

Louisiana State Implementation Plan Revision

Miscellaneous Rules 2008-2010

Submitted to:

EPA Region 6
1445 Ross Avenue, Suite 1200
Dallas, TX 75202-2733

Proposed February 2012



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STATE IMPLEMENTATION PLAN**

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OVERVIEW

PURPOSE

This proposed State Implementation Plan (SIP) revision incorporates rules promulgated in the Louisiana Administrative Code (LAC) during 2008 - 2010. The submittal includes revisions to regulations in LAC 33:III.Chapters 7, and 13. Submittal of this SIP revision to the Environmental Protection Agency fulfills an air quality planning commitment in the Performance Partnership Grant.

AUTHORITY

Revisions or adoptions to the Air Quality rules and regulations are made in accordance with Louisiana R. S. 30:2019. The SIP revision is submitted in accordance with 40 Code of Federal Regulations (CFR) Part 51 Appendix V and policy established by EPA.

SUMMARY OF RULES PROMULGATED

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Miscellaneous Rule SIP

SUMMARY OF RULES PROMULGATED IN 2008-2010

LAC 33:III	<i>Louisiana Register Citation</i>	Description	Comments
§701	March 2008 LR 34:433 AQ 288	Ambient Air Standards for Particulate Matter	The basis and rationale for this rule are to update the Louisiana air quality regulations to include the revised NAAQS for particulate matter to ensure continued protection of the environment and human health and welfare..
§702	March 2008 LR 34:433 AQ 288	Ambient Air Standards for Particulate Matter	The basis and rationale for this rule are to update the Louisiana air quality regulations to include the revised NAAQS for particulate matter to ensure continued protection of the environment and human health and welfare..
§711	March 2008 LR 34:433 AQ 288	Ambient Air Standards for Particulate Matter	The basis and rationale for this rule are to update the Louisiana air quality regulations to include the revised NAAQS for particulate matter to ensure continued protection of the environment and human health and welfare.
§1327	July 2009 LR 35:1224 AQ 303	Abrasive Blasting	This rule will correct two instances of an American Society for Testing and Materials (ASTM) citation, which needs to be updated in order to reflect current ASTM method references. The citation for "ASTM standard D 75-87, reapproved 1992," should read "ASTM standard D 75-03."The basis and rationale for this rule are to keep the Louisiana air regulations accurate and current.
§1333	July 2009 LR 35:1224 AQ 303	Abrasive Blasting	This rule will correct two instances of an American Society for Testing and Materials (ASTM) citation, which needs to be updated in order to reflect current ASTM method references. The citation for "ASTM standard D 75-87, reapproved 1992," should read "ASTM standard D 75-03."The basis and rationale for this rule are to keep the Louisiana air regulations accurate and current.

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AQ 288
Ambient Air Standards for Particulate Matter
LAC 33:III.701, 703,711

Subchapter B. School Therapists

§421. Overview

A. School Art Therapist—Valid as long as holder remains in the same school system.

A.1. - F.2.b. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6 (A)(10), (11), (15); R.S. 17:7(6); R.S. 17:10; R.S. 17:22(6); R.S. 17:391.1-391.10; R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1811 (October 2006), amended LR 34:433 (March 2008).

Weegie Peabody
Executive Director

0803#010

RULE

**Department of Environmental Quality
Office of the Secretary**

**Ambient Air Standards for Particulate Matter
(LAC 33:III.701, 703, and 711)(AQ288)**

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 Air regulations, LAC 33:III.701, 703, and 711 (Log #AQ288).

In 2006, the Environmental Protection Agency revised the National Ambient Air Quality Standards (NAAQS) for particulate matter. The revised NAAQS address two categories of particle pollution: fine particles (PM_{2.5}), which are 2.5 micrometers in diameter and smaller; and inhalable coarse particles (PM₁₀), which are smaller than 10 micrometers. This Rule updates the Louisiana air quality regulations to include the revised particle standards. The EPA strengthened the 24-hour PM_{2.5} standard from the 1997 standard of 65 micrograms per cubic meter to 35 micrograms per cubic meter, and retained the current annual PM_{2.5} standard of 15 micrograms per cubic meter. For inhalable coarse particles, EPA retained the existing national 24-hour PM₁₀ standard of 150 micrograms per cubic meter and revoked the annual PM₁₀ standard. The basis and rationale for this Rule are to update the Louisiana air quality regulations to include the revised NAAQS for particulate matter to ensure continued protection of the environment and human health and welfare. This Rule meets an exception listed in R.S. 30:2019(D)(2) and R.S. 49:953(G)(3); therefore, no report regarding environmental/health benefits and social/economic costs is required.

Title 33

ENVIRONMENTAL QUALITY

Part III. Air

Chapter 7. Ambient Air Quality

§701. Purpose

A. ...

B. Particulate Matter. The purpose of this Chapter is to maintain concentrations of particulate matter in the ambient air at levels which will not cause damage or injury to plant or animal life. In addition to health considerations, attainment of the standards will result in economic and

aesthetic benefits such as increased visibility and reduced soiling and corrosion.

C. - 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 by the Office of Air Quality and Radiation Protection, Air Quality Division, LR 21:1081 (October 1995), amended by the Office of the Secretary, Legal Affairs Division, LR 34:433 (March 2008).

§703. Scope

A. This Chapter is applicable to all sources of particulate matter, sulfur dioxide, carbon monoxide, atmospheric oxidants, nitrogen oxides, and lead.

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 the Secretary, Legal Affairs Division, LR 34:433 (March 2008).

§711. Tables 1, 1a, 2—Air Quality

A. Table 1. Primary Ambient Air Quality Standards

Table 1. Primary Ambient Air Quality Standards		
Air Contaminant	Maximum Permissible Concentration	
PM ₁₀	150 µg/m ³	(Maximum 24-hour concentration not to be exceeded more than once per year)
PM _{2.5}	15.0 µg/m ³	(Annual arithmetic mean)
	35 µg/m ³	24-hour
Sulfur Dioxide (SO ₂)	80 µg/m ³	or 0.03 ppm (Annual arithmetic mean)
	365 µg/m ³	or 0.14 ppm (Maximum 24-hour concentration not to be exceeded more than once per year)
Carbon Monoxide (CO)	10,000 µg/m ³	or 9 ppm (Maximum 8-hour concentration not to be exceeded more than once per year)
	40,000 µg/m ³	or 35 ppm (Maximum 1-hour concentration not to be exceeded more than once per year)
Ozone	0.08 ppm daily maximum 8-hour average	The standard is met at an ambient air monitoring site when the 3-year average of the annual fourth highest daily maximum 8-hour average ozone concentrations is less than or equal to 0.08 ppm, as determined in accordance with 40 CFR 50, Appendix I.
Nitrogen Dioxide (NO ₂)	100 µg/m ³	(0.05 ppm) (Annual arithmetic mean)
Lead	1.5 µg/m ³	(Maximum arithmetic mean averaged over a calendar quarter)

1. The contribution of any contaminant by a single source property shall be measured as the difference between the upwind level and the downwind level for the property, using methods approved by the administrative authority, or by the use of suitable engineering techniques such as source dispersion calculations.

2. National primary ambient air quality standards define levels of air quality that the administrator of the Environmental Protection Agency judges to be necessary, with an adequate margin of safety, to protect the public health.

B. Table 1a. Secondary Ambient Air Quality Standards

Table 1a. Secondary Ambient Air Quality Standards		
Air Contaminant	Maximum Permissible Concentration	
PM ₁₀	150 µg/m ³	(Maximum 24-hour concentration not to be exceeded more than once per year)
Sulfur Dioxide (SO ₂)	1,300 µg/m ³	(Maximum 3-hour concentration not to be exceeded more than once per year)
PM _{2.5}	15.0 µg/m ³	(Annual arithmetic mean)
	35 µg/m ³	24-hour
Carbon Monoxide (CO)	10,000 µg/m ³	or 9 ppm (Maximum 8-hour concentration not to be exceeded more than once per year)
	40,000 µg/m ³	or 35 ppm (Maximum 1-hour concentration not to be exceeded more than once per year)
Ozone	0.08 ppm daily maximum 8-hour average	The standard is met at an ambient air monitoring site when the 3-year average of the annual fourth highest daily maximum 8-hour average ozone concentrations is less than or equal to 0.08 ppm, as determined in accordance with 40 CFR 50, Appendix I.
Nitrogen Dioxide (NO ₂)	100 µg/m ³	(0.05 ppm) (Annual arithmetic mean)
Lead	1.5 µg/m ³	(Maximum arithmetic mean averaged over a calendar quarter)

1. The contribution of any contaminant by a single source property shall be measured as the difference between the upwind level and the downwind level for the property, using methods approved by the administrative authority, or by the use of suitable engineering techniques such as source-dispersion calculations.

