LR 23:1678 (December 1997), LR 24:20 (January 1998), LR 24:1285 (July 1998), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2452 (November 2000), LR 30:745 (April 2004), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2439 (October 2005), LR 33:2085 (October 2007).

§2113. Housekeeping

- A. - A.3. ...
- 4. Each facility shall develop a written plan for housekeeping and maintenance that places emphasis on the prevention or reduction of volatile organic compound emissions from the facility. This plan shall be submitted to the Office of Environmental Services upon request. A copy shall be kept at the facility, if practical, or at an alternate site approved by the department.

5. ...
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 16:118 (February 1990), amended by the Office of Air Quality and Radiation Protection, Air Quality Division, LR 17:361 (April 1991), LR 25:852 (May 1999), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2452 (November 2000), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2439 (October 2005), LR 33:2085 (October 2007).

§2116. Glycol Dehydrators

- A. - F.4.b. ...
- G. Reporting Requirements

1. The owner or operator of a facility shall submit to the Office of Environmental Services a permit application after installation of controls unless exempt from permitting pursuant to LAC 33:III.Chapter 5.

2. If no permit is required pursuant to LAC 33:III.Chapter 5, the owner or operator of a facility shall submit to the Office of Environmental Services a new or updated emission inventory questionnaire after installation of controls.

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

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Radiation Protection, Air Quality Division, LR 20:1107 (October 1994), repromulgated, LR 20:1279 (November 1994), amended LR 21:941 (September 1995), LR 22:1212 (December 1996), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2452 (November 2000), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2440 (October 2005), LR 33:2085 (October 2007).

§2121. Fugitive Emission Control

A. - E.3. ...

F. Reporting Requirements. The operator of the affected facility shall submit to the Office of Environmental Assessment a report semiannually containing the information below for each calendar quarter during the reporting period. The reports are due by the last day of the month (January and July) following the monitoring period or by a date approved by the department. The reports shall include the following information for each quarter of the reporting period:

F.1. - G.Liquid Service. ...

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 by the Office of Air Quality and Radiation Protection, Air Quality Division, LR 16:959 (November 1990), LR 17:654 (July 1991), LR 21:1330 (December 1995), LR 22:1128 (November 1996), LR 22:1212 (December 1996), LR 24:22 (January 1998), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:1433 (July 2000), LR 26:2452 (November 2000), LR 30:1659 (August 2004), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2440 (October 2005), LR 33:2086 (October 2007).

§2122. Fugitive Emission Control for Ozone Nonattainment Areas and Specified Parishes

A. - F.3. ...

G. Reporting Requirements. The operator of the affected facility shall submit a report semiannually to the Office of Environmental Assessment containing the information below for each calendar quarter during the reporting period. The reports are due by the last day of the month (January and July) following the monitoring period or by a date approved by the department. The reports shall include the following information for each quarter of the reporting period:

1. - 6. ...

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

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Radiation Protection, Air Quality Division, LR 20:1102 (October 1994), repromulgated LR 20:1279 (November 1994), amended LR 22:1129 (November 1996), LR 22:1212 (December 1996),

repromulgated LR 23:197 (February 1997), amended LR 23:1678 (December 1997), LR 24:22 (January 1998), LR 24:1285 (July 1998), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2453 (November 2000), LR 28:1764 (August 2002), LR 30:1660 (August 2004), repromulgated by the Office of Environmental Assessment, LR 30:2030 (September 2004), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2440 (October 2005), LR 33:2086 (October 2007).

Subchapter B. Organic Solvents

§2123. Organic Solvents

A. - C.Table. ...

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. 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.

D.2. - H....

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).

Subchapter F. Gasoline Handling

§2132. Stage II Vapor Recovery Systems for Control of Vehicle Refueling Emissions at Gasoline Dispensing Facilities

A. - B.5....

6. The regulated facility shall submit the following application information to the Office of Environmental Compliance prior to installation of the Stage II Vapor Recovery System:

6.a. - 7....

8. Upon request by the Department of Environmental Quality, the owner or operator of a facility that claims to be exempt from the requirements of this Section shall submit supporting records to the Office of Environmental Compliance within 30 calendar days from the date of the request. The Department of Environmental Quality shall make a final determination regarding the exemption status of a facility.

C. - C.2. ...

D. Testing

1. The owner/operator of the facility shall have the installed vapor recovery equipment tested prior to the start-up of the facility. The owner or operator shall notify the

Office of Environmental Compliance at least five calendar days in advance of the scheduled date of testing. Testing must be performed by a contractor that is certified with the Department of Environmental Quality. Compliance with the emission specification for Stage II equipment shall be demonstrated by passing the following required tests or equivalent for each type of system:

1.a. – 2. ...

3. The department reserves the right to confirm the results of the aforementioned testing at its discretion and at any time. Within 30 days after installation or major system modification of a vapor recovery system, the owner or operator of the facility shall submit to the Office of Environmental Compliance the date of completion of the installation or major system modification of a vapor recovery system and the results of all functional testing requirements.

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 Radiation Protection, Air Quality Division, LR 18:1254 (November 1992), repromulgated LR 19:46 (January 1993), amended LR 23:1682 (December 1997), LR 24:25 (January 1998), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2453 (November 2000), LR 29:558 (April 2003), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2440 (October 2005), LR 33:2086 (October 2007).

Subchapter M. Limiting Volatile Organic Compound (VOC) Emissions From Industrial Wastewater

§2153. Limiting VOC Emissions from Industrial Wastewater

A. – G.4.a. ...

b. in order to maintain exemption status under this Subsection, the owner or operator shall submit an annual report no later than March 31 of each year, starting in 1997, to the Office of Environmental Assessment that demonstrates that the overall control of VOC emissions at the affected source category from which wastewater is generated during the preceding calendar year is at least 90 percent less than the 1990 baseline emissions inventory. At a minimum, the report shall include the EPN; the PIN; the throughput of wastewater from affected source categories; a plot plan showing the location, EPN, and PIN associated with a wastewater storage, handling, transfer, or treatment facility; and the VOC emission rates for the preceding calendar year. The emission rates for the preceding calendar year shall be calculated in a manner consistent with the 1990 baseline emissions inventory; and

c. all representations in initial control plans and annual reports become enforceable conditions. It shall be unlawful for any person to vary from such representations if the variation will cause a change in the identity of the specific emission sources being controlled or the method of control of emissions, unless the owner or operator of the wastewater component submits a revised control plan to the Office of Environmental Assessment within 30 days of the change. All control plans and reports shall include documentation that the overall reduction of VOC emissions from wastewater at the affected source categories continues to be at least 90 percent less than the 1990 baseline

emissions inventory. The emission rates shall be calculated in a manner consistent with the 1990 baseline emissions inventory.

5. ...

a. each request for an exemption determination shall be submitted to the Office of Environmental Assessment. Each request shall demonstrate that the overall control of VOC emissions from wastewater at the affected source categories will be at least 80 percent less than the 1990 baseline emissions inventory. The request shall include the applicable EPN; the PIN; the calendar year throughput of wastewater from affected source categories; the VOC emission rates; and a plot plan showing the location, EPN, and PIN associated with a wastewater storage, handling, transfer, or treatment facility. The emission rates shall be calculated in a manner consistent with the 1990 baseline emissions inventory;

b. ...

c. all representations in initial control plans and annual reports become enforceable conditions. It shall be unlawful for any person to vary from such representations if the variation will cause a change in the identity of the specific emission sources being controlled or the method of control of emissions unless the owner or operator of the wastewater component submits a revised control plan to the Office of Environmental Assessment within 30 days of the change. All control plans and reports shall include documentation that the overall reduction of VOC emissions at the plant from wastewater affected source categories continues to be at least 80 percent less than the 1990 baseline emissions inventory.

G.6. – 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 Radiation Protection, Air Quality Division, LR 21:936 (September 1995), amended LR 22:1212 (December 1996), LR 24:26 (January 1998), LR 25:850 (May 1999), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2453 (November 2000), LR 28:1765 (August 2002), LR 30:747 (April 2004), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2441 (October 2005), LR 33:2087 (October 2007).

Subchapter N. Method 43—Capture Efficiency Test Procedures

NOTE: This Subchapter was moved and renumbered from Chapter 61 (December 1996).

§2159. Recordkeeping and Reporting

A. All affected facilities must maintain a copy of the capture efficiency protocol on file. All results of appropriate test methods and CE protocols must be reported to the Office of Environmental Assessment within 60 days of the test date. A copy of the results must be kept on file with the source.

B. If any changes are made to capture or control equipment, the source is required to notify the Office of Environmental Assessment of these changes and a new test may be required.

C. The source must notify the Office of Environmental Assessment 30 days prior to performing any capture efficiency and/or control efficiency tests.

D. – E. ...

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

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Radiation Protection, Air Quality Division, LR 17:653 (July 1991), amended LR 22:1212 (December 1996), LR 23:1680 (December 1997), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2454 (November 2000), LR 27:1224 (August 2001), amended by the Office of the Secretary, Legal Affairs Division, LR 33:2087 (October 2007).

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. – F.7. ...

a. the facility designation, as indicated by the identification number, submitted to the Office of Environmental Services;

F.7.b. – J.2. ...

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).

Chapter 23. Control of Emissions for Specific Industries¹

¹ Regulation of emissions of volatile organic compounds for certain industries are presented in Chapter 21.

Subchapter A. Chemical Woodpulping Industry

§2301. Control of Emissions from the Chemical Woodpulping Industry

A. – D.4. ...

a. Compliance. Owner or operators shall conduct source tests of recovery furnaces pursuant to the provisions in LAC 33:III.1503.D.2, Table 4, to confirm particulate emissions are less than that specified in Paragraph D.1 of this Section. The results shall be submitted to the Office of Environmental Assessment as specified in LAC 33:III.919 and 918. The testing should be conducted as follows:

D.4.a.i. – E. ...

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 by the Office of Air Quality and Radiation Protection, Air Quality Division, LR 19:1564 (December 1993), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2454 (November 2000), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2442 (October 2005), LR 32:1841 (October 2006), LR 33:2088 (October 2007).

Subchapter B. Aluminum Plants

§2303. Standards for Horizontal Stud Soderberg Primary Aluminum Plants and Prebake Primary Aluminum Plants

A. – D.4. ...

E. Monitoring. Each horizontal stud Soderberg process primary aluminum plant and prebake process primary aluminum plant shall submit a detailed monitoring program subject to revision and approval by the Office of Environmental Assessment. The program shall include regularly scheduled monitoring for emissions of total

particulates as well as ambient air sampling for suspended particulates.

NOTE: Measurement of Concentrations. The methods listed in LAC 33:III.711.C, Table 2 and LAC 33:III.1503.D.2, Table 4, or such equivalent methods as may be approved by the department, shall be utilized to determine these particulate concentrations.

F. – F.1.d. ...

2. Every horizontal stud Soderberg process primary aluminum plant and prebake process primary aluminum plant shall furnish, upon request, to the department such other data as the administrative authority may require to evaluate the plant's emission control program. Such plants shall immediately report any unauthorized emissions of any air contaminants to SPOC in accordance with LAC 33:I.3923.

G. – G.3. ...

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 by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2455 (November 2000), LR 30:1672 (August 2004), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2442 (October 2005), LR 33:2088 (October 2007).

Subchapter D. Nitric Acid Industry

§2307. Emission Standards for the Nitric Acid Industry

A. – B. ...

C. Exceptions

1. Start-Up Provisions

a. A four-hour start-up exemption from emission regulations may be authorized by the administrative authority for plants not subject to 40 CFR Part 60, Subpart G, as incorporated by reference in LAC 33:III.Chapter 30, which have been shut down. It is recognized that existing nitrogen oxide abatement equipment is effective only at normal operating temperatures. This provision allows the necessary time to bring up a facility from a cold start to near steady state condition. A report, in writing, explaining the conditions and duration of the start-up and listing the steps necessary to remedy, prevent, and limit the excess emissions, shall be submitted to SPOC within seven calendar days of the occurrence using the procedures provided in LAC 33:I.3925.

b. ...