2. National secondary ambient air quality standards define levels of air quality that the administrator of the Environmental Protection Agency judges to be necessary to protect the public welfare from any known or anticipated adverse effects of a pollutant.

C. Table 2. Ambient Air—Methods of Contaminant Measurement

Table 2. Ambient Air—Methods of Contaminant Measurement		
Air Contaminant	Sampling Interval	Analytical Method
PM ₁₀	24 hours	Any method complying with reference method in Title 40, Code of Federal Regulations, Part 50, Appendix J.
PM _{2.5}	24 hours	Any method complying with reference method in Title 40, Code of Federal Regulations, Part 50, Appendix L.

Table 2. Ambient Air—Methods of Contaminant Measurement		
Air Contaminant	Sampling Interval	Analytical Method
Sulfur Dioxide	24 hours	Any method complying with reference method in Title 40, Code of Federal Regulations, Part 50, Appendix A.
	Continuous	Any method complying with reference or equivalent methods in Title 40, Code of Federal Regulations, Part 53, Subpart B.
Total Oxidants	Continuous	Any method complying with reference or equivalent methods in Title 40, Code of Federal Regulations, Part 50, Appendix D, and Part 53, Subpart B.
Carbon Monoxide	Continuous	Any method complying with reference or equivalent methods in Title 40, Code of Federal Regulations, Part 50, Appendix C, and Part 53, Subpart B.
Nitrogen Dioxide	24 hours	Any method complying with reference method in Title 40, Code of Federal Regulations, Part 50, Appendix F.
Lead	24 hours	Any method complying with reference method in Title 40, Code of Federal Regulations, Part 50, Appendix G.

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), amended by the Office of the Secretary, Legal Affairs Division, LR 32:1602 (September 2006), LR 34:433 (March 2008).

Herman Robinson, CPM
Executive Counsel

0803#033

RULE

**Office of the Governor
Board of Examiners of Shorthand Reporters**

Fees (LAC 46:XXI.901)

In accordance with the Administrative Procedure Act, R.S. 49:950 et seq., notice is hereby given that the Louisiana Board of Examiners of Certified Shorthand Reporters, has amended changes made to the fees Rule.

Title 46

**PROFESSIONAL AND OCCUPATIONAL
STANDARDS**

Part XXI. Certified Shorthand Reporters

Chapter 9. Fees

§901. Fees

A. The following fees shall be paid to the board.

1. The fee to be paid for the issuance of a reciprocal certificate of registration without board examination is \$90 with one stamp, \$105 with two stamps, and \$120 with three stamps.

2. The fee to be paid upon the issuance and renewal of the certificate of registration is \$90 with one stamp, \$105 with two stamps, and \$120 with three stamps.

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PUBLIC HEARING AND REQUEST FOR PUBLIC COMMENT
ON THE
STATE IMPLEMENTATION PLAN
AND
AMENDMENTS TO THE AIR, RADIATION PROTECTION AND SOLID
WASTE REGULATIONS

AQ288 copy

The above-entitled Public Hearing was held at
the Galvez Building, Oliver Pollock Conference Room,
602 N. Fifth Street, Baton Rouge, Louisiana, on
Thursday, January 24, 2008, commencing at 1:30 p.m.

Reported by:

Denise M. Naquin
Certified Court Reporter

COPY

ASSOCIATED REPORTERS, INC.
DENISE M. NAQUIN, CCR
Certified Court Reporter
(504) 529-3355

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MAR 05 2008
LDEQ/OSEC/LAD
REGULATION DEVELOPMENT SECTION

SANDRA STEPHENS:

1 Good afternoon. My name is Sandy Stephens,
2 and I'm employed by the Louisiana Department of
3 Environmental Quality. I'll be serving as hearing
4 officer this afternoon to receive comments
5 regarding a proposed revision to the State
6 Implementation Plan, and amendments to the Air,
7 Radiation Protection and Solid Waste regulations.
8

9 The comment period for the State
10 Implementation Plan revision began on November 20,
11 2007, and the comment periods for the regulation
12 amendments began on December 20, 2007, when the
13 potpourri notice and notices of intent were
14 published in the *Louisiana Register*. The comment
15 period will close at 4:30 p.m., today, January 24,
16 2008, for the Log Number RP047ft, and at 4:30 p.m.,
17 January 31, 2008, for the State Implementation Plan
18 revision and for the Log Number AQ288 and SW046.
19 It would be helpful to us if all oral comments
20 received today were followed up in writing.

21 This public hearing provides a forum for all
22 interested parties to present comments on the
23 proposed changes. This hearing is not being
24 conducted in a question and answer format. Please
25 remember that the purpose of this public hearing is

ASSOCIATED REPORTERS, INC.
DENISE M. NAQUIN, CCR
Certified Court Reporter
(504) 529-3355

1 to allow you, the public, and opportunity to
2 express your thoughts concerning today's proposed
3 amendments.

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

7 The next amendment is designated by the Log
8 Number AQ288.

9 In 2006, the Environmental Protection Agency
10 revised the National Ambient Air Quality Standards
11 (NAAQS) for particulate matter. The revised NAAQS
12 address two categories of particle pollution:
13 fine particles (designated PM2.5), which are 2.5
14 micrometers in diameter and smaller; and inhalable
15 coarse particles (designated PM10), which are
16 smaller than 20 micrometers. This rule updates the
17 Louisiana air quality regulations to include the
18 revised particle standards. The EPA strengthened
19 the 24-hour PM2.5 standard from the 1997 standard
20 of 65 micrograms per cubic meter to 35 micrograms
21 per cubic meter and retained the current annual
22 PM2.5 standard of 15 micrograms per cubic meter.
23 For inhalable coarse particles, EPA retained the
24 existing national 24-hour PM10 standard of 150
25 micrograms per cubic meter and revoked the annual

1 PM10 standard.

2 Does anyone care to comment on this
3 regulation?

4 (At this time, there was no response from the
5 audience.)

6 If not, the hearing on AQ288 is closed.

7 Thank you for your attention and
8 participation. This hearing is closed.

9 (The hearing was concluded at 1:40 p.m.)

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DENISE M. NAQUIN, CCR
Certified Court Reporter
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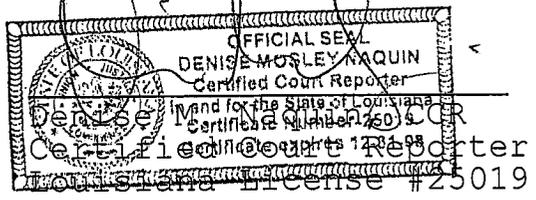
R E P O R T E R ' S P A G E

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I, Denise M. Naquin, 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 talkovers; that same is the proper method for a Court Reporter's transcription of proceeding, and that the dashes (--) do not indicate 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 "(phonetic)."

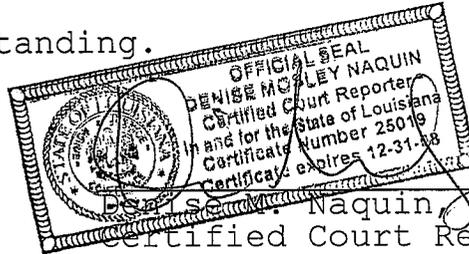


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DENISE M. NAQUIN, CCR
Certified Court Reporter
(504) 529-3355

C E R T I F I C A T E

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I, Denise M. Naquin, Certified Court Reporter, in and for the State of Louisiana, as the officer before whom this meeting was taken, do hereby certify that the above and foregoing pages are a true and correct transcription of the voice-writing method of the proceedings herein, reported by me at the time and place hereinabove stated and thereafter, was prepared and transcribed by me or under my personal direction and supervision, and is a true and correct transcript to the best of my ability and understanding.



Denise M. Naquin, CCR
Certified Court Reporter
Louisiana License #25019

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DENISE M. NAQUIN, CCR
Certified Court Reporter
(504) 529-3355*

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LDEQ/OSEC/LAD
REGULATION DEVELOPMENT SECTION

Affidavit of Publication

STATE OF LOUISIANA
Parish of Calcasieu

NOTICE OF INTENT
Department of Environmental Quality
Office of the Secretary
Legal Affairs Division
Ambient Air Standards for Particulate Matter
(LAC 33:111.701, 703, and 711) (AQ288)

Under the authority of the Environmental Quality Act, R.S. 30:2001 et seq., and in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., the secretary gives notice that rulemaking procedures have been initiated to amend the Air regulations, LAC 33:111.701, 703, and 711 (Log #AQ288).

In 2006, the Environmental Protection Agency revised the National Ambient Air Quality Standards (NAAQS) for particulate matter. The revised NAAQS address two categories of particle pollution: fine particles (PM2.5), which are 2.5 micrometers in diameter and smaller; and inhalable coarse particles (PM10), which are smaller than 10 micrometers. This rule updates the Louisiana air quality regulations to include the revised particle standards. The EPA strengthened the 24-hour PM2.5 standard from the 1997 standard of 65 micrograms per cubic meter to 35 micrograms per cubic meter, and retained the current annual PM2.5 standard of 15 micrograms per cubic meter. For inhalable coarse particles, EPA retained the existing national 24-hour PM10 standard of 150 micrograms per cubic meter and revoked the annual PM10 standard. The basis and rationale for this rule are to update the Louisiana air quality regulations to include the revised NAAQS for particulate matter to ensure continued protection of the environment and human health and welfare. 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, stabil-

Before me the undersigned authority, personally came and appeared

Karen Hobbins
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:

00408347 - \$41.00

December 18, 2007

Karen Hobbins

Duly Authorized Agent

Subscribed and sworn to before me on this 18th day of December, 2007
at Lake Charles, LA

Winnie P. Guillory



Winnie P. Guillory
Notary #66592
My Commission Is For Life

00053262

Notary Public

LDEQ-OSEC-LAD

ity, and autonomy as described in R.S. 49:972.

A public hearing will be held on January 24, 2008, 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.

All interested persons are invited to submit written comments on the proposed regulation. Persons commenting should reference this proposed regulation by AQ288. Such comments must be received no later than January 31, 2008, at 4:30 p.m., and should be sent to Judith A. Schuerman, Ph.D., Office of the Secretary, Legal Affairs Division, Box 4302, Baton Rouge, LA 70821-4302 or to FAX (225) 219-3582 or by e-mail to judith.schuerman@ld.gov. Copies of this proposed regulation can be purchased by contacting the DEQ Public Records Center at (225) 219-3168. Check or money order is required in advance for each copy of AQ288. This regulation is available on the Internet at www.deq.louisiana.gov/portal/tabid/1669/default.aspx.

This proposed regulation is available for inspection at the following DEQ office locations from 8 a.m. until 4:30 p.m.: 602 N. Fifth Street, Baton Rouge, LA 70802; 1823 Highway 546, West Monroe, LA 71292; State Office Building, 1525 Fairfield Avenue, Shreveport, LA 71101; 1301 Gadwall Street, Lake Charles, LA 70615; 111 New Center Drive, Lafayette, LA 70508; 110 Barataria Street, Lockport, LA 70374; 645 N. Lotus Drive, Suite C, Mandeville, LA 70471.

Herman Robinson,
CPM
Executive Counsel

Dec 18
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JAN 02 2008

LDEQ/OSEC/LAD
REGULATION DEVELOPMENT SECTION

Publisher of

**THE NEWS-STAR
MONROE, LOUISIANA
PROOF OF PUBLICATION**

The hereto attached advertisement
Was published in the NEWS-STAR.
A daily newspaper of general circulation.
Published in Monroe, Louisiana.
Parish of Ouachita in the issues of:

December 17, 2007
Arce Eduardo

LEGAL AD DEPT.

Sworn and subscribed before me by

NOTICE OF INTENT

Department of
Environmental Quality
Office of the Secretary
Legal Affairs Division

Ambient Air Standards
for Particulate Matter
(LAC 33:111.701, 703,
and 711) (AQ288)

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
Air regulations, LAC
33:111.701, 703, and 711
(Log #AQ288).

In 2006, the Environ-
mental Protection
Agency revised the Na-
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The basis and rationale
for this rule are to up-
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include the revised
NAAQS for particulate
matter to ensure con-
tinued protection of the
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tion 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 proposed rule has
no known impact on
family formation, sta-
bility, and autonomy
as described in R.S.
49:972.

A public hearing will
be held on January 24,
2008, 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 pro-
posed amendments.
Should individuals with
a disability need an ac-
commodation 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.

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

18 day of December 20 07 AD

[Signature]

NOTARY PUBLIC

Steven L. Turner # 43164

All interested persons are invited to submit written comments on the proposed regulation. Persons commenting should reference this proposed regulation by AQ288. Such comments must be received no later than January 31, 2008, at 4:30 p.m., and should be sent to Judith A. Schuerman, Ph.D., Office of the

Secretary, Legal Affairs Division, Box 4302, Baton Rouge, LA 70821-4302 or to FAX (225) 219-3582 or by e-mail to judith.schuerman@la.gov. Copies of this proposed regulation can be purchased by contacting the DEQ Public Records Center at (225) 219-3168. Check or money order is required in advance for each copy of AQ288. This regulation is available on the Internet at www.deq.louisiana.gov/portal/tabid/1669/default.aspx.

This proposed regulation is available for inspection at the following DEQ office locations from 8 a.m. until 4:30 p.m.: 602 N. Fifth Street, Baton Rouge, LA 70802; 1823 Highway 546, West Monroe, LA 71292; State Office Building, 1525 Fairfield Avenue, Shreveport, LA 71101; 1301 Gadwall Street, Lake Charles, LA 70615; 111 New Center Drive, Lafayette, LA 70508; 110 Barataria Street, Lockport, LA 70374; 645 N. Lotus Drive, Suite C, Mandeville, LA 70471.

Herman Robinson,
CPM

Executive Counsel

Monroe, LA
December 17, 2007

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DEC 17 2007

LDEQ/OSEC/LAD
REGULATION DEVELOPMENT SECTION

The Times

PROOF OF PUBLICATION

NOTICE OF INTENT

Department of
Environmental Quality
Office of the Secretary
Legal Affairs Division

Ambient Air Standards
for Particulate Matter
(LAC 33:111.701, 703,
and 711) (AQ288)

Under the authori-
ty of the Environmen-
tal 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
Air regulations, LAC
33:111.701, 703, and 711
(Log #AQ288).

In 2006, the Envi-
ronmental Protection
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and inhalable coarse
particles (PM10),
which are smaller than
10 micrometers. This
rule updates the Loui-
siana air quality regu-
lations to include the
revised particle stand-
ards. The EPA
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The basis and rationale
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include the revised
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matter to ensure con-
tinued protection of the
environment and hu-
man health and wel-
fare. This proposed
rule meets an excep-
tion listed in R.S.

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 (AQ288)

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

December 12, 2007

(Signed) *Altheas Critton*

Sworn to and subscribed before me this 12th day of December, 2007

Diana W. Barber

(Notary)

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

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.

A public hearing will be held on January 24, 2008, 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.

All interested persons are invited to submit written comments on the proposed regulation. Persons commenting should reference this proposed regulation by AQ288. Such comments must be received no later than January 31, 2008, at 4:30 p.m. and should be sent to Judith A. Schuerman, Ph.D., Office of the Secretary, Legal Affairs Division, Box 4302, Baton Rouge, LA 70821-4302 or to FAX: (225) 219-3582 or by email to judith.schuerman@la.gov. Copies of this proposed regulation can be purchased by contacting the DEQ Public Records Center at (225) 219-3168. Check or money order is required in advance for each copy of AQ288. This regulation is available on the Internet at www.deq.louisiana.gov/portal/fabid/1669/default.aspx.

This proposed regulation is available for inspection at the following DEQ office locations from 8 a.m. until 4:30 p.m.: 602 N. Fifth Street, Baton Rouge, LA 70802; 1823 Highway 546, West Monroe, LA 71292; State Office Building, 1525 Fairfield Avenue, Shreveport, LA 71101; 1301 Gadwall Street, Lake Charles, LA 70615; 111 New Center Drive, Lafayette, LA 70508; 110 Barataria Street, Lockport, LA 70374; 645 N. Lotus Drive, Suite C, Mandeville, LA 70471.