2. On-Line Operating Adjustments

a. A four-hour exemption from emission regulations may be extended by the administrative authority to plants not subject to 40 CFR Part 60, Subpart G, as incorporated by reference in LAC 33:III.Chapter 30, where upsets have caused excessive emissions and on-line operating changes will eliminate a temporary condition. A report, in writing, explaining the conditions and duration of the upset and listing the steps necessary to remedy, prevent, and limit the excess emissions, shall be submitted to SPOC within seven calendar days of the occurrence using the procedures provided in LAC 33:I.3925.

C.2.b. – H.2. ...

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 by the

Office of Air Quality and Radiation Protection, Air Quality Division, LR 23:1680 (December 1997), LR 24:1286 (July 1998), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2455 (November 2000), LR 30:1672 (August 2004), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2442 (October 2005), LR 33:2088 (October 2007).

Chapter 25. Miscellaneous Incineration Rules

Subchapter B. Biomedical Waste Incinerators

§2511. Standards of Performance for Biomedical Waste Incinerators

A. – B. Type IV Waste. ...

C. Registration

1. Within 90 days after adoption of these regulations, all facilities operating incinerators designed or operated for the purpose of burning potentially infectious medical waste, shall submit a supplemental incinerator data form (SID-1) to SPOC.

C.2. – E.6.e. ...

7. A copy of all monitoring and tests results shall be submitted to the Office of Environmental Assessment for review and approval within 45 days of completion of testing.

F. – K. ...

L. Recordkeeping/Reporting. The owner or operator of any BWI shall keep a daily record of the hours the unit was in operation and the amount of waste incinerated. A separate record shall be kept of all chemotherapeutic waste incinerated that is not listed under the Resource Conservation and Recovery Act, 40 CFR 261.33(f). This record shall show the name of the material, date and time incinerated, and amount burned. Records shall be submitted to the Office of Environmental Compliance by March 31 for the previous calendar year.

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

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Radiation Protection, Air Quality Division, LR 20:1098 (October 1994), amended LR 21:1081 (October 1995), LR 22:1212 (December 1996), LR 23:1680 (December 1997), LR 24:1286 (July 1998), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2455 (November 2000), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2442 (October 2005), LR 33:2089 (October 2007).

Subchapter C. Refuse Incinerators

§2521. Refuse Incinerators

A. – F.9.e. ...

10. A copy of all monitoring and tests results shall be submitted to the Office of Environmental Assessment for review and approval within 45 days of completion of testing.

G. – H. ...

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

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Radiation Protection, Air Quality Division, LR 20:1100 (October 1994), amended LR 22:1212 (December 1996), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2456 (November 2000), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2443 (October 2005), LR 33:2089 (October 2007).

Subchapter D. Crematories

§2531. Standards of Performance for Crematories

A. – I.1.f. ...

2. A copy of all test results shall be submitted to the Office of Environmental Assessment for review and approval within 45 days of completion of testing.

J. – J.1.d. ...

2. The owner/operator shall provide the Office of Environmental Assessment at least 30 days prior notice of any emission test to afford the department the opportunity to conduct a pretest conference and to have an observer present. The department has the authority to invalidate any testing where such notice is not provided.

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

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Radiation Protection, Air Quality Division, LR 20:1107 (October 1994), amended LR 22:1127 (November 1996), LR 22:1212 (December 1996), LR 23:1509 (November 1997), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2456 (November 2000), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2443 (October 2005), LR 33:2089 (October 2007).

Chapter 27. Asbestos-Containing Materials in Schools and State Buildings Regulation

§2701. Asbestos-Containing Materials in Schools and State Buildings

A. – B.3.b. ...

i. a copy of the inspection report must be submitted to the Office of Environmental Services within 90 days of the inspection; and

b.ii. – c. ...

C. Scope

1. This regulation requires local education agencies and the state government to identify friable and nonfriable asbestos-containing material (ACM) in schools and state buildings by visually inspecting schools and state buildings for such materials, sampling such materials if they are not assumed to be ACM, and having samples analyzed by appropriate techniques referred to in this rule. The regulation requires local education agencies and the state government to submit management plans to the Office of Environmental Services on or before 90 days after promulgation of this regulation, to begin to implement the plans 180 days after promulgation of this regulation, and to complete implementation of the plans in a timely fashion. If an exemption is requested for a state building that contains no asbestos, an inspection report supporting that exemption should be submitted in accordance with Clause B.3.b.i of this Section. Management plans submitted to and approved by the Department of Environmental Quality prior to the promulgation of this regulation shall meet the inspection and assessment requirements of this Chapter. In addition, local education agencies and the state government are required to employ persons who have been accredited to conduct inspections, reinspections, develop management plans, or perform response actions. The regulation also includes recordkeeping requirements. Local education agencies and the state government may contractually delegate their duties under this rule, but they remain responsible for the proper performance of those duties. Local education agencies and the state government are encouraged to consult with the Office of Environmental Compliance of the Department of Environmental Quality for assistance in complying with this Rule.

STATE OF LOUISIANA
DEPARTMENT OF ENVIRONMENTAL QUALITY

IN RE:
DEPARTMENTAL DESIGNATIONS
LOG #: MM002
PUBLIC HEARING

The Public Hearing held by the Department of Environmental Quality, Regulation Development Section, at the Galvez Building, Oliver Pollock Conference Room, 602 N. Fifth Street, Baton Rouge, Louisiana, beginning at 1:42 p.m., on August 28, 2007.

BEFORE: Lori B. Overland
Certified Court Reporter
In and For the State of
Louisiana

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SEP 06 2007

REGULATION DEVELOPMENT SEI

A P P E A R A N C E S

FOR THE LOUISIANA DEPARTMENT OF ENVIRONMENTAL
QUALITY:

SANDY STEPHENS
Hearing Officer

Department of Environmental Quality
Legal Affairs Division, 8th Floor
Regulation Development
602 N. Fifth Street
Baton Rouge, Louisiana 70802

* * * * *

DEPARTMENT OF ENVIRONMENTAL QUALITY

3

I N D E X

EXAMINATION:

PAGE(S):

None

EXHIBITS:

None

REPORTER'S PAGE

7

REPORTER'S CERTIFICATE

8

* * * * *

* * * * *

MS. STEPHENS:

Good afternoon! My name is Sandy Stephens and I'm employed by the Louisiana Department of Environmental Quality. I'll be serving as hearing officer this afternoon to receive comments regarding proposed amendments to the environmental quality regulations.

The comment period for these amendments began on July 20, 2007, when the potpourri notice and the notices of intent were published in the Louisiana Register. The comment periods will close at 4:30 p.m., September 4, 2007. It would be helpful to us if all oral comments received today were followed up in writing.

This public hearing provides a forum for all interested parties to present comments on the proposed 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

1 amendments.

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

6 The last item on the agenda is
7 designated by the Log Number MM002.

8 This rule will change various DEQ
9 division references in the regulations to
10 reference statutory offices, update some
11 office designations to reflect the current
12 organizational structure of the department,
13 and make miscellaneous format and
14 typographical corrections in the related
15 text.

16 The names and organizational placement
17 of divisions are sometimes changed during
18 reorganizations within the department. This
19 change occasionally initiates a need to
20 update division references in the
21 department's regulations. Changing the
22 departmental regulations through formal
23 rulemaking each time there is a division
24 name change or a change in the
25 organizational placement of a division is an

1 inefficient use of resources.

2 Each DEQ division will internally
3 prepare documentation identifying the
4 various reports and other submittals the
5 division may require. This information will
6 be available through the department's
7 website.

8 Does anyone care to comment on this
9 regulation?

10 If not, the hearing on MM002 is
11 closed.

12 Thank you for your attention and
13 participation.

14 This hearing is closed.

15 **THE HEARING CONCLUDED AT 1:44 P.M.**

16 * * * * *

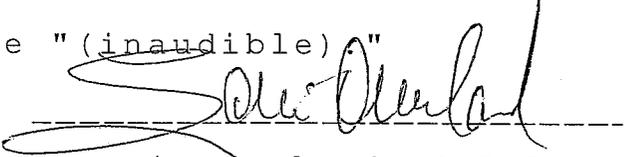
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R E P O R T E R ' S P A G E

I, Lori B. Overland, Certified Court Reporter, in and for the State of Louisiana, the officer, as defined in Rule 28 of the Federal Rules of Civil Procedure and/or Article 1434(b) of the Louisiana code of Civil Procedure, before whom this sworn testimony was taken, do hereby state on the Record

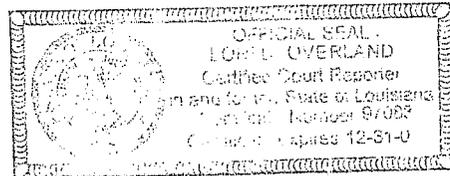
That due to the interaction in the spontaneous discourse of this proceeding, dashes (--) have been used to indicate pauses, changes in thought, and/or talk overs; that same is the proper method for a Court Reporters's transcription of proceeding, and that the dashes (--) do not indicated that words or phrases have been left out of this transcript;

That any words and/or names which could not be verified through reference material have been denoted with the phrase "(inaudible)"



Lori Overland, C.C.R.

97083



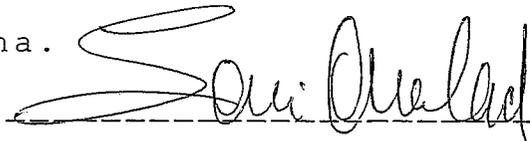
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C E R T I F I C A T I O N

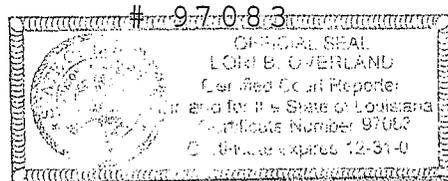
I, the undersigned reporter, do hereby certify that the above and foregoing is a true and correct transcription of the stenomask tape of the proceedings had herein, taken down by me and transcribed under my supervision, to the best of my ability and understanding, at the time and place hereinbefore noted, in the above entitled cause.

I further certify that the witness was duly sworn by me in my capacity as a Certified Court Reporter pursuant to the provisions of R.S. 37:2551 et seq. in and for the state of Louisiana; that I am not of counsel nor related to any of the counsel of any of the parties, nor in the employ of any of the parties, and that I have no interest in the outcome of this action.

I further certify that my license is in good standing as a court reporter in and for the state of Louisiana.



Lori Overland, C.C.R.