Herman Robinson,
CPM
Executive Counsel

The Times
December 12, 2007

DEC 18 2007

LDEQ/OSEC/LAD
REGULATION DEVELOPMENT SECTION

The Times-Picayune

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

Ambient Air Standards for
Particulate Matter
(LAC 33:III.701, 703, and 711)
(AQ288)

Under the authority of the Environmental Quality Act, R.S. 30:2001 et seq., and in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., the secretary gives notice that rulemaking procedures have been initiated to amend the Air regulations, LAC 33:III.701, 703, and 711 (Log #AQ288).

In 2006, the Environmental Protection Agency revised the National Ambient Air Quality Standards (NAAQS) for particulate matter. The revised NAAQS address two categories of particulate pollution: fine particles (PM2.5) which are 2.5 micrometers in diameter and smaller, and inhalable coarse particles (PM10), which are smaller than 10 micrometers. This rule updates the Louisiana air quality regulations to include the re-

vised particle standards. The EPA strengthened the 24-hour PM2.5 standard from the 1997 standard of 65 micrograms per cubic meter to 35 micrograms per cubic meter, and retained the current annual PM2.5 standard of 15 micrograms per cubic meter. For inhalable coarse particles, EPA retained the existing national 24-hour PM10 standard of 150 micrograms per cubic meter and revoked the annual PM10 standard. The basis and rationale for this rule are to update the Louisiana air quality regulations to include the revised NAAQS for particulate matter to ensure continued protection of the environment and human health and welfare. 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.

A public hearing will be held on January 24, 2008, 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.

All interested persons are invited to submit written comments on the proposed regulation. Persons' commenting should preferably send this proposed regulation by AQ288. Such comments must be received no later than January 31, 2008, at 4:30 p.m., and should be sent to Judith A. Schuerman, Ph.D., Office of the Secretary, Legal Affairs Division, Box 4302, Baton Rouge, LA 70821-4302, or to FAX (225) 219-3582 or by e-mail to judith.schuerman@la.gov. Copies of this proposed regulation can be purchased by contacting the DEQ Public Records Center at (225) 219-3166. Check or money order is required in advance for each copy of AQ288. This regulation is available on the internet at www.deq.louisiana.gov/portal/tabid/1669/default.aspx.

This proposed regulation is available for inspection at the following DEQ office locations from 8 a.m. until 4:30 p.m.: 602 N. Fifth Street, Baton Rouge, LA 70802; 1522 Highway 546, West Monroe, LA 71292; State Office Building, 1525 Fairfield Avenue, Shreveport, LA 71101; 1301 Gallowall Street, Lake Charles, LA 70615; 111 New Center Drive, Lafayette, LA 70508; 110 Baratara Street, Lockport, LA 70374; 665 N. Lotus Drive, Suite C, Mandeville, LA 70471.

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: Notice of Intent DEQ Ambient Air Standards for
Particulate Matter LAC 33:III.701, 703, & 711 (AQ288)

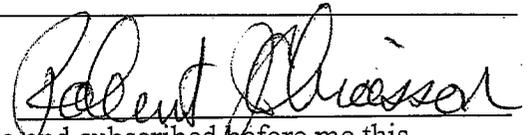
Advertisement of Office of Environmental Services

Financial Services Dir./P.O. BOX 82231
Baton Rouge, La. 70884

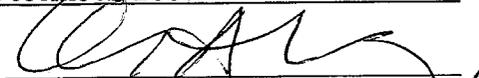
Was published in The Times Picayune

3800 Howard Ave.
New Orleans, La. 70884

On the following dates December 13, 2007



Sworn to and subscribed before me this
13th Day of December, 2007



Notary Public

My commission expires at my death.

Charles A. Ferguson, Jr.

Notary identification number 23492

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

AFFIDAVIT OF PUBLICATION

(A Correct Copy of Publication)

NOTICE OF INTENT

Department of
Environmental Quality
Office of the Secretary
Legal Affairs Division

Ambient Air Standards
for Particulate Matter
(LAC 33:111.701, 703,
and 711) (AQ288)

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
Air regulations, LAC
33:111.701, 703, and 711
(Log #AQ288).

In 2006, the Environ-
mental Protection
Agency revised the Na-
tional Ambient Air
Quality Standards
(NAAQS) for particu-
late matter. The re-
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two categories of parti-
cle pollution: fine parti-
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and inhalable coarse
particles (PM10),
which are smaller than
10 micrometers. This
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from the 1997 standard
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cubic meter to 35
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man health and wel-
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rule meets an excep-
tion 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 proposed rule has
no known impact on
family formation, sta-
bility, and autonomy
as described in R.S.
49:972.

A public hearing will
be held on January 24,
2008, 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 pro-
posed amendments.
Should individuals with
a disability need an ac-
commodation 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 park-
ing ticket.

All interested persons
are invited to submit
written comments on
the proposed regula-
tion. Persons com-
menting should refer-
ence this proposed regu-
lation by AQ288.
Such comments must
be received no later
than January 31, 2008,
at 4:30 p.m., and
should be sent to Ju-
dith A. Schuerman,
Ph.D., Office of the
Secretary, Legal Af-
fairs Division, Box
4302, Baton Rouge, LA
70821-4302 or to FAX
(225) 219-3582 or by e-
mail to
judith.schuerman@la.g
ov. Copies of this pro-
posed regulation can
be purchased by con-
tacting the DEQ Public
Records Center at
(225) 219-3168. Check
or money order is re-
quired in advance for
each copy of AQ288.
This regulation is
available on the inter-
net at
www.deq.louisiana.gov
/portal/tabid/1669/defa
ult.aspx.

This proposed regula-
tion is available for in-
spection at the follow-
ing DEQ office loca-
tions from 8 a.m. until
4:30 p.m.: 602 N. Fifth
Street, Baton Rouge,
LA 70802; 1823 High-
way 546, West Monroe,
LA 71292; State Office
Building, 1525 Fairfield
Avenue, Shreveport,
LA 71101; 1301 Gadwall
Street, Lake Charles,
LA 70615; 111 New Cen-
ter Drive, Lafayette,
LA 70508; 110
Barataria Street, Lock-
port, LA 70374; 645 N.
Lotus Drive, Suite C,
Mandeville, LA 70471.

HERMAN ROBINSON,
CPM
Executive Counsel

(12)-14

I, Harold Constance, Classified Sales Manager

of THE TOWN TALK, published at Alexandria,

Louisiana do solemnly swear that the

Notice of Intent (AQ288)

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

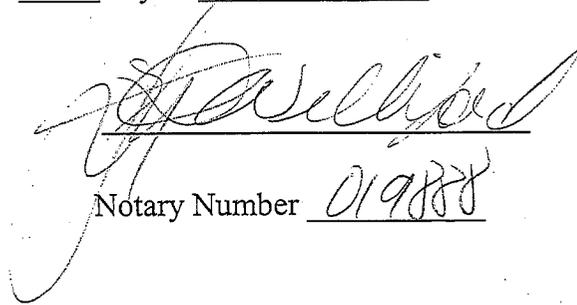
dated December 14, 2007 and ending with the

issue dated December 14, 2007.



Subscribed and sworn to before me

this 14th day of December, 2007.



Notary Number 019888

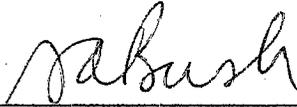
CAPITAL CITY PRESS

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:

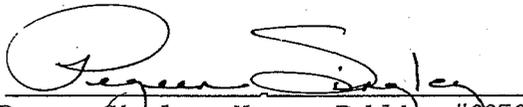
12/13/07



Susan A. Bush, Public Notices Clerk

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

December 13, 2007


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

RECEIVED

DEC 20 2007

LDEQ/OSEC/LAD
REGULATION DEVELOPMENT SECTION

DEQ - OSEC/LAD REG 3781273
REMENDER WEATHERSPOON
PO BOX 4302
BATON ROUGE LA 70821-4314

NOTICE OF INTENT

Department of
Environmental Quality
Office of the Secretary
Legal Affairs Division

Ambient Air Standards
for Particulate Matter
(LAC 33:111.701, 703, and
711)
(AQ288)

Under the authority of
the Environmental Quality

Act, R.S. 30:2001 et seq., and in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., the secretary gives notice that rulemaking procedures have been initiated to amend the Air Regulations, LAC 33:111.701, 703, and 711 (Log #AQ288).

In 2006, the Environmental Protection Agency revised the National Ambient Air Quality Standards (NAAQS) for particulate matter. The revised NAAQS address two categories of particulate pollution: fine particles (PM_{2.5}), which are 2.5 micrometers in diameter and smaller; and inhalable coarse particles (PM₁₀), which are smaller than 10 micrometers. This rule updates the Louisiana air quality regulations to include the revised particle standards. The EPA strengthened the 24-hour PM_{2.5} standard from the 1997 standard of 65 micrograms per cubic meter to 35 micrograms per cubic meter, and retained the current annual PM_{2.5} standard of 15 micrograms per cubic meter. For inhalable coarse particles, EPA retained the existing national 24-hour PM₁₀ standard of 150 micrograms per cubic meter, and revoked the annual PM₁₀ standard. The basis and rationale for this rule are to update the Louisiana air quality regulations to include the revised NAAQS for particulate matter to ensure continued protection of the environment and human health and welfare. 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.

A public hearing will be held on January 24, 2008, 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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This proposed regulation is available for inspection at the following DEQ office locations from 8 a.m. until 4:30 p.m.: 602 N. Fifth Street, Baton Rouge, LA 70802; 1823 Highway 546, West Monroe, LA 71292; State Office Building, 1525 Fairchild 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.

Herman Robinson, CPM
Executive Counsel
3781273-dec 13-1t

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DEC 20 2007

LDEQ/OSEC/LAD
REGULATION DEVELOPMENT SECTION

Acadiana's Daily Newspaper

THE ADVERTISER

1100 Bertrand Drive
LAFAYETTE, LA 70506

PHONE: (337) 289-6300
FAX: (337) 289-6466

AFFIDAVIT OF PUBLICATION

Remender D. Weatherspoon
LA Department of Environmental Quality
OSEC/Legal Affairs Division
Regulation Development Section
P. O. Box 4302
Baton Rouge, LA 70821-4302

Account No.: 8DEQRD
Ad Number: 905467
Ad Total: \$81.23
No. of Lines: 179
Reference No.:

**To insure proper credit please refer to your account number and/or ad number when making payment. Remittance address: P.O. Box 3268, Lafayette, LA 70502-3268

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
Ambient Air Standards for Particulate Matter
(LAC 33:III.701, 703, and 711) (AQ288)

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

***Friday, December 14, 2007**



ROSE PENFOLD
LEGAL CLERK

Sworn to and subscribed before me this 18th day of December, 2007.



Notary Public - Christie Veazey ID# 058555

905467
NOTICE OF INTENT

Department of
Environmental Quality
Office of the Secretary
Legal Affairs Division

Ambient Air Standards
for Particulate Matter
(LAC 33:111.701, 703,
and 711) (AQ288)

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

A public hearing will be held on January 24, 2008, 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.

All interested persons are invited to submit written comments on the proposed regulation. Persons commenting should reference this proposed regulation by AQ288. Such comments must be received no later than January 31, 2008, at 4:30 p.m., and should be sent to Judith A. Schuerman, Ph.D., Office of the Secretary, Legal Affairs Division, Box 4302, Baton Rouge, LA 70821-4302 or to FAX (225) 219-3582 or by e-mail to judith.schuerman@la.gov. Copies of this proposed regulation can be purchased by contacting the DEQ Public Records Center at (225) 219-3168. Check or money order is required in advance for each copy of AQ288. This regulation is available on the Internet at www.deq.louisiana.gov/portal/tabid/1669/default.aspx.

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Herman Robinson,
CPM,
Executive Counsel.

CERTIFIED COPY

RECEIVED

JUN 17 2009

LA. DEPT. OF ENVIRONMENTAL QUALITY
LEGAL AFFAIRS DIVISION

the **news**star.com

Publisher of

THE NEWS-STAR MONROE, LOUISIANA PROOF OF PUBLICATION

The hereto attached advertisement
was published in the NEWS-STAR,
a daily newspaper of general circulation.

4B SATURDAY, APRIL 18, 2009

THE NEWS-STAR WWW.THENEWSSTAR.COM

NOTICE OF INTENT

Department of Environmental Quality
Office of the Secretary
Legal Affairs Division

Abrasive Blasting
(LAC 33:111.1327 and
1333) (AQ303)

Under the authority of the Environmental Quality Act, R.S. 30:2001 et seq., and in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., the secretary gives notice that rulemaking procedures have been initiated to amend the Air regulations, LAC 33:111.1327 and 1333 (Log #AQ303).

This rule will correct two instances of an American Society for Testing and Materials (ASTM) citation, which needs to be updated in order to reflect current ASTM method references. The citation for "ASTM standard D 75-87, reapproved 1992," should read "ASTM standard D 75-02." The basis and rationale for this rule are to keep the Louisiana air regulations accurate and current. 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.

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

A public hearing will be held on May 28, 2009, at 1:30 p.m. in the Galvez Building, Oliver Pollock Conference Room, 602 N. Fifth Street, Baton Rouge, LA 70802. Interested persons are invited to attend and submit oral comments on the proposed amendments. Should individuals with a disability need an accommodation in order to participate, contact Christopher A. Ratcliff at the address given below or at (225) 219-2985. Two hours of free parking are allowed in the Galvez Garage with a validated parking ticket.

All interested persons are invited to submit written comments on the proposed regulation. Persons commenting should reference this proposed regulation by AQ303. Such comments must be received no later than June 4, 2009, at 4:30 p.m., and should be sent to Christopher A. Ratcliff, Attorney Supervisor, Office of the Secretary, Legal Affairs Division, Box 4302, Baton Rouge, LA 70821-4302 or to FAX (225) 219-3398 or by e-mail to chris.ratcliff@la.gov. Copies of this proposed regulation can be purchased by contacting the DEQ Public Records Center at (225) 219-3148. Check or money order is required in advance for each copy of AQ303. This regulation is available on the Internet at www.deq.louisiana.gov/portal/tabid/1669/default.aspx.

This proposed regulation is available for inspection at the following DEQ office locations from 8 a.m. until 4:30 p.m.: 602 N. Fifth Street, Baton Rouge, LA 70802; 1923 Highway 54, West Monroe, LA 71292; State Office Building, 1525 Fairfield Avenue, Shreveport, LA 71101; 1301 Gadwall Street, Lake Charles, LA 70615; 111 New Center Drive, Lafayette, LA 70508; 110 Barataria Street, Lockport, LA 70374; 201 Evans Road, Bldg. 4, Suite 420, New

Orleans, LA 70123.
Herman Robinson,
CPM
Executive Counsel

Monroe, LA
April 18, 2009
0001148999

Title 33
ENVIRONMENTAL QUALITY
Part III. Air

Chapter 7. Ambient Air Quality

§701. Purpose

A. ...

B. ~~Particulate Matter (Suspended Particulates)~~. The purpose of this ~~Subsection Chapter~~ is to maintain concentrations of ~~suspended particulate matter (particulate matter)~~ in the ambient air at levels which will not cause damage or injury to plant or animal life. In addition to health considerations, attainment of the standards will result in economic and aesthetic benefits such as increased visibility and reduced soiling and corrosion.

C. - 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 by the Office of Air Quality and Radiation Protection, Air Quality Division, LR 21:1081 (October 1995), amended by the Office of the Secretary, Legal Affairs Division, LR 34:

§703. Scope

A. ~~The following Sections are~~ This Chapter is applicable to all sources of particulate matter (~~suspended particulates~~), sulfur dioxide, carbon monoxide, atmospheric oxidants, nitrogen oxides, and lead.