<p>1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25</p>	<p style="text-align: right;">1</p> <p style="text-align: center;">STATE OF LOUISIANA DEPARTMENT OF ENVIRONMENTAL QUALITY</p> <p>IN RE: DEPARTMENTAL DESIGNATIONS LOG #: MM002 PUBLIC HEARING</p> <p>The Public Hearing held by the Department of Environmental Quality, Regulation Development Section, at the Galvez Building, Oliver Pollock Conference Room, 602 N. Fifth Street, Baton Rouge, Louisiana, beginning at 1:42 p.m., on August 28, 2007.</p> <p>BEFORE: Lori B. Overland Certified Court Reporter In and For the State of Louisiana</p>	<p style="text-align: right;">3</p> <p style="text-align: center;">I N D E X</p> <p>EXAMINATION: PAGE(S): None EXHIBITS: None REPORTER'S PAGE 7 REPORTER'S CERTIFICATE 8</p> <p style="text-align: center;">*****</p>
<p>1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25</p>	<p style="text-align: right;">2</p> <p style="text-align: center;">A P P E A R A N C E S</p> <p>FOR THE LOUISIANA DEPARTMENT OF ENVIRONMENTAL QUALITY: SANDY STEPHENS Hearing Officer</p> <p>Department of Environmental Quality Legal Affairs Division, 8th Floor Regulation Development 602 N. Fifth Street Baton Rouge, Louisiana 70802</p> <p style="text-align: center;">*****</p>	<p style="text-align: right;">4</p> <p style="text-align: center;">*****</p> <p>MS. STEPHENS: Good afternoon! My name is Sandy Stephens and I'm employed by the Louisiana Department of Environmental Quality. I'll be serving as hearing officer this afternoon to receive comments regarding proposed amendments to the environmental quality regulations.</p> <p>The comment period for these amendments began on July 20, 2007, when the potpourri notice and the notices of intent were published in the Louisiana Register. The comment periods will close at 4:30 p.m., September 4, 2007. It would be helpful to us if all oral comments received today were followed up in writing.</p> <p>This public hearing provides a forum for all interested parties to present comments on the proposed 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</p>

<p>A</p> <p>ability 8:7 above 8:3,8 action 8:17 Affairs 2:6 affiliation 5:4 afternoon 4:3,6 agenda 5:6 allow 4:23 amendments 4:8,11 5:1 and/or 7:5,12,17 answer 4:22 anyone 6:8 Article 7:5 attention 6:12 August 1:14 available 6:6</p>	<p>C.C.R 7:21 8:22</p> <p>D</p> <p>D 3:1 dashes 7:10,14 defined 7:4 denoted 7:19 department 1:4,12 2:2 2:5 4:5 5:12,18 departmental 1:7 5:22 department's 5:21 6:6 DEQ 5:8 6:2 designated 5:7 designations 1:7 5:11 Development 1:12 2:6 discourse 7:10 division 2:6 5:9,20,23 5:25 6:2,5 divisions 5:17 documentation 6:3 down 8:5 due 7:9 duly 8:10 during 5:17</p>	<p>6:15 held 1:12 helpful 4:15 her 5:4 hereinbefore 8:8</p> <p>I</p> <p>identifying 6:3 inaudible 7:19 indicate 7:11 indicated 7:15 inefficient 6:1 information 6:5 initiates 5:19 intent 4:12 interaction 7:9 interest 8:17 interested 4:19 internally 6:2 item 5:6</p>	<p>offices 5:10 Oliver 1:13 opportunity 4:24 oral 4:16 organizational 5:12,16 5:25 other 6:4 out 7:16 outcome 8:17 Overland 1:19 7:2,21 8:22 overs 7:12</p>	<p>reflect 5:11 regarding 4:7 Register 4:13 regulation 1:12 2:6 6:9 regulations 4:9 5:9,21 5:22 related 5:14 8:14 remember 4:22 reorganizations 5:18 reporter 1:20 7:3 8:2 8:12,19 Reporters's 7:13 REPORTER'S 3:7,8 reports 6:4 require 6:5 resources 6:1 Room 1:13 Rouge 1:14 2:7 rule 5:8 7:4 rulemaking 5:23 Rules 7:5 R.S 8:12</p>
<p>B</p> <p>B 1:19 7:2 Baton 1:13 2:7 before 1:19 7:6 began 4:11 begin 5:3 beginning 1:14 being 4:21 best 8:7 Building 1:13</p>	<p>E</p> <p>E 2:1,1 3:1 7:1,1,1 8:1 each 5:2,23 6:2 employ 8:16 employed 4:4 entitled 8:9 environmental 1:4,12 2:2,5 4:5,8 et 8:13 EXAMINATION 3:2 EXHIBITS 3:5 express 4:24</p>	<p>J</p> <p>July 4:11</p> <p>L</p> <p>last 5:6 left 7:16 Legal 2:6 license 8:18 Log 1:8 5:7 Lori 1:19 7:2,21 8:22 Louisiana 1:3,14,21 2:2,7 4:4,13 7:3,6 8:14,20</p>	<p>P</p> <p>P 2:1,1 7:1,1 PAGE 3:7 PAGE(S) 3:2 participation 6:13 parties 4:19 8:15,16 pauses 7:11 period 4:10 periods 4:14 person 5:2 phrase 7:19 phrases 7:15 place 8:8 placement 5:16,25 Please 4:22 Pollock 1:13 potpourri 4:12 prepare 6:3 present 4:19 Procedure 7:5,6 proceeding 7:10,14 proceedings 8:5 proper 7:13 proposed 4:7,20,25 provides 4:18 provisions 8:12 public 1:9,12 4:18,23 4:24 published 4:13 purpose 4:23 pursuant 8:12 p.m 1:14 4:14 6:15</p>	<p>S</p> <p>S 2:1 7:1 same 7:12 Sandy 2:4 4:3 Section 1:13 September 4:15 seq 8:13 serving 4:6 sit 5:3 some 5:10 sometimes 5:17 spontaneous 7:10 standing 8:19 state 1:3,20 7:3,8 8:13 8:20 stating 5:4 statutory 5:10 stenomask 8:4 Stephens 2:4 4:2,4 Street 1:13 2:7 structure 5:12 submittals 6:4 supervision 8:6 sworn 7:7 8:11</p>
<p>C</p> <p>C 2:1 8:1,1 capacity 8:11 care 6:8 cause 8:9 CERTIFICATE 3:8 Certified 1:20 7:2 8:11 certify 8:3,10,18 change 5:8,19,24,24 changed 5:17 changes 4:20 7:11 Changing 5:21 Civil 7:5,6 close 4:14 closed 6:11,14 code 7:6 come 5:3 comment 4:10,14 6:8 commenting 5:2 comments 4:7,16,20 concerning 4:25 CONCLUDED 6:15 conducted 4:21 Conference 1:13 correct 8:4 corrections 5:14 counsel 8:14,15 court 1:20 7:2,13 8:11 8:19 current 5:11</p>	<p>F</p> <p>F 8:1 Federal 7:4 Fifth 1:13 2:7 Floor 2:6 followed 4:17 foregoing 8:3 formal 5:22 format 4:22 5:13 forum 4:18 front 5:3 further 8:10,18</p>	<p>M</p> <p>make 5:13 material 7:18 may 6:5 method 7:13 miscellaneous 5:13 MM002 1:8 5:7 6:10</p>	<p>Q</p> <p>quality 1:4,12 2:3,5 4:5 4:8 question 4:21</p>	<p>T</p> <p>T 7:1 8:1,1 table 5:3 taken 7:7 8:5 talk 7:12 tape 8:4 testimony 7:7 text 5:15 Thank 6:12 thought 7:12 thoughts 4:25</p>
<p>G</p> <p>G 7:1 Galvez 1:13 good 4:3 8:18</p>	<p>H</p> <p>hearing 1:9,12 2:4 4:6 4:18,21,23 6:10,14</p>	<p>N</p> <p>N 1:13 2:1,7 3:1 8:1 name 4:3 5:4,24 names 5:16 7:17 need 5:19 None 3:3,6 noted 8:8 notice 4:12 notices 4:12 Number 5:7</p>	<p>R</p> <p>R 2:1 7:1,1,1 8:1 RE 1:6 receive 4:7 received 4:16 record 5:5 7:8 reference 5:10 7:18 references 5:9,20</p>	
<p>O</p> <p>O 7:1 8:1 occasionally 5:19 office 5:11 officer 2:4 4:6 7:4</p>				

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Acadiana's Daily Newspaper

LDEQ/OSEC/LAD
REGULATION DEVELOPMENT SECT

THE ADVERTISER

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Remender D. Weatherspoon
LA Department of Environmental Quality
OSEC/Legal Affairs Division
Regulation Development Section
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I, **ROSE PENFOLD**, do solemnly swear that I am the LEGAL CLERK of THE ADVERTISER, a newspaper printed and published at Lafayette, in the Parish of Lafayette, State of Louisiana, and that from my personal knowledge and reference to the files of said publication, the advertisement of

NOTICE OF INTENT
Department of Environmental Quality
Office of the Secretary
Legal Affairs Division
Departmental Designations
(LAC 33:I, III, V, VI, VII, IX, XI, and XV) (MM002)

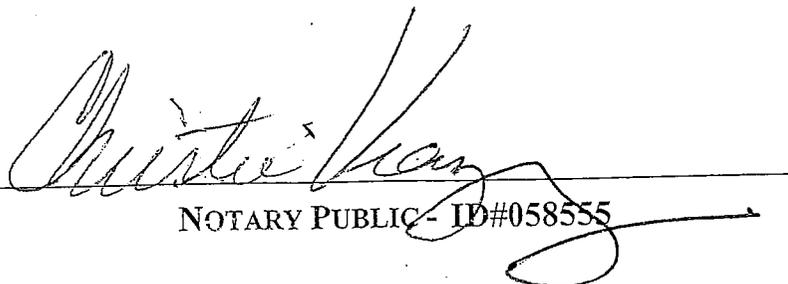
was published in **THE ADVERTISER** on the following dates:

***Friday, July 6, 2007**



ROSE PENFOLD
LEGAL CLERK

Sworn to and subscribed before me this 10th day of July, 2007.



NOTARY PUBLIC - ID#058555

803332

**DECLARATION OF
EMERGENCY**

Department of
Environmental Quality
Office of
Environmental
Assessment

Expedited Penalty
Agreement
(LAC 33:1.807 and
VII.115 and 315)
(MM004E)

In accordance with the emergency provisions of R.S. 49:953(B) of the Administrative Procedure Act, which allow the Department of Environmental Quality to use emergency procedures to establish rules, and of R.S. 30:2011, which allows the department to establish standards, guidelines, and criteria, to promulgate rules and regulations, and to issue compliance schedules, the secretary of the department hereby declares that an emergency action is necessary in order to implement expedited penalty agreements.

The expedited penalty agreement rule, OS054, became final on December 20, 2006. This Emergency Rule, MM004E, supplements that rule by adding certain additional violations of the solid waste regulations to LAC 33:1.807, and amends LAC 33:VII.115 and 315 accordingly. The Emergency Rule will abate delays that have occurred in correcting violations of the Environmental Quality Act concerning the unauthorized transporting, disposal, and/or burning of solid wastes. Delays in enforcement reduce the effectiveness of the enforcement action and unnecessarily utilize resources. In the recent past, complaints of unauthorized disposal and burning of solid wastes have increased considerably, especially in the hurricane-impacted areas. This Emergency Rule will

provide an alternative penalty assessment mechanism that the department may utilize, at its discretion, to expedite penalty agreements in appropriate cases, reducing staff time and increasing efficiency in addressing such violations. The report to the Governor by the Advisory Task Force on Funding and Efficiency of the Louisiana Department of Environmental Quality has approved an expedited penalty approach. It recommended a pilot program for addressing certain classes of violations with penalties in a timelier manner. The legislature approved that report and passed Act 1196 in the 2003 Regular Session allowing the department to promulgate rules for the program. A pilot program was created and monitored for approximately two years. Positive feedback on the program led the department to promulgate the permanent expedited penalty agreement rule that became final on December 20, 2006.

This Emergency Rule is effective on March 20, 2007, and shall remain in effect for a maximum of 120 days or until a final rule is promulgated, whichever occurs first. For more information concerning MM004E you may contact the Regulation Development Section at (225) 219-3550.

This Emergency Rule is available on the Internet at www.deq.louisiana.gov/portal/tabid/1669/default.aspx, and 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; 1623 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; 645 N. Lotus Drive, Suite C, Mandeville, LA 70471.

Adopted this 20th day of March, 2007.

Mike D. McDaniel,
Ph.D.
Secretary

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8/14/07

MM002

CAPITAL CITY PRESS

Publisher of THE ADVOCATE

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, the City of Baton Rouge, and the Parish of East Baton Rouge, in the following issues:

July 7, 2007

[Signature]

Susan A. Bush, Public Notices Clerk

Sworn and subscribed before me by the person whose signature appears above in Baton Rouge, Louisiana, on

July 7, 2007

[Signature]

Pegeen Singley, Notary Public, #66565 My Commission Expires: Indefinite

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JUL 23 2007

3664169

LDEQ/OSEC/LAD REGULATION DEVELOPMENT SECTION

DEQ - OSEC ATTN REMENDER WEATHERSPOON PO BOX 4302 BATON ROUGE, LA 70821

NOTICE OF INTENT

Department of Environmental Quality Office of the Secretary Legal Affairs Division Departmental Designations (LAC 33:III, V, VI, VII, IX, XI, and XV) (MM002)

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:III, V, VI, VII, IX, XI, and XV (Log #MM002). The sections amended in this rule are as follows:

LAC 33:I.501, 907, 1109, 1111, 1113, 1117, 1203, 1307, 1505, 1703, 1803, 2005, 2307, 3905, 3917, 3919, 3923, 3925, 4701, 4703, 4705, 4711, 5707, 6905, and 6921;

LAC 33:III.111, 211, 501, 504, 505, 506, 507, 613, 918, 919, 1105, 1107, 1410, 1434, 1507, 2103, 2108, 2113, 2116, 2121, 2122, 2123, 2132, 2133, 2159, 2201, 2301, 2303, 2701, 2716, 2723, 2735, 2799, 2805, 2807, 2809, 2811, 3003, 5107, 5111, 5113, 5116, 5122, 5151, 5307, 5311, and 5911;

LAC 33:V.105, 109, 303, 309, 321, 323, 501, 520, 537, 565, 590, 708, 1105, 1107, 1109, 1111, 1113, 1123, 1125, 1127, 1199, 1504, 1505, 1513, 1516, 1527, 1529, 1531, 1715, 1731, 1739, 1745, 1747, 1755, 1767, 1807, 1905, 1907, 1913, 2227, 2237, 2239, 2241, 2245, 2246, 2247, 2253, 2271, 2273, 2303, 2306, 2307, 2508, 2521, 2707, 2711, 2719, 2803, 2805, 2903, 2906, 3005, 3007, 3009, 3103, 3115, 3117, 3121, 3503, 3505, 3513, 3517, 3523, 3525, 3527, 3707, 3711, 3715, 3717, 3719, 3831, 3841, 3853, 3875, 4029, 4043, 4045, 4065, 4083, 4201, 4247, 4301, 4329, 4367, 4373, 4374, 4381, 4383, 4387, 4391, 4393, 4395, 4403, 4407, 4411, 4413, 4437, 4449, 4451, 4462, 4472, 4474, 4489, 4512, 4522, 4534, 4703, and 5309;

LAC 33:VI.103, 117, 201, 303, 403, 501, 502, 505, 507, 509, 515, 521, 607, 705, 709, 711, 801, 803, 911, and 913;

LAC 33:VII.113, 301, 303, 305, 307, 311, 401, 403, 407, 501, 508, 509, 513, 515, 517, 519, 711, 713, 715, 717, 719, 721, 723, 725, 803, 805, 909, 1103, 1301, 1303, 1305, 1403, 1405, 3001, 10307, 10513, 10515, 10517, 10519, 10521, 10523, 10525, 10531, 10533, 10535, and 10536;

LAC 33:IX.301, 303, 307, 309, 311, 315, 708, 905, 1117, 1121, 2107, 2109, 2111, 2511, 2119, 2123, 2125, 2501, 2511, 2515, 2521, 2523, 2525, 2529, 2701, 2703, 2709, 3115, 3117, 4505, 5709, 6113, 6117, 6121, 6123, 6125, 6135, and 6507;

LAC 33:XI.301, 303, 507, 701, 715, 903, 905, 907, 1111, 1113, 1123, 1129, 1131, 1139, 1205, 1209, 1305, and 1309; and

LAC 33:XV.102, 204, 205, 209, 211, 212, 213, 320, 321, 322, 324, 325, 326, 328, 331, 332, 361, 390, 399, 430, 436, 438, 442, 461, 488, 490, 496, 499, 575, 577, 578, 579, 603, 608, 704, 710, 719, 737, 761, 803, 907, 911, 1016, 1017, 1103, 1104, 1303, 1309, 1314, 1325, 1331, 1332, 1333, 1407, 1408, 1410, 1417, 1418, 1420, 1515, 1516, 1707, 1711, 1759, 2014, 2017, 2022, 2506, 2507, and 2508.

This rule will change references to various DEQ divisions in the regulations to references to the statutory office designations, update some office designations to reflect the current organizational structure of the department, and make miscellaneous format and typographical corrections in the related text. Each division will internally prepare documentation identifying the various reports and other submittals the division may require. This information will be available through the department's website. The names and organizational placement of divisions are sometimes changed during reorganizations within the department, which initiates a need to update the division names in the department's regulations. Changing the departmental regulation through formal rulemaking is an inefficient use of resources. The basis and rationale for this rule are to decrease the effect the departmental reorganizations have on the regulations.

This proposed rule meets an exception listed in R. 30:2019(D)(2) and R. 49:953 (G)(3); therefore, a report regarding environmental/health benefit and social/economic cost is required. This proposed rule has no known impact on family formation, stability, and autonomy described in R.S. 49:972.

A public hearing will be held on August 28, 2007, at 1:30 p.m. in the Galvez Building, Oliver Conference Room, 602 Fifth Street, Baton Rouge, LA 70802. Interested persons are invited to attend and submit oral comments on the proposed amendments. Should individuals with a disability need accommodation in order to participate, contact Judith A. Schuerman, Ph.D., at the address given below or (225) 219-3550. Parking at the Galvez Garage is provided with a validated parking ticket.

All interested persons are invited to submit their comments on the proposed regulation. Per commenting should receive this proposed regulation by MM002. Such comments must be received later than September 20, 2007, at 4:30 p.m., should be sent to Judith A. Schuerman, Ph.D., Office of the Secretary, Legal Affairs Division, Box 4302, Baton Rouge, LA 70821-4302, or FAX (225) 219-3582 or mail to judith.scman@la.gov. Copies of proposed regulation can be purchased by contacting the DEQ Public Relations Center at (225) 219-3582. Check or money order required in advance each copy of MM002 regulation is available at the Internet: www.deq.louisiana.gov/fat/fatid/1669/default

This proposed regulation is available for inspection at the following DEQ locations from 8 a.m. to 4:30 p.m.: 602 N. Fifth Street, Baton Rouge, LA 70802; Highway 546, West I, State LA 71292; 1525 F Avenue, Shreveport, LA 71101; 1301 Gadwall Lake Charles, LA 70607; New Center, Lafayette, LA 70501; Barataria Street, Lake Charles, LA 70374; 645 N. Lotu Suite C, Mandeville, LA 70471.

Herman Robinson Executive Counsel

3664169-jul 7-11

7/11/07

JUL 09 2007

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(A Correct Copy of Publication)

NOTICE OF INTENT
Department of
Environmental Quality
Office of the Secretary
Legal Affairs Division

Departmental
Designations
(LAC 33:i, III, V, VI,
VII, IX, XI, and XV)
(MM002)

Under the authority of
the Environmental
Quality Act, R.S.
30:2001 et seq., and in
accordance with the
provisions of the Ad-
ministrative Procedure
Act, R.S. 49:950 et seq.,
the secretary gives no-
tice that rulemaking
procedures have been
initiated to amend the
Environmental Quality
regulations, LAC 33:i,
III, V, VI, VII, IX, XI,
and XV (Log #MM002).
The sections amended
in this rule are as fol-
lows:

LAC 33:i.501, 907, 1109,
1111, 1113, 1117, 1203,
1307, 1505, 1701, 1803,
2005, 2307, 3905, 3917,
3919, 3923, 3925, 4701,
4703, 4705, 4711, 5707,
6905, and 6921;

LAC 33:III.111, 211, 501,
504, 505, 506, 507, 613,
918, 919, 1105, 1107,
1410, 1434, 1507, 2103,
2108, 2113, 2116, 2121,

2122, 2123, 2132, 2153,
2159, 2201, 2301, 2303,
2307, 2511, 2521, 2531,
2701, 2719, 2723, 2735,
2799, 2805, 2807, 2809,
2811, 3003, 5107, 5111,
5113, 5116, 5122, 5151,
5307, 5311, and 5911;

LAC 33:V.105, 109, 303,
309, 321, 323, 501, 520,
537, 565, 590, 708, 1105,
1107, 1109, 1111, 1113,
1123, 1125, 1127, 1199,
1504, 1505, 1513, 1516,
1527, 1529, 1531, 1715,
1737, 1739, 1745, 1747,
1755, 1767, 1802, 1905,
1907, 1913, 2227, 2237,
2239, 2241, 2245, 2246,
2247, 2253, 2271, 2273,
2303, 2306, 2307, 2508,
2521, 2707, 2711, 2719,
2803, 2805, 2903, 2906,
3005, 3007, 3009, 3103,
3115, 3317, 3319, 3321,
3503, 3505, 3513, 3517,
3523, 3525, 3527, 3707,
3711, 3715, 3717, 3719,
3831, 3841, 3853, 3875,
4029, 4043, 4045, 4065,
4083, 4201, 4241, 4301,
4320, 4367, 4373, 4375,
4381, 4383, 4387, 4391,
4393, 4395, 4403, 4407,
4411, 4413, 4437, 4449,
4451, 4462, 4472, 4474,
4489, 4512, 4522, 4534,
4703, and 5309;

LAC 33:VI.103, 117, 201,
303, 403, 501, 502, 505,
507, 509, 515, 521, 607,
705, 709, 711, 801, 803,
911, and 913;

LAC 33:VII.113, 301,
303, 305, 307, 311, 401,
403, 407, 501, 508, 509,
513, 515, 517, 519, 711,
713, 715, 717, 719, 721,
723, 725, 803, 805, 909,
1103, 1301, 1303, 1305,
1403, 1405, 3001, 10307,
10513, 10515, 10517,
10519, 10521, 10523,
10525, 10531, 10533,

LAC 33:IX.301, 303, 307,
309, 311, 315, 708, 905,
1117, 1121, 1507, 2109,
2111, 2115, 2119, 2123,
2125, 2501, 2511, 2515,
2521, 2523, 2525, 2529,
2701, 2703, 2709, 3115,
3117, 4505, 5709, 6113,
6117, 6121, 6123, 6125,
6135, and 6507;

LAC 33:XI.301, 303, 507,
701, 715, 903, 905, 907,
1111, 1113, 1123, 1129,
1131, 1139, 1205, 1209,
1305, and 1309; and

LAC 33:XV.102, 204,
205, 209, 211, 212, 213,
320, 321, 322, 324, 325,
326, 328, 331, 332, 361,
390, 399, 430, 436, 438,
442, 461, 488, 490, 496,
499, 575, 577, 578, 579,
603, 608, 704, 710, 719,
737, 761, 803, 907, 911,
1016, 1017, 1103, 1104,
1303, 1309, 1314, 1325,
1331, 1332, 1333, 1407,
1408, 1410, 1417, 1418,
1420, 1515, 1516, 1707,
1711, 1755, 2014, 2017,
2022, 2506, 2507, and
2508.

This rule will change
references to various
DEQ divisions in the

regulations to referen-
ces to the statutory of-
fice designations, up-
date some office desig-
nations to reflect the
current organizational
structure of the de-
partment, and make
miscellaneous format
and typographical cor-
rections in the related
text. Each division will
internally prepare doc-
umentation identifying
the various reports and
other submittals the di-
vision may require.
This information will
be available through
the department's web-
site. The names and
organizational place-
ment of divisions are
sometimes changed
during reorganizations
within the department,
which initiates a need
to update the division
names in the depart-
ment's regulations.
Changing the depart-
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through formal
rulemaking each time
there is a division
name change or a
change in the organiza-
tional placement of a
division is an ineffi-
cient use of resources.
The basis and rationale
for this rule are to de-
crease the effect that
departmental reorgani-
zations have on the
regulations.

This proposed rule
meets an exception
listed in R.S.
30:2019(D)(2) and R.S.
49:953(G)(3); there-
fore, no report regard-
ing environmental/
health benefits and
social/economic costs
is required. This pro-
posed rule has no
known impact on fam-
ily formation, stability,
and autonomy as de-
scribed in R.S. 49:972.

I, Harold Constance, Classified Sales Manager
of THE TOWN TALK, published at Alexandria,
Louisiana do solemnly swear that the
Notice of Intent (MM002)

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 July 5, 2007 and ending with the
issue dated July 5, 2007.