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 the Secretary, Legal Affairs Division, LR 34:

§711. Tables 1, 1a, 2—Air Quality

A. Table 1. Primary Ambient Air Quality Standards

Table 1. Primary Ambient Air Quality Standards		
Air Contaminant	Maximum Permissible Concentration	
PM ₁₀	50 µg/m ³	(Annual arithmetic mean)
PM ₁₀	150 µg/m ³	(Maximum 24-hour concentration not to be exceeded more than once per year)
PM _{2.5}	15.0 µg/m ³	(Annual arithmetic mean)
	65-35 µg/m ³	24-hour
Sulfur Dioxide (SO ₂)	80 µg/m ³	or 0.03 ppm (Annual arithmetic mean)

Table 1. Primary Ambient Air Quality Standards		
Air Contaminant	Maximum Permissible Concentration	
	365 $\mu\text{g}/\text{m}^3$	or 0.14 ppm (Maximum 24-hour concentration not to be exceeded more than once per year)
Carbon Monoxide (CO)	10,000 $\mu\text{g}/\text{m}^3$	or 9 ppm (Maximum 8-hour concentration not to be exceeded more than once per year)
	40,000 $\mu\text{g}/\text{m}^3$	or 35 ppm (Maximum 1-hour concentration not to be exceeded more than once per year)
Ozone	0.08 ppm daily maximum 8-hour average	The standard is met at an ambient air monitoring site when the 3-year average of the annual fourth highest daily maximum 8-hour average ozone concentrations is less than or equal to 0.08 ppm, as determined in accordance with 40 CFR 50, Appendix I.
Nitrogen Dioxide (NO ₂)	100 $\mu\text{g}/\text{m}^3$	(0.05 ppm) (Annual arithmetic mean)
Lead	1.5 $\mu\text{g}/\text{m}^3$	(Maximum arithmetic mean averaged over a calendar quarter)

1. The contribution of any contaminant by a single source property shall be measured as the difference between the upwind level and the downwind level for the property, using methods approved by the administrative authority, or by the use of suitable engineering techniques such as source dispersion calculations.

2. National primary ambient air quality standards define levels of air quality ~~which that~~ the Administrator of the Environmental Protection Agency judges to be necessary, with an adequate margin of safety, to protect the public health.

B. Table 1a. Secondary Ambient Air Quality Standards

Table 1a. Secondary Ambient Air Quality Standards		
Air Contaminant	Maximum Permissible Concentration	
PM ₁₀	50 $\mu\text{g}/\text{m}^3$	(Annual arithmetic mean)

Table 1a. Secondary Ambient Air Quality Standards		
Air Contaminant	Maximum Permissible Concentration	
PM ₁₀	150 µg/m ³	(Maximum 24-hour concentration not to be exceeded more than once per year)
Sulfur Dioxide (SO ₂)	1,300 µg/m ³	(Maximum 3-hour concentration not to be exceeded more than once per year)
PM _{2.5}	15.0 µg/m ³	(Annual arithmetic mean)
	65 35 µg/m ³	24-hour
Carbon Monoxide (CO)	10,000 µg/m ³	or 9 ppm (Maximum 8-hour concentration not to be exceeded more than once per year)
	40,000 µg/m ³	or 35 ppm (Maximum 1-hour concentration not to be exceeded more than once per year)
Ozone	0.08 ppm daily maximum 8-hour average	The standard is met at an ambient air monitoring site when the 3-year average of the annual fourth highest daily maximum 8-hour average ozone concentrations is less than or equal to 0.08 ppm, as determined in accordance with 40 CFR 50, Appendix I.
Nitrogen Dioxide (NO ₂)	100 µg/m ³	(0.05 ppm) (Annual arithmetic mean)
Lead	1.5 µg/m ³	(Maximum arithmetic mean averaged over a calendar quarter)

1. The contribution of any contaminant by a single source property shall be measured as the difference between the upwind level and the downwind level for the property, using methods approved by the administrative authority, or by the use of suitable engineering techniques such as source-dispersion calculations.

2. National secondary ambient air quality standards define levels of air quality ~~which that~~ the Administrator of the Environmental Protection Agency judges to be necessary to protect the public welfare from any known or anticipated adverse effects of a pollutant.

C. Table 2. Ambient Air—Methods of Contaminant Measurement

Table 2. Ambient Air—Methods of Contaminant Measurement		
Air Contaminant	Sampling Interval	Analytical Method
PM ₁₀	24 hours	Any method complying with reference method in Title 40, Code of Federal Regulations, Part 50, Appendix J.
PM _{2.5}	24 hours	Any method complying with reference method in Title 40, Code of Federal Regulations, Part 50, Appendix L.
Sulfur Dioxide	24 hours	Any method complying with reference method in Title 40, Code of Federal Regulations, Part 50, Appendix A.
	Continuous	Any method complying with reference or equivalent methods in Title 40, Code of Federal Regulations, Part 53, Subpart B.
Total Oxidants	Continuous	Any method complying with reference or equivalent methods in Title 40, Code of Federal Regulations, Part 50, Appendix D, and Part 53, Subpart B.
Carbon Monoxide	Continuous	Any method complying with reference or equivalent methods in Title 40, Code of Federal Regulations, Part 50, Appendix C, and Part 53, Subpart B.
Nitrogen Dioxide	24 hours	Any method complying with reference method in Title 40, Code of Federal Regulations, Part 50, Appendix F.

Table 2. Ambient Air—Methods of Contaminant Measurement		
Air Contaminant	Sampling Interval	Analytical Method
Lead	24 hours	Any method complying with reference method in Title 40, Code of Federal Regulations, Part 50, Appendix G.
Total Suspended	24 hours	Any method complying with Particulate (TSP) reference method in Title 40, Code of Federal Regulations, Part 50, Appendix 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 14:348 (June 1988), amended by the Office of the Secretary, Legal Affairs Division, LR 32:1602 (September 2006), LR 34:

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 24:435 (March 1998), amended LR 33:1339 (July 2007), LR 34:

§223. Chairman and Vice-Chairman

A. The committee chairman and vice chairman shall be selected annually by vote of the members of the advisory committee, from among the members of the committee. The chairman of the committee shall preside over all meetings of the committee, serve as ex officio member of all subcommittees, designate the duties of the vice-chairman, appoint the membership of all subcommittees, and present the committee's recommendations to the commission for its consideration. The vice-chairman shall perform the duties of the chairman in the chairman's absence.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 24:435 (March 1998), amended LR 34:

Subchapter D. Business Rules

§241. Meeting Attendance

A. Members unable to continue their service on the committee shall so notify the chairman and request that a replacement be named in accordance with §221 of these bylaws. Members who fail to regularly attend meetings without just cause, may be removed from membership in accordance with §221 of these bylaws.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 24:436 (March 1998), amended LR 34:

Subchapter E. Approval and Amendment of Bylaws

§245. Approval of Bylaws

A. To receive the commission's consideration, committee bylaws must be favorably recommended by the committee and the executive director of LOSFA. Bylaws become effective upon approval by the commission and publication as a final rule in accordance with the Louisiana Administrative Procedure Act.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 24:436 (March 1998), amended LR 34:

§247. Amendments to Bylaws

A. The committee, at any of its scheduled regular meetings, may recommend the amendment or repeal of the provisions herein upon a simple majority vote of the entire membership of the committee. Amendment or repeal of the bylaws becomes effective upon approval by the commission and publication as an emergency rule and/or a final rule in accordance with the Louisiana Administrative Procedure Act.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 24:436 (March 1998), amended LR 34:

Interested persons may submit written comments on the proposed changes (SG0892NI) until 4:30 p.m., January 10, 2008, to Melanie Amrhein, Executive Director, Office of

Student Financial Assistance, P.O. Box 91202, Baton Rouge, LA 70821-9202.

George Badge Eldredge
General Counsel

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES

RULE TITLE: Bylaws of the Advisory Committee to the Student Financial Assistance Commission

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

There are no implementation costs or savings to state or local governmental units due to the proposed changes. The proposed change reduces the Advisory Committee membership to 8 voting members, changes the method in which committee members are selected, and changes the method in which the committee's chairman and vice-chairman are selected. These changes will have a minimal impact on costs since the only compensation allowed for committee members is reimbursement of travel expenses, the number of members will be reduced and members will be allowed to decline reimbursement.

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

Revenue collections of state and local governments will not be affected by the proposed changes.

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

There are no estimated effects on economic benefits to directly affected persons or non-governmental groups resulting from these measures.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

There are no anticipated effects on competition and employment resulting from these measures.

George Badge Eldredge
General Counsel
0712#009

H. Gordon Monk
Legislative Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

Department of Environmental Quality Office of the Secretary

Ambient Air Standards for Particulate Matter
(LAC 33:III.701, 703, and 711)(AQ288)

Under the authority of the Environmental Quality Act, R.S. 30:2001 et seq., and in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., the secretary gives notice that rulemaking procedures have been initiated to amend the Air regulations, LAC 33:III.701, 703, and 711 (Log #AQ288).