Harold Constance

Subscribed and sworn to before me

this 5th day of July, 2007

[Signature]
Notary Number 019888

A public hearing will be held on August 28, 2007, 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 proposed amendments. Should individuals with a disability need an accommodation in order to participate, contact Judith A. Schuerman, Ph.D., at the address given below or at (225) 219-3550. Parking in the Galvez Garage is free with a validated parking ticket.

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HERMAN ROBINSON,
CPM
Executive Counsel

(7) 5

CERTIFIED COPY *8/15/07*

RECEIVED
JUL 12 2007

LDEQ/OSEC/LAD
REGULATION DEVELOPMENT SE

Affidavit of Publication

NOTICE OF INTENT
Department of Environmental Quality Office of the Secretary Legal Affairs Division Departmental Designations (LAC 33:1, III, V, VI, VII, IX, XI, and XV) (MM002)

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 33:1, III, V, VI, VII, IX, XI, and XV (Log #MM002). The sections amended in this rule are as follows:

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- LAC 33:111.111, 211, 501, 504, 505, 506, 507, 613, 918, 919, 1105, 1107, 1410, 1434, 1507, 2103, 2108, 2113, 2116, 2121, 2122, 2123, 2132, 2153, 2159, 2201, 2301, 2303, 2307, 2511, 2521, 2531, 2701, 2719, 2723, 2735, 2799, 2805, 2807, 2809, 2811, 3003, 5107, 5111, 5113, 5116, 5122, 5151, 5307, 5311, and 5911;
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- LAC 33:VII.113, 301, 303, 305, 307, 311, 401, 403, 407, 501, 508, 509,

STATE OF LOUISIANA
Parish of Calcasieu

Before me the undersigned authority, personally came and appeared

Karen Hohlman
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:

00366451 - \$61.00 *MM002*
July 9, 2007

Karen Hohlman

Duly Authorized Agent

Subscribed and sworn to before me on this 9th day of July, 2007 at Lake Charles, LA

Gwendolyn R. Dugas

Notary Public

00053262

LDEQ-OSEC-LAD

00053262
LDEQ-OSEC-LAD
REGULATION DEVELOPMENT
REMEMBER ME

Gwendolyn R. Dugas
#056523

513, 515, 517, 519, 711, 713, 715, 717, 719, 721, 723, 725, 803, 805, 909, 1103, 1301, 1303, 1305, 1403, 1405, 3001, 10307, 10513, 10515, 10517, 10519, 10521, 10523, 10525, 10531, 10533, 10535, and 10536;

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LAC 33:XV.102, 204, 205, 209, 211, 212, 213, 320, 321, 322, 324, 325, 326, 328, 331, 332, 361, 390, 399, 430, 436, 438, 442, 461, 488, 490, 496, 499, 575, 577, 578, 579, 603, 608, 704, 710, 719, 737, 761, 803, 907, 911, 1016, 1017, 1103, 1104, 1303, 1309, 1314, 1325, 1331, 1332, 1333, 1407, 1408, 1410, 1417, 1418, 1420, 1515, 1516, 1707, 1711, 1755, 2014, 2017, 2022, 2506, 2507, and 2508.

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Herman Robinson, CPM
Executive Counsel

July 9
00366451

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7/11/07

The Times

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REGULATION DEVELOPMENT SECTI

PROOF OF PUBLICATION

NOTICE OF INTENT

Department of
Environmental Quality
Office of the Secretary
Legal Affairs Division

Departmental Designations
(LAC 33:1, III, V, VI,
VII, IX, XI, and XV)
(MM002)

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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:

NOTICE OF INTENT (MM002)

As per copy of advertisement hereto annexed, was published in The Times on the following dates to wit:

July 3, 2007

(Signed) Altheas Critton

Sworn to and subscribed before me this 3rd day of July, 2007

Althea C Goodwin

ALTHEA C. GOODWIN, NOTARY PUBLIC # 68131
BOSSIER PARISH, LOUISIANA
MY COMMISSION IS FOR LIFE

(Notary)



LAC 33:I.501, 907, 1109, 1111, 1113, 1117, 1203, 1307, 1505, 1701, 1803, 2005, 2307, 3905, 3917, 3919, 3923, 3925, 4701, 4703, 4705, 4711, 5707, 6905, and 6921;
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Herman Robinson,
CPM
Executive Counsel
The Times:
July 3, 2007

JUL 12 2007

The Times-Picayune

LDEQ/OSEC/LAD
REGULATION DEVELOPMENT SECTION

3800 HOWARD AVENUE, NEW ORLEANS, LOUISIANA 70140-1097

TELEPHONE (504) 826-3206

NOTICE OF INTENT

Department of Environmental Quality
Office of the Secretary
Legal Affairs Division

Departmental Designations
(LAC 33:1, III, V, VI, VII, IX, XI,
and XV) (MM002)

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Herman Robinson, CPM
Executive Counsel

State of Louisiana

Parish of Orleans

City of New Orleans

Personally appeared before me, a Notary in and for the parish of Orleans, Robert J. Chiasson who deposes and says that he is the Accounts Receivable Manager, of The Times-Picayune Publishing Corporation, 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

RE: Departmental Designations (LAC 33:1, III, V, VI, VII, IX, XI, and XV) (MM002)

Advertisement of Office Of Environmental Quality

Post Office Box 4302
Baton Rouge, Louisiana 70821

Was published in The Times Picayune

3800 Howard Avenue
New Orleans, Louisiana 70125

On the following dates July 5, 2007

Robert Chiasson

Sworn to and subscribed before me this
10th Day of July, 2007

Notary Public

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

Street, Lake Charles, LA 70615; 111 New Center Drive, Lafayette, LA 70508; 110 Barataria Street, Lockport, LA 70374; 645 N. Lotus Drive, Suite C, Mandeville, LA 70471.

Herman Robinson, CPM
Executive Counsel

**FISCAL AND ECONOMIC IMPACT STATEMENT
FOR ADMINISTRATIVE RULES
RULE TITLE: Calcasieu Parish Control of Emissions**

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

There are no estimated implementation costs (savings) to state or local governmental units as a result of the proposed rule. This proposed rule repeals LAC 33:III.510, which provides for control technology requirements and emission offsets only in Calcasieu Parish. The original basis for imposing those requirements has been removed.

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

There is no estimated effect on revenue collections of state or local governmental units resulting from the proposed rule.

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

The repeal of LAC 33:III.510 may enhance the potential for economic growth and development in Calcasieu Parish. Future new projects at industrial facilities in southwestern Louisiana will no longer be hindered by the need for emission offsets. The economic benefits are unquantifiable at this time.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

There is no estimated effect on competition or employment as a result of the proposed rule.

Herman Robinson, CPM
Executive Counsel
0707#018

Robert E. Hosse
Staff Director
Legislative Fiscal Office

NOTICE OF INTENT

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

Departmental Designations
(LAC 33:I, III, V, VI, VII, IX, XI, and XV)(MM002)

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:I, III, V, VI, VII, IX, XI, and XV (Log #MM002). The Sections amended in this Rule are as follows:

~~LAC 33:I.501, 907, 1109, 1111, 1113, 1117, 1203, 1307, 1505, 1701, 1803, 2005, 2307, 3905, 3917, 3919, 3923, 3925, 4701, 4703, 4705, 4711, 5707, 6905, and 6921;~~

LAC 33:III.111, 211, 501, 504, 505, 506, 507, 613, 918, 919, 1105, 1107, 1410, 1434, 1507, 2103, 2108, 2113, 2116, 2121, 2122, 2123, 2132, 2153, 2159, 2201, 2301, 2303, 2307, 2511, 2521, 2531, 2701, 2719, 2723, 2735, 2799, 2805, 2807, 2809, 2811, 3003, 5107, 5111, 5113, 5116, 5122, 5151, 5307, 5311, and 5911;

~~LAC 33:V.105, 109, 303, 309, 321, 323, 501, 520, 537, 565, 590, 708, 1105, 1107, 1109, 1111, 1113, 1123, 1125, 1127, 1199, 1504, 1505, 1513, 1516, 1527, 1529, 1531, 1715, 1737, 1739, 1745, 1747, 1755, 1767, 1802, 1905, 1907, 1913, 2227, 2237, 2239, 2241, 2245, 2246, 2247, 2253, 2271, 2273, 2303, 2306, 2307, 2508, 2521, 2707, 2711, 2719, 2803, 2805, 2903, 2906, 3005, 3007, 3009, 3103, 3115, 3317, 3319, 3321, 3503, 3505, 3513, 3517, 3523, 3525, 3527, 3707, 3711, 3715, 3717, 3719, 3831, 3841, 3853, 3875, 4029, 4043, 4045, 4065, 4083, 4201, 4241, 4301, 4320, 4367, 4373, 4375, 4381, 4383, 4387, 4391, 4393, 4395, 4403, 4407, 4411, 4413, 4437, 4449, 4451, 4462, 4472, 4474, 4489, 4512, 4522, 4534, 4703, and 5309;~~

~~LAC 33:VI.103, 117, 201, 303, 403, 501, 502, 505, 507, 509, 515, 521, 607, 705, 709, 711, 801, 803, 911, and 913;~~

~~LAC 33:VII.113, 301, 303, 305, 307, 311, 401, 403, 407, 501, 508, 509, 513, 515, 517, 519, 711, 713, 715, 717, 719, 721, 723, 725, 803, 805, 909, 1103, 1301, 1303, 1305, 1403, 1405, 3001, 10307, 10513, 10515, 10517, 10519, 10521, 10523, 10525, 10531, 10533, 10535, and 10536;~~

~~LAC 33:IX.301, 303, 307, 309, 311, 315, 708, 905, 1117, 1121, 1507, 2109, 2111, 2115, 2119, 2123, 2125, 2501, 2511, 2515, 2521, 2523, 2525, 2529, 2701, 2703, 2709, 3115, 3117, 4505, 5709, 6113, 6117, 6121, 6123, 6125, 6135, and 6507;~~

~~LAC 33:XI.301, 303, 507, 701, 715, 903, 905, 907, 1111, 1113, 1123, 1129, 1131, 1139, 1205, 1209, 1305, and 1309; and~~

~~LAC 33:XV.102, 204, 205, 209, 211, 212, 213, 320, 321, 322, 324, 325, 326, 328, 331, 332, 361, 390, 399, 430, 436, 438, 442, 461, 488, 490, 496, 499, 575, 577, 578, 579, 603, 608, 704, 710, 719, 737, 761, 803, 907, 911, 1016, 1017, 1103, 1104, 1303, 1309, 1314, 1325, 1331, 1332, 1333, 1407, 1408, 1410, 1417, 1418, 1420, 1515, 1516, 1707, 1711, 1755, 2014, 2017, 2022, 2506, 2507, and 2508.~~

This Rule will change references to various DEQ divisions in the regulations to references to the statutory office designations, update some office designations to reflect the current organizational structure of the department, and make miscellaneous format and typographical corrections in the related text. Each division will internally prepare documentation identifying the various reports and other submittals the division may require. This information will be available through the department's website. The names and organizational placement of divisions are sometimes changed during reorganizations within the department, which initiates a need to update the division names in the department's regulations. Changing the departmental regulations through formal rulemaking each time there is a division name change or a change in the organizational placement of a division is an inefficient use of resources. The basis and rationale for this Rule are to decrease the effect that departmental reorganizations have on the regulations.

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

§4705. Categories of Accreditation

A. At the time of application each applicant must clearly identify both the fields of testing and the test categories for which accreditation is sought. A copy of the relevant test method documentation and the requisite equipment for the method must be available at the laboratory. A current list of approved methodologies for each parameter/analyte will be maintained by the Office of Environmental Assessment, and a copy of the list will become a part of the application package. In cases where the methodology used by the laboratory is not listed, the laboratory shall submit documentation that will verify that the results obtained from the method in use are equal to or better than those results obtained from the approved methodology. The department will review the data submitted by the laboratory and will notify the laboratory in writing within 60 calendar days if the method is acceptable or unacceptable as an alternate method of analysis.