In 2006, the Environmental Protection Agency revised the National Ambient Air Quality Standards (NAAQS) for particulate matter. The revised NAAQS address two categories of particle pollution: fine particles (PM_{2.5}), which are 2.5 micrometers in diameter and smaller; and inhalable coarse particles (PM₁₀), which are smaller than 10 micrometers. This Rule updates the Louisiana air quality regulations to include the revised particle standards. The EPA strengthened the 24-hour PM_{2.5} standard from the 1997

standard of 65 micrograms per cubic meter to 35 micrograms per cubic meter, and retained the current annual PM_{2.5} standard of 15 micrograms per cubic meter. For inhalable coarse particles, EPA retained the existing national 24-hour PM₁₀ standard of 150 micrograms per cubic meter and revoked the annual PM₁₀ standard. The basis and rationale for this Rule are to update the Louisiana air quality regulations to include the revised NAAQS for particulate matter to ensure continued protection of the environment and human health and welfare. 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.

**Title 33
ENVIRONMENTAL QUALITY**

Part III. Air

Chapter 7. Ambient Air Quality

§701. Purpose

A. ...

B. Particulate Matter. The purpose of this Chapter is to maintain concentrations of particulate matter in the ambient air at levels which will not cause damage or injury to plant or animal life. In addition to health considerations, attainment of the standards will result in economic and aesthetic benefits such as increased visibility and reduced soiling and corrosion.

C. - 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 by the Office of Air Quality and Radiation Protection, Air Quality Division, LR 21:1081 (October 1995), amended by the Office of the Secretary, Legal Affairs Division, LR 34:

§703. Scope

A. This Chapter is applicable to all sources of particulate matter, sulfur dioxide, carbon monoxide, atmospheric oxidants, nitrogen oxides, and lead.

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 the Secretary, Legal Affairs Division, LR 34:

§711. Tables 1, 1a, 2—Air Quality

A. Table 1. Primary Ambient Air Quality Standards

Air Contaminant	Maximum Permissible Concentration	
PM ₁₀	150 µg/m ³	(Maximum 24-hour concentration not to be exceeded more than once per year)
PM _{2.5}	15.0 µg/m ³	(Annual arithmetic mean)
	35 µg/m ³	24-hour
Sulfur Dioxide (SO ₂)	80 µg/m ³	or 0.03 ppm (Annual arithmetic mean)
	365 µg/m ³	or 0.14 ppm (Maximum 24-hour concentration not to be exceeded more than once per year)

Air Contaminant	Maximum Permissible Concentration	
Carbon Monoxide (CO)	10,000 µg/m ³	or 9 ppm (Maximum 8-hour concentration not to be exceeded more than once per year)
	40,000 µg/m ³	or 35 ppm (Maximum 1-hour concentration not to be exceeded more than once per year)
Ozone	0.08 ppm daily maximum 8-hour average	The standard is met at an ambient air monitoring site when the 3-year average of the annual fourth highest daily maximum 8-hour average ozone concentrations is less than or equal to 0.08 ppm, as determined in accordance with 40 CFR 50, Appendix I.
Nitrogen Dioxide (NO ₂)	100 µg/m ³	(0.05 ppm) (Annual arithmetic mean)
Lead	1.5 µg/m ³	(Maximum arithmetic mean averaged over a calendar quarter)

1. The contribution of any contaminant by a single source property shall be measured as the difference between the upwind level and the downwind level for the property, using methods approved by the administrative authority, or by the use of suitable engineering techniques such as source dispersion calculations.

2. National primary ambient air quality standards define levels of air quality that the Administrator of the Environmental Protection Agency judges to be necessary, with an adequate margin of safety, to protect the public health.

B. Table 1a. Secondary Ambient Air Quality Standards

Air Contaminant	Maximum Permissible Concentration	
PM ₁₀	150 µg/m ³	(Maximum 24-hour concentration not to be exceeded more than once per year)
Sulfur Dioxide (SO ₂)	1,300 µg/m ³	(Maximum 3-hour concentration not to be exceeded more than once per year)
PM _{2.5}	15.0 µg/m ³	(Annual arithmetic mean)
	35 µg/m ³	24-hour
Carbon Monoxide (CO)	10,000 µg/m ³	or 9 ppm (Maximum 8-hour concentration not to be exceeded more than once per year)
	40,000 µg/m ³	or 35 ppm (Maximum 1-hour concentration not to be exceeded more than once per year)
Ozone	0.08 ppm daily maximum 8-hour average	The standard is met at an ambient air monitoring site when the 3-year average of the annual fourth highest daily maximum 8-hour average ozone concentrations is less than or equal to 0.08 ppm, as determined in accordance with 40 CFR 50, Appendix I.

Air Contaminant	Maximum Permissible Concentration	
Nitrogen Dioxide (NO ₂)	100 µg/m ³	(0.05 ppm) (Annual arithmetic mean)
Lead	1.5 µg/m ³	(Maximum arithmetic mean averaged over a calendar quarter)

1. The contribution of any contaminant by a single source property shall be measured as the difference between the upwind level and the downwind level for the property, using methods approved by the administrative authority, or by the use of suitable engineering techniques such as source-dispersion calculations.

2. National secondary ambient air quality standards define levels of air quality that the Administrator of the Environmental Protection Agency judges to be necessary to protect the public welfare from any known or anticipated adverse effects of a pollutant.

C. Table 2. Ambient Air—Methods of Contaminant Measurement

Air Contaminant	Sampling Interval	Analytical Method
PM ₁₀	24 hours	Any method complying with reference method in Title 40, Code of Federal Regulations, Part 50, Appendix J.
PM _{2.5}	24 hours	Any method complying with reference method in Title 40, Code of Federal Regulations, Part 50, Appendix L.
Sulfur Dioxide	24 hours	Any method complying with reference method in Title 40, Code of Federal Regulations, Part 50, Appendix A.
	Continuous	Any method complying with reference or equivalent methods in Title 40, Code of Federal Regulations, Part 53, Subpart B.
Total Oxidants	Continuous	Any method complying with reference or equivalent methods in Title 40, Code of Federal Regulations, Part 50, Appendix D, and Part 53, Subpart B.
Carbon Monoxide	Continuous	Any method complying with reference or equivalent methods in Title 40, Code of Federal Regulations, Part 50, Appendix C, and Part 53, Subpart B.
Nitrogen Dioxide	24 hours	Any method complying with reference method in Title 40, Code of Federal Regulations, Part 50, Appendix F.
Lead	24 hours	Any method complying with reference method in Title 40, Code of Federal Regulations, Part 50, Appendix G.

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), amended by the Office of the Secretary, Legal Affairs Division, LR 32:1602 (September 2006), LR 34:

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

A public hearing will be held on January 24, 2008, 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.

All interested persons are invited to submit written comments on the proposed regulation. Persons commenting should reference this proposed regulation by AQ288. Such comments must be received no later than January 31, 2008, at 4:30 p.m., and should be sent to Judith A. Schuerman, Ph.D., Office of the Secretary, Legal Affairs Division, Box 4302, Baton Rouge, LA 70821-4302 or to fax (225) 219-3582 or by e-mail to judith.schuerman@la.gov. Copies of this proposed regulation can be purchased by contacting the DEQ Public Records Center at (225) 219-3168. Check or money order is required in advance for each copy of AQ288. This regulation is available on the Internet at www.deq.louisiana.gov/portal/tabid/1669/default.aspx.

This proposed regulation is available for inspection at the following DEQ office locations from 8 a.m. until 4:30 p.m.: 602 N. Fifth Street, Baton Rouge, LA 70802; 1823 Highway 546, West Monroe, LA 71292; State Office Building, 1525 Fairfield Avenue, Shreveport, LA 71101; 1301 Gadwall Street, Lake Charles, LA 70615; 111 New Center Drive, Lafayette, LA 70508; 110 Barataria Street, Lockport, LA 70374; 645 N. Lotus Drive, Suite C, Mandeville, LA 70471.

Herman Robinson, CPM
Executive Counsel

**FISCAL AND ECONOMIC IMPACT STATEMENT
FOR ADMINISTRATIVE RULES
RULE TITLE: Ambient Air Standards for Particulate
Matter**

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

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

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

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

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

There are no estimated costs or significant economic benefits to directly affected persons or non-governmental groups by the proposed rule. Although the rule updates the Louisiana Air Quality Regulations to reflect a strengthened EPA particle standard, the regulated community should not be impacted since all applicable monitoring data currently indicates compliance with the proposed standard.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT
(Summary)

There is no estimated effect on competition or employment by the proposed rule.