B. – B.11. ...

C. An accredited laboratory may request the addition of field(s) of testing and test category(ies) to its scope of accreditation at any time. Such a request must be submitted in writing to the Office of Environmental Assessment. Unless the previous on-site inspection can verify the competence of the laboratory to perform the additional tests, another on-site inspection may be required.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2011.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of the Secretary, LR 24:919 (May 1998), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:1435 (July 2000), LR 26:2443 (November 2000), repromulgated LR 27:38 (January 2001), amended by the Office of Environmental Assessment, LR 31:1570 (July 2005), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2435 (October 2005), LR 33:

§4711. Proficiency Testing Participation

A. – E. ...

F. Each participating laboratory shall authorize the proficiency test provider to release the results of the proficiency evaluation (PE) test to the Office of Environmental Assessment at the same time that they are submitted to the laboratory. Every laboratory that receives test results that are "unacceptable" for a specific analyte must investigate and identify likely causes for these results, resolve any problems, and report such activity to the Office of Environmental Assessment, along with the submittal of corrective action proficiency sample test results. The laboratory shall report only the analytes for which corrective action was required.

G. – J. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2011.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of the Secretary, LR 24:921 (May 1998), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:1436 (July 2000), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2435 (October 2005), LR 33:

Chapter 57. Maintenance of Accreditation

§5707. Changes in Laboratory Operation

A. Changes in laboratory name, ownership, location, personnel, facilities, methodology, or any factors significantly affecting the performance of analyses for which

the laboratory was originally accredited shall be reported to the Office of Environmental Assessment within 30 days.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2011.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of the Secretary, LR 24:933 (May 1998), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2444 (November 2000), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2435 (October 2005), LR 33:

Subpart 4. Emergency Response Regulations

Chapter 69. Emergency Response Regulations

§6905. Definitions

A. ...

SPOC—Office of Environmental Compliance, Emergency and Radiological Services Division, Single Point of Contact (SPOC).

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2011(D)(1), (14), and (15).

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of the Secretary, LR 22:977 (October 1996), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2444 (November 2000), amended by the Office of the Secretary, Legal Affairs Division, LR 33:

§6921. Reporting Requirements

A. No later than 30 days after material from the cleanup and/or abatement of an off-site emergency condition is removed from an emergency response storage facility, the owner or operator of the facility shall submit a written report detailing the ultimate disposition of the material, by mail or fax to SPOC. The report shall be clearly marked "WASTE DISPOSITION REPORT." The report shall reference the department-issued incident number. Other information in the report may include location and date of the emergency incident, name and address of the company transporting the pollutant that resulted from the emergency incident, name and location of the facility where the pollutant is/was stored, and name and location of the facility accepting the pollutant for disposal, recycling, or reuse.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2011(D)(1), (14), and (15).

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of the Secretary, LR 22:979 (October 1996), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2444 (November 2000), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2435 (October 2005), LR 33:

Part III. Air

Chapter 1. General Provisions

§111. Definitions

A. When used in these rules and regulations, the following words and phrases shall have the meanings ascribed to them below.

SPOC—Office of Environmental Compliance, Emergency and Radiological Services Division, Single Point of Contact (SPOC).

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 14:348 (June 1988), LR 15:1061 (December 1989), amended by the Office of Air Quality and Radiation Protection, Air Quality Division, LR 17:777 (August 1991), LR 21:1081 (October 1995), LR 22:1212 (December 1996), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2444 (November 2000), amended by the Office of the Secretary, Legal Affairs Division, LR 32:808 (May 2006), LR 32:1599 (September 2006), LR 33:

Chapter 2. Rules and Regulations for the Fee System of the Air Quality Control Programs

§211. Methodology

A. – B.9. ...

10. When a permanent shutdown occurs and a company properly notifies the Office of Environmental Services by official change in the Emission Inventory Questionnaire (EIQ) and permit, then the maintenance fee would be dropped for that shutdown portion of the process/plant. This fee reduction or cancellation shall apply only in the fiscal years in which the shutdown portion of the plant or process did not operate at all. The EIQ and permit shall also need to be changed to delete the emissions from the shutdown portion of the plant or process before the start of the fiscal year in which the fee would have been charged.

11. – 15.b. ...

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 14:611 (September 1988), amended by the Office of Air Quality and Radiation Protection, Air Quality Division, LR 17:1205 (December 1991), LR 18:706 (July 1992), LR 19:1419 (November 1993), amended by the Office of Management and Finance, Fiscal Services Division, LR 22:17 (January 1996), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:264 (February 2000), LR 26:2444 (November 2000), LR 29:2776 (December 2003), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2435 (October 2005), LR 33:

Chapter 5. Permit Procedures

§501. Scope and Applicability

A. – B.7. ...

C. Scope

1. For each source to which this Chapter applies, the owner or operator shall submit a timely and complete permit application to the Office of Environmental Services as required in accordance with the procedures delineated herein. Permit applications shall be submitted prior to construction, reconstruction, or modification unless otherwise provided in this Chapter.

2. – 13. ...

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 by the Office of Air Quality and Radiation Protection, Air Quality Division, LR 16:613 (July 1990), LR 17:478 (May 1991), LR 19:1420 (November 1993), LR 20:1281 (November 1994), LR 20:1375 (December 1994), LR 23:1677 (December 1997), amended by the Office of the Secretary, LR 25:660 (April 1999), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2445 (November 2000), LR 28:997 (May 2002), amended by the Office of Environmental Assessment, LR 31:1063 (May 2005), amended by the Office of

the Secretary, Legal Affairs Division, LR 31:2436 (October 2005), LR 32:1842 (October 2006), LR 33:

§504. Nonattainment New Source Review Procedures

A. – B.5. ...

C. Source Information. The owner or operator of a proposed major stationary source or major modification shall submit all information necessary to the Office of Environmental Services in order to perform any analysis or make any determination required under this regulation. Information shall include, but is not limited to:

C.1. – F.6. ...

7. The owner or operator desiring to utilize emission reductions as an offset shall submit to the Office of Environmental Services the following information:

C.7.a. – M.3. ...

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

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Radiation Protection, Air Quality Division, LR 19:176 (February 1993), repromulgated LR 19:486 (April 1993), amended LR 19:1420 (November 1993), LR 21:1332 (December 1995), LR 23:197 (February 1997), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2445 (November 2000), LR 27:2225 (December 2001), LR 30:752 (April 2004), amended by the Office of Environmental Assessment, LR 30:2801 (December 2004), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2436 (October 2005), LR 31:3123, 3155 (December 2005), LR 32:1599 (September 2006), LR 33:

§505. Acid Rain Program Permitting Requirements

A. ...

B. Copies of documents incorporated by reference in this Section may be obtained from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20242 or their website, www.gpoaccess.gov/cfr/index.html; from the Department of Environmental Quality, Office of Environmental Services; or from a public library.

C. Modifications or Exceptions. A copy of each report or notice or of any other documentation required by the referenced regulations (i.e., 40 CFR Part 72) to be provided to "the Administrator" shall be provided to the Office of Environmental Services by the person required to make the submission to "the Administrator."

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 by the Office of Air Quality and Radiation Protection, Air Quality Division, LR 19:1420 (November 1993), LR 21:678 (July 1995), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2446 (November 2000), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2429, 2436 (October 2005), LR 32:1598 (September 2006), LR 33:

§506. Clean Air Interstate Rule Requirements

A. – C. ...

D. Copies of documents incorporated by reference in this Section may be obtained from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20242 or their website, www.gpoaccess.gov/cfr/index.html; from the Department of

Environmental Quality, Office of Environmental Services; or from a public library.

E. Modifications or Exceptions. A copy of each report or notice or of any other documentation required by the referenced regulations (i.e., 40 CFR Part 96) to be provided to "the Administrator" shall be provided to the Office of Environmental Services by the person required to make the submission to "the Administrator."

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

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of the Secretary, Legal Affairs Division, LR 32:1597 (September 2006), amended LR 33:

§507. Part 70 Operating Permits Program

A. – C.2. ...

3. Newly Regulated Sources. The owner or operator of any source that becomes subject to the requirements of this Section after the effective date of the Louisiana Part 70 program due to regulations promulgated by the administrator or by the Department of Environmental Quality shall submit an application to the Office of Environmental Services in accordance with the requirements established by the applicable regulation. In no case shall the required application be submitted later than one year from the date on which the source first becomes subject to this Section.

D. – H.3. ...

4. a requirement for progress reports to be submitted to the Office of Environmental Compliance at least semiannually, or at a more frequent period if specified in the applicable requirement. Such progress reports shall contain the following:

4.a. – 5.c.v. ...

d. a requirement that all compliance certifications be submitted to the administrator as well as to the Office of Environmental Compliance; and

H.5.e. – J.5. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2011, 2023, 2024, and 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 by the Office of Air Quality and Radiation Protection, Air Quality Division, LR 19:1420 (November 1993), LR 20:1375 (December 1994), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2447 (November 2000), LR 27:2229 (December 2001), LR 28:994 (May 2002), LR 29:698 (May 2003), LR 30:1008 (May 2004), amended by the Office of Environmental Assessment, LR 31:1061 (May 2005), LR 31:1568 (July 2005), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2437 (October 2005), LR 32:808 (May 2006), LR 33:

Chapter 6. Regulations on Control of Emissions through the Use of Emission Reduction Credits Banking

§613. ERC Bank Recordkeeping and Reporting Requirements

A. – B.1. ...

2. An annual report summarizing all records required by Subsection A of this Section shall be submitted to the department by March 31 of each year. This submittal shall be certified as specified in Subsection C of this Section and submitted to the Office of Environmental Services in a format specified by the department.

B.3. – C. ...

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

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Radiation Protection, Air Quality Division, LR 20:877 (August 1994), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 25:1622 (September 1999), LR 26:486 (March 2000), LR 26:2449 (November 2000), LR 28:303 (February 2002), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2437 (October 2005), LR 33:

Chapter 9. General Regulations on Control of Emissions and Emission Standards

§918. Recordkeeping and Annual Reporting

A. Data for emissions reports shall be collected annually. These reports are to be submitted to the Office of Environmental Assessment by March 31 of each year (for the period January 1 to December 31 of the previous year) unless otherwise directed by the department. The report shall include all data applicable to the emissions source or sources as required under LAC 33:III.919.

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 by the Office of Air Quality and Radiation Protection, Air Quality Division, LR 22:339 (May 1996), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2450 (November 2000), LR 29:2776 (December 2003), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2438 (October 2005), LR 33:

§919. Emissions Inventory

Emissions inventory data shall be submitted to the department on magnetic media in the format specified by the Office of Environmental Assessment. *Facilities* are defined as all emissions points under common control on contiguous property. *Emissions point* is defined as the source of emissions that should have a Source Classification Code (SCC). Detailed instructions are provided, on an annual basis, for completing and submitting emissions inventories. The state point source emissions inventory will be compiled from the emissions inventories submitted in accordance with this Section from the facilities that meet the criteria for applicability in Subsection A of this Section. The state area source, non-road and on-road mobile source, and biogenic emissions inventories are compiled by the department from data that may be requested from other federal, state, or local agencies or other private entities.

A. Applicability. The owner or operator of the following facilities shall submit annual emissions inventories to the Office of Environmental Assessment. The inventory shall include all air pollutants for which a National Ambient Air Quality Standard (NAAQS) has been issued and all NAAQS precursor pollutants.

A.1. – F. ...

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), repealed and repromulgated by the Office of Air Quality and Radiation Protection, Air Quality Division, LR 19:184 (February 1993), repromulgated LR 19:485 (April 1993), amended LR 19:1418 (November 1993), LR 20:1101 (October 1994), LR 22:339 (May 1996), amended by the Office of Environmental Assessment,

Environmental Planning Division, LR 26:2450 (November 2000), LR 29:2776 (December 2003), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2438 (October 2005), LR 32:241 (February 2006), LR 33:

Chapter 11. Control of Emissions of Smoke

§1105. Smoke from Flaring Shall Not Exceed 20 Percent Opacity

A. The emission of smoke from a flare or other similar device used for burning in connection with pressure valve releases for control over process upsets shall be controlled so that the shade or appearance of the emission does not exceed 20 percent opacity (LAC 33:III.1503.D.2, Table 4) for a combined total of six hours in any 10 consecutive days. If it appears the emergency cannot be controlled in six hours, SPOC shall be notified by the emitter in accordance with LAC 33:I.3923 as soon as possible after the start of the upset period. Such notification does not imply the administrative authority will automatically grant an exemption to the source(s) of excessive emissions.

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 by the Office of Air Quality and Radiation Protection, Air Quality Division, LR 25:656 (April 1999), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2450 (November 2000), LR 30:1671 (August 2004), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2438 (October 2005), LR 33:

§1107. Exemptions

A. Exemptions from the provisions of LAC 33:III.1105 may be granted by the administrative authority during start-up and shutdown periods if the flaring was not the result of failure to maintain or repair equipment. A report in writing, explaining the conditions and duration of the start-up or shutdown and listing the steps necessary to remedy, prevent, and limit the excess emission, shall be submitted to SPOC within seven calendar days of the occurrence. In addition, the flaring must be minimized and no ambient air quality standard may be jeopardized.

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 by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2451 (November 2000), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2438 (October 2005), LR 33:

Chapter 14. Conformity

Subchapter A. Determining Conformity of General Federal Actions to State or Federal Implementation Plans

§1410. Criteria for Determining Conformity of General Federal Actions

A. – A.5.a. ...

i. the total of direct and indirect emissions from the action (or portion thereof) is determined and documented by the department to result in a level of emissions that, together with all other emissions in the nonattainment or maintenance area, would not exceed the emissions budgets specified in the applicable SIP. As a matter of policy, should the department make such determination or commitment, the

federal agency must provide to the Office of Environmental Assessment information on all known projects or other actions that may affect air quality or emissions in any area to which this rule is applicable, regardless of whether such project or action is determined to be subject to this rule under LAC 33:III.1405. The department may charge the federal agency requesting such determination a reasonable fee based on the number of manhours required to perform and document the determination; or

A.5.a.ii. – D. ...

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

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Radiation Protection, Air Quality Division, LR 20:1274 (November 1994), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2451 (November 2000), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2438 (October 2005), LR 33:

Subchapter B. Conformity to State or Federal Implementation Plans of Transportation Plans, Programs, and Projects Developed, Funded, or Approved under Title 23 U.S.C. or the Federal Transit Act

§1434. Consultation

A. – B.6.a. ...

b. *DEQ*—secretary of the Department of Environmental Quality, or designee;

c. *DOTD*—assistant secretary of the Office of Planning and Programming, or designee;

B.6.d. – E. ...

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

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Radiation Protection, Air Quality Division, LR 20:1278 (November 1994), repromulgated LR 24:1280 (July 1998), amended LR 24:1684 (September 1998), repromulgated LR 24:1925 (October 1998), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2451 (November 2000), amended by the Office of the Secretary, Legal Affairs Division, LR 33:

Chapter 15. Emission Standards for Sulfur Dioxide

§1507. Exceptions

A. – A.1. ...

a. A written report explaining the conditions and duration of the start-up and listing the steps necessary to remedy, prevent, and limit the excess emissions shall be submitted to SPOC within seven calendar days of the occurrence.

A.1.b. – B.1. ...

a. A written report explaining the conditions and duration of the upset and listing the steps necessary to remedy, prevent, and limit the excess emissions shall be submitted to SPOC within seven calendar days of the occurrence.

B.1.b. – C. ...

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 by the Department of Environmental Quality, Office of Air Quality and Radiation Protection, Air Quality Division, LR 18:375 (April 1992), LR 23:1678 (December 1997), LR 24:1284 (July 1998),

amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2451 (November 2000), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2439 (October 2005), LR 33:1011 (June 2007), LR 33:

Chapter 21. Control of Emission of Organic Compounds

Subchapter A. General

§2103. Storage of Volatile Organic Compounds

A. – D.4. ...

a. Controls for non-slotted guide poles and stilling wells shall include pole wiper and gasketing between the well and sliding cover. Controls for slotted guide poles shall include a float with wiper, pole wiper, and gasketing between the well and sliding cover. The description of the method of control and supporting calculations based upon the Addendum to American Petroleum Institute Publication Number 2517, *Evaporative Loss from External Floating Roof Tanks*, (dated May 1994) shall be submitted to the Office of Environmental Assessment for approval prior to installation.

D.4.b. – J. ...

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 15:1065 (December 1989), repromulgated LR 16:27 (January 1990), amended by the Office of Air Quality and Radiation Protection, Air Quality Division, LR 17:360 (April 1991), LR 18:1121 (October 1992), LR 20:1376 (December 1994), LR 21:1223 (November 1995), repromulgated LR 21:1333 (December 1995), amended LR 22:453 (June 1996), LR 22:1212 (December 1996), LR 24:20 (January 1998), LR 24:2242 (December 1998), LR 25:657 (April 1999), LR 25:852 (May 1999), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2452 (November 2000), LR 28:1763 (August 2002), LR 30:1671 (August 2004), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2439 (October 2005), LR 33:447 (March 2007), LR 33:

§2108. Marine Vapor Recovery

A. – E.5. ...

F. Reporting and Recordkeeping

1. The results of any testing done in accordance with LAC 33:III.2108.E shall be reported to the Office of Environmental Assessment within 45 days of the test.

F.2. – H.2. ...

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 14:704 (October 1988), amended by the Office of Air Quality and Radiation Protection, Air Quality Division, LR 16:959 (November 1990), LR 22:1212 (December 1996), LR 23:1678 (December 1997), LR 24:20 (January 1998), LR 24:1285 (July 1998), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2452 (November 2000), LR 30:745 (April 2004), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2439 (October 2005), LR 33:

§2113. Housekeeping

A. – A.3. ...

4. Each facility shall develop a written plan for housekeeping and maintenance that places emphasis on the prevention or reduction of volatile organic compound emissions from the facility. This plan shall be submitted to the Office of Environmental Services upon request. A copy

shall be kept at the facility, if practical, or at an alternate site approved by the department.

5. ...

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 16:118 (February 1990), amended by the Office of Air Quality and Radiation Protection, Air Quality Division, LR 17:361 (April 1991), LR 25:852 (May 1999), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2452 (November 2000), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2439 (October 2005), LR 33:

§2116. Glycol Dehydrators

A. – F.4.b. ...

G. Reporting Requirements

1. The owner or operator of a facility shall submit to the Office of Environmental Services a permit application after installation of controls unless exempt from permitting pursuant to LAC 33:III.Chapter 5.

2. If no permit is required pursuant to LAC 33:III.Chapter 5, the owner or operator of a facility shall submit to the Office of Environmental Services a new or updated emission inventory questionnaire after installation of controls.

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

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Radiation Protection, Air Quality Division, LR 20:1107 (October 1994), repromulgated, LR 20:1279 (November 1994), amended LR 21:941 (September 1995), LR 22:1212 (December 1996), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2452 (November 2000), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2440 (October 2005), LR 33:

§2121. Fugitive Emission Control

A. – E.3. ...

F. Reporting Requirements. The operator of the affected facility shall submit to the Office of Environmental Assessment a report semiannually containing the information below for each calendar quarter during the reporting period. The reports are due by the last day of the month (January and July) following the monitoring period or by a date approved by the department. The reports shall include the following information for each quarter of the reporting period:

F.1. – G.Liquid Service. ...

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 by the Office of Air Quality and Radiation Protection, Air Quality Division, LR 16:959 (November 1990), LR 17:654 (July 1991), LR 21:1330 (December 1995), LR 22:1128 (November 1996), LR 22:1212 (December 1996), LR 24:22 (January 1998), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:1433 (July 2000), LR 26:2452 (November 2000), LR 30:1659 (August 2004), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2440 (October 2005), LR 33:

§2122. Fugitive Emission Control for Ozone

Nonattainment Areas and Specified Parishes

A. – F.3. ...

G. Reporting Requirements. The operator of the affected facility shall submit a report semiannually to the Office of Environmental Assessment containing the information below for each calendar quarter during the reporting period. The reports are due by the last day of the month (January and July) following the monitoring period or by a date approved by the department. The reports shall include the following information for each quarter of the reporting period:

1. – 6. ...

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

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Radiation Protection, Air Quality Division, LR 20:1102 (October 1994), repromulgated LR 20:1279 (November 1994), amended LR 22:1129 (November 1996), LR 22:1212 (December 1996), repromulgated LR 23:197 (February 1997), amended LR 23:1678 (December 1997), LR 24:22 (January 1998), LR 24:1285 (July 1998), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2453 (November 2000), LR 28:1764 (August 2002), LR 30:1660 (August 2004), repromulgated by the Office of Environmental Assessment, LR 30:2030 (September 2004), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2440 (October 2005), LR 33:

Subchapter B. Organic Solvents

§2123. Organic Solvents

A. – C. Table. ...

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. 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.

D.2. – H. ...

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:

Subchapter F. Gasoline Handling

§2132. Stage II Vapor Recovery Systems for Control of Vehicle Refueling Emissions at Gasoline Dispensing Facilities

A. – B.5. ...

6. The regulated facility shall submit the following application information to the Office of Environmental Compliance prior to installation of the Stage II Vapor Recovery System:

6.a. – 7. ...

8. Upon request by the Department of Environmental Quality, the owner or operator of a facility that claims to be exempt from the requirements of this Section shall submit supporting records to the Office of Environmental Compliance within 30 calendar days from the date of the request. The Department of Environmental Quality shall make a final determination regarding the exemption status of a facility.

C. – C.2. ...

D. Testing

1. The owner/operator of the facility shall have the installed vapor recovery equipment tested prior to the start-up of the facility. The owner or operator shall notify the Office of Environmental Compliance at least five calendar days in advance of the scheduled date of testing. Testing must be performed by a contractor that is certified with the Department of Environmental Quality. Compliance with the emission specification for Stage II equipment shall be demonstrated by passing the following required tests or equivalent for each type of system:

1.a. – 2. ...

3. The department reserves the right to confirm the results of the aforementioned testing at its discretion and at any time. Within 30 days after installation or major system modification of a vapor recovery system, the owner or operator of the facility shall submit to the Office of Environmental Compliance the date of completion of the installation or major system modification of a vapor recovery system and the results of all functional testing requirements.

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 Radiation Protection, Air Quality Division, LR 18:1254 (November 1992), repromulgated LR 19:46 (January 1993), amended LR 23:1682 (December 1997), LR 24:25 (January 1998), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2453 (November 2000), LR 29:558 (April 2003), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2440 (October 2005), LR 33:

Subchapter M. Limiting Volatile Organic Compound (VOC) Emissions From Industrial Wastewater

§2153. Limiting VOC Emissions from Industrial Wastewater

A. – G.4.a. ...

b. in order to maintain exemption status under this Subsection, the owner or operator shall submit an annual report no later than March 31 of each year, starting in 1997, to the Office of Environmental Assessment that demonstrates that the overall control of VOC emissions at the affected source category from which wastewater is generated during the preceding calendar year is at least 90 percent less than the 1990 baseline emissions inventory. At a minimum, the report shall include the EPN; the PIN; the throughput of wastewater from affected source categories; a plot plan showing the location, EPN, and PIN associated with a wastewater storage, handling, transfer, or treatment facility; and the VOC emission rates for the preceding calendar year. The emission rates for the preceding calendar

year shall be calculated in a manner consistent with the 1990 baseline emissions inventory; and

c. all representations in initial control plans and annual reports become enforceable conditions. It shall be unlawful for any person to vary from such representations if the variation will cause a change in the identity of the specific emission sources being controlled or the method of control of emissions, unless the owner or operator of the wastewater component submits a revised control plan to the Office of Environmental Assessment within 30 days of the change. All control plans and reports shall include documentation that the overall reduction of VOC emissions from wastewater at the affected source categories continues to be at least 90 percent less than the 1990 baseline emissions inventory. The emission rates shall be calculated in a manner consistent with the 1990 baseline emissions inventory.

5. ...

a. each request for an exemption determination shall be submitted to the Office of Environmental Assessment. Each request shall demonstrate that the overall control of VOC emissions from wastewater at the affected source categories will be at least 80 percent less than the 1990 baseline emissions inventory. The request shall include the applicable EPN; the PIN; the calendar year throughput of wastewater from affected source categories; the VOC emission rates; and a plot plan showing the location, EPN, and PIN associated with a wastewater storage, handling, transfer, or treatment facility. The emission rates shall be calculated in a manner consistent with the 1990 baseline emissions inventory;

b. ...

c. all representations in initial control plans and annual reports become enforceable conditions. It shall be unlawful for any person to vary from such representations if the variation will cause a change in the identity of the specific emission sources being controlled or the method of control of emissions unless the owner or operator of the wastewater component submits a revised control plan to the Office of Environmental Assessment within 30 days of the change. All control plans and reports shall include documentation that the overall reduction of VOC emissions at the plant from wastewater affected source categories continues to be at least 80 percent less than the 1990 baseline emissions inventory.

G.6. – 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 Radiation Protection, Air Quality Division, LR 21:936 (September 1995), amended LR 22:1212 (December 1996), LR 24:26 (January 1998), LR 25:850 (May 1999), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2453 (November 2000), LR 28:1765 (August 2002), LR 30:747 (April 2004), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2441 (October 2005), LR 33:

Subchapter N. Method 43—Capture Efficiency Test Procedures

[Editor's Note: This Subchapter was moved and renumbered from Chapter 61 (December 1996).]

§2159. Recordkeeping and Reporting

A. All affected facilities must maintain a copy of the capture efficiency protocol on file. All results of appropriate test methods and CE protocols must be reported to the Office of Environmental Assessment within 60 days of the test date. A copy of the results must be kept on file with the source.

B. If any changes are made to capture or control equipment, the source is required to notify the Office of Environmental Assessment of these changes and a new test may be required.

C. The source must notify the Office of Environmental Assessment 30 days prior to performing any capture efficiency and/or control efficiency tests.

D. – E. ...

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

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Radiation Protection, Air Quality Division, LR 17:653 (July 1991), amended LR 22:1212 (December 1996), LR 23:1680 (December 1997), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2454 (November 2000), LR 27:1224 (August 2001), amended by the Office of the Secretary, Legal Affairs Division, LR 33:

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. – F.7. ...

a. the facility designation, as indicated by the identification number, submitted to the Office of Environmental Services;

F.7.b. – J.2. ...

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:

Chapter 23. Control of Emissions for Specific Industries¹

¹ Regulation of emissions of volatile organic compounds for certain industries are presented in Chapter 21.

Subchapter A. Chemical Woodpulp Industry

§2301. Control of Emissions from the Chemical Woodpulp Industry

A. – D.4. ...

a. Compliance. Owner or operators shall conduct source tests of recovery furnaces pursuant to the provisions in LAC 33:III.1503.D.2, Table 4, to confirm particulate emissions are less than that specified in Paragraph D.1 of this Section. The results shall be submitted to the Office of Environmental Assessment as specified in LAC 33:III.919 and 918. The testing should be conducted as follows:

D.4.a.i. – E. ...

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 by the Office of Air Quality and Radiation Protection, Air Quality Division, LR 19:1564 (December 1993), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2454 (November 2000), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2442 (October 2005), LR 32:1841 (October 2006), LR 33:

Subchapter B. Aluminum Plants

§2303. Standards for Horizontal Stud Soderberg

Primary Aluminum Plants and Prebake Primary Aluminum Plants

A. – D.4. ...

E. Monitoring. Each horizontal stud Soderberg process primary aluminum plant and prebake process primary aluminum plant shall submit a detailed monitoring program subject to revision and approval by the Office of Environmental Assessment. The program shall include regularly scheduled monitoring for emissions of total particulates as well as ambient air sampling for suspended particulates.

[NOTE: Measurement of Concentrations. The methods listed in LAC 33:III.711.C, Table 2 and LAC 33:III.1503.D.2, Table 4, or such equivalent methods as may be approved by the department, shall be utilized to determine these particulate concentrations.]

F. – F.1.d. ...

2. Every horizontal stud Soderberg process primary aluminum plant and prebake process primary aluminum plant shall furnish, upon request, to the department such other data as the administrative authority may require to evaluate the plant's emission control program. Such plants shall immediately report any unauthorized emissions of any air contaminants to SPOC in accordance with LAC 33:I.3923.

G. – G.3. ...

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 by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2455 (November 2000), LR 30:1672 (August 2004), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2442 (October 2005), LR 33:

Subchapter D. Nitric Acid Industry

§2307. Emission Standards for the Nitric Acid Industry

A. – B. ...

C. Exceptions

1. Start-Up Provisions

a. A four-hour start-up exemption from emission regulations may be authorized by the administrative authority for plants not subject to 40 CFR Part 60, Subpart G, as incorporated by reference in LAC 33:III.Chapter 30, which have been shut down. It is recognized that existing nitrogen oxide abatement equipment is effective only at normal operating temperatures. This provision allows the necessary time to bring up a facility from a cold start to near steady state condition. A report, in writing, explaining the conditions and duration of the start-up and listing the steps necessary to remedy, prevent, and limit the excess emissions, shall be submitted to SPOC within seven calendar days of the occurrence using the procedures provided in LAC 33:I.3925.

b. ...

2. On-Line Operating Adjustments

a. A four-hour exemption from emission regulations may be extended by the administrative authority to plants not subject to 40 CFR Part 60, Subpart G, as incorporated by reference in LAC 33:III.Chapter 30, where upsets have caused excessive emissions and on-line operating changes will eliminate a temporary condition. A report, in writing, explaining the conditions and duration of the upset and listing the steps necessary to remedy, prevent, and limit the excess emissions, shall be submitted to SPOC within seven calendar days of the occurrence using the procedures provided in LAC 33:I.3925.

C.2.b. – H.2. ...

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 by the Office of Air Quality and Radiation Protection, Air Quality Division, LR 23:1680 (December 1997), LR 24:1286 (July 1998), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2455 (November 2000), LR 30:1672 (August 2004), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2442 (October 2005), LR 33:

Chapter 25. Miscellaneous Incineration Rules

Subchapter B. Biomedical Waste Incinerators

§2511. Standards of Performance for Biomedical Waste Incinerators

A. – B.Type IV Waste. ...

C. Registration

1. Within 90 days after adoption of these regulations, all facilities operating incinerators designed or operated for the purpose of burning potentially infectious medical waste, shall submit a supplemental incinerator data form (SID-1) to SPOC.

C.2. – E.6.e. ...

7. A copy of all monitoring and tests results shall be submitted to the Office of Environmental Assessment for review and approval within 45 days of completion of testing.

F. – K. ...

L. Recordkeeping/Reporting. The owner or operator of any BWI shall keep a daily record of the hours the unit was in operation and the amount of waste incinerated. A separate record shall be kept of all chemotherapeutic waste incinerated that is not listed under the Resource Conservation and Recovery Act, 40 CFR 261.33(f). This record shall show the name of the material, date and time incinerated, and amount burned. Records shall be submitted to the Office of Environmental Compliance by March 31 for the previous calendar year.

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

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Radiation Protection, Air Quality Division, LR 20:1098 (October 1994), amended LR 21:1081 (October 1995), LR 22:1212 (December 1996), LR 23:1680 (December 1997), LR 24:1286 (July 1998), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2455 (November 2000), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2442 (October 2005), LR 33:

Subchapter C. Refuse Incinerators

§2521. Refuse Incinerators

A. – F.9.e. ...

10. A copy of all monitoring and tests results shall be submitted to the Office of Environmental Assessment for review and approval within 45 days of completion of testing.

G – H. ...

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

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Radiation Protection, Air Quality Division, LR 20:1100 (October 1994), amended LR 22:1212 (December 1996), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2456 (November 2000), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2443 (October 2005), LR 33:

Subchapter D. Crematories

§2531. Standards of Performance for Crematories

A. – I.1.f. ...

2. A copy of all test results shall be submitted to the Office of Environmental Assessment for review and approval within 45 days of completion of testing.

J. – J.1.d. ...

2. The owner/operator shall provide the Office of Environmental Assessment at least 30 days prior notice of any emission test to afford the department the opportunity to conduct a pretest conference and to have an observer present. The department has the authority to invalidate any testing where such notice is not provided.

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

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Radiation Protection, Air Quality Division, LR 20:1107 (October 1994), amended LR 22:1127 (November 1996), LR 22:1212 (December 1996), LR 23:1509 (November 1997), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2456 (November 2000), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2443 (October 2005), LR 33:

Chapter 27. Asbestos-Containing Materials in Schools and State Buildings Regulation

§2701. Asbestos-Containing Materials in Schools and State Buildings

A. – B.3.b. ...

i. a copy of the inspection report must be submitted to the Office of Environmental Services within 90 days of the inspection; and

b.ii. – c. ...

C. Scope

1. This regulation requires local education agencies and the state government to identify friable and nonfriable asbestos-containing material (ACM) in schools and state buildings by visually inspecting schools and state buildings for such materials, sampling such materials if they are not assumed to be ACM, and having samples analyzed by appropriate techniques referred to in this rule. The regulation requires local education agencies and the state government to submit management plans to the Office of Environmental Services on or before 90 days after promulgation of this regulation, to begin to implement the plans 180 days after promulgation of this regulation, and to complete implementation of the plans in a timely fashion. If an exemption is requested for a state building that contains no asbestos, an inspection report supporting that exemption

should be submitted in accordance with Clause B.3.b.i of this Section. Management plans submitted to and approved by the Department of Environmental Quality prior to the promulgation of this regulation shall meet the inspection and assessment requirements of this Chapter. In addition, local education agencies and the state government are required to employ persons who have been accredited to conduct inspections, reinspections, develop management plans, or perform response actions. The regulation also includes recordkeeping requirements. Local education agencies and the state government may contractually delegate their duties under this rule, but they remain responsible for the proper performance of those duties. Local education agencies and the state government are encouraged to consult with the Office of Environmental Compliance of the Department of Environmental Quality for assistance in complying with this Rule.

C.2. – D. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2344 and 40:1749.1.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Nuclear Energy, Air Quality Division, LR 15:735 (September 1989), amended LR 16:1056 (December 1990), amended by the Office of Air Quality and Radiation Protection, Air Quality Division, LR 20:649 (June 1994), LR 22:698 (August 1996), amended by the Office of Environmental Assessment Environmental Planning Division, LR 26:2456 (November 2000), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2443 (October 2005), LR 33:

§2719. Operations and Maintenance

A. – F.2.b. ...

c. Provide a prompt notification to SPOC of the major fiber release episode in accordance with LAC 33:I.3923 within 24 hours of the discovery of such an episode, and in writing as specified in LAC 33:I.3925 within seven calendar days after the initial notification.

d. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2344 and 40:1749.1.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Nuclear Energy, Air Quality Division, LR 15:735 (September 1989), amended by the Office of Air Quality and Radiation Protection, Air Quality Division, LR 20:649 (June 1994), LR 22:699 (August 1996), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2456 (November 2000), LR 30:1672 (August 2004), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2444 (October 2005), LR 33:

§2723. Management Plans

A. ...

1. Each local education agency or the state government shall develop an asbestos management plan for each school, including all buildings that are leased, owned, or otherwise used as school or state buildings, and submit the plan to the Office of Environmental Services. After June 20, 1994, each plan must include Form AAC-8, Required Elements for Management Plans (latest revised form can be obtained from the Office of Environmental Services or through the department's website). The plan may be submitted in stages that cover portions of the school or state building under the authority of the local education agency or the state government before the deadline specified in LAC 33:III.2701.C.