Herman Robinson, CPM
Executive Counsel
0712#034

Robert E. Hosse
Staff Director
Legislative Fiscal Office

NOTICE OF INTENT

**Department of Environmental Quality
Office of the Secretary**

**National Source Tracking System Reporting Dates
(LAC 33:XV.493)(RP047ft)**

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 Radiation Protection regulations, LAC 33:XV.493 (Log #RP047ft).

This proposed Rule is identical to federal regulations found in 10 CFR 20.2207, which are applicable in Louisiana. For more information regarding the federal requirement, contact the Regulation Development Section at (225) 219-3550 or Box 4302, Baton Rouge, LA 70821-4302. No fiscal or economic impact will result from the proposed Rule. This Rule will be promulgated in accordance with the procedures in R.S. 49:953(F)(3) and (4).

This Rule will update the state radiation regulations to coincide with a change in the federal regulations. As part of the National Source Tracking System (NSTS), reporting requirements for nationally tracked sources are listed in 10 CFR 20.2207. This Rule changes the compliance dates for reporting transactions involving Category 1 and Category 2 sources from November 15, 2007 and November 30, 2007, respectively, both to January 31, 2009. The National Source Tracking System rule requires licensees to report information on the manufacture, transfer, receipt, disassembly, and disposal of nationally tracked sources. This information will be entered into a computerized data base. The compliance dates for licensees to report initial source inventories was November 15, 2007, for Category 1 sources and November 30, 2007, for Category 2 sources. These were also the dates to start reporting source transactions for entry into the system. The NRC anticipated that system development and testing would be complete and the National Source Tracking System would be operational by November 2007. However, system development has taken longer than anticipated, and the system will not be ready to accept data by November 2007. Therefore, the NRC is revising the compliance dates for which reporting is to start. The requirements for both Category 1 and 2 nationally tracked sources will now be implemented by January 31, 2009. This means that by this date any licensee that possesses a Category 1 or 2 level source must have reported its initial inventory and must begin reporting all transactions involving Category 1 and 2 sources to the National Source Tracking System. Requirements regarding compatibility are published under the Agreement State program. This change to the state regulations is needed to comply with the program. The basis and rationale for this Rule are to mirror

the federal regulations and maintain an adequate Agreement State program. 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.

Title 33

ENVIRONMENTAL QUALITY

Part XV. Radiation Protection

**Chapter 4. Standards for Protection against
Radiation**

Subchapter J. Reports

**§493. Reports of Transactions Involving Nationally
Tracked Sources**

A. - H. ...

I. Each licensee who possesses Category 1 nationally tracked sources shall report the initial inventory of the licensee's Category 1 nationally tracked sources to the national source tracking system by January 31, 2009. Each licensee who possesses Category 2 nationally tracked sources shall report the initial inventory of the licensee's Category 2 nationally tracked sources to the national source tracking system by January 31, 2009. The information may be submitted by using any of the methods specified in Paragraphs G.1-4 of this Section. The initial inventory report must include the following information:

1. - 6. ...

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, Legal Affairs Division, LR 33:2361 (November 2007), amended LR 34:

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

A public hearing will be held on January 24, 2008, 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.

All interested persons are invited to submit written comments on the proposed regulation. Persons commenting should reference this proposed regulation by RP047ft. Such comments must be received no later than January 24, 2008, at 4:30 p.m., and should be sent to Judith A. Schuerman, Ph.D., Office of the Secretary, Legal Affairs Division, Box 4302, Baton Rouge, LA 70821-4302 or to fax (225) 219-3582 or by e-mail to judith.schuerman@la.gov. The comment period for this Rule ends on the same date as the public hearing. Copies of this proposed regulation can be purchased by contacting the DEQ Public Records Center at (225) 219-3168. Check or money order is required in advance for each copy of RP047ft. This regulation is available on the Internet at www.deq.louisiana.gov/portal/tabid/1669/default.aspx.

This proposed regulation is available for inspection at the following DEQ office locations from 8 a.m. until 4:30 p.m.: 602 N. Fifth Street, Baton Rouge, LA 70802; 1823 Highway 546, West Monroe, LA 71292; State Office Building, 1525 Fairfield Avenue, Shreveport, LA 71101; 1301 Gadwall

AQ 303
Abrasive Blasting
LAC 33:III.1327, 1333

RULE

**Tuition Trust Authority
Office of Student Financial Assistance**

START Saving Program—Deposits
(LAC 28:VI.305)

The Louisiana Tuition Trust Authority has amended its START Saving Program rules (R.S. 17:3091 et seq.). (ST09104R)

**Title 28
EDUCATION**

**Part VI. Student Financial Assistance—Higher
Education Savings**

Chapter 3. Education Savings Account

§305. Deposits to Education Savings Accounts

A. - D.3. ...

4. Changing the Investment Option

a. Through 2008, the investment option can be changed only once in any 12-month period.

b. For the 2009 calendar year, the investment option may be changed at any time, but no more than two times.

c. Beginning the 2010 calendar year and thereafter, the investment option may be changed one time each calendar year.

D.5. - E.4. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3091-3099.2.

HISTORICAL NOTE: Promulgated by the Tuition Trust Authority, Office of Student Financial Assistance, LR 23:715 (June 1997), amended LR 24:1270 (July 1998), LR 26:2263 (October 2000), LR 27:1880 (November 2001), LR 30:788 (April 2004), LR 30:1169 (June 2004), LR 30:2302 (October 2004), LR 32:1433 (August 2006), LR 32:2240 (December 2006), LR 35:236 (February 2009), LR 35:1234 (July 2009).

George Badge Eldredge
General Counsel

0907#022

RULE

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

Abrasive Blasting (LAC 33:III.1327 and 1333)(AQ303)

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 Air regulations, LAC 33:III.1327 and 1333 (Log #AQ303).

This rule will correct two instances of an American Society for Testing and Materials (ASTM) citation, which needs to be updated in order to reflect current ASTM method references. The citation for "ASTM standard D 75-87, reapproved 1992," should read "ASTM standard D 75-03." The basis and rationale for this rule are to keep the Louisiana

air regulations accurate and current. This Rule meets an exception listed in R.S. 30:2019(D)(2) and R.S. 49:953(G)(3); therefore, no report regarding environmental/health benefits and social/economic costs is required.

**Title 33
ENVIRONMENTAL QUALITY**

Part III. Air

**Chapter 13. Emission Standards for Particulate
Matter (Including Standards for Some
Specific Facilities)**

Subchapter F. Abrasive Blasting

§1327. Blasting Operations

A. - A.1. ...

2. Abrasives shall contain less than 10 percent (by weight) of fines that would pass through a No. 80 sieve as documented by the supplier. If supplier documentation is not provided for weight percent of fines in abrasive material, samples shall be taken according to ASTM standard ASTM D 75-03 before initial use.

A.3. - B.5. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2054(B)(1).

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of the Secretary, Legal Affairs Division, LR 33:822 (May 2007), amended LR 35:1234 (July 2009).

§1333. Recordkeeping and Reporting

A. - A.4.a. ...

b. if abrasive material is being reused, weight percent of fines as determined by sampling. For the purpose of determining weight percent of fines in abrasive material, samples shall be taken according to ASTM standard ASTM D 75-03;

A.5. - B. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2054(B)(1).

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of the Secretary, Legal Affairs Division, LR 33:824 (May 2007), amended LR 35:1234 (July 2009).

Herman Robinson, CPM
Executive Counsel

0907#035

RULE

**Office of the Governor
Commission on Law Enforcement and
Administration of Criminal Justice**

General Subgrant Guidelines (LAC 22:III.4105)

In accordance with the provision of R.S. 15:1204, R.S. 14:1207, and R.S. 49:950 et seq., the Administrative Procedure Act, the Commission on Law Enforcement and Administration of Criminal Justice has amended rules and regulations relative to subgrants.

DEPARTMENT OF ENVIRONMENTAL QUALITY

Abrasive Blasting
LAC 33:III.1327 and 1333

Log Number: AQ303

The public hearing in the above titled matter was taken at the Department of Environmental Quality, 602 North Fifth Street, Galvez Building, Oliver Pollock Conference Room, Baton Rouge, Louisiana, beginning at 1:30 p.m. on May 28, 2009.

BEFORE: Mark LaCour, Certified Stenomask Reporter, in and for the State of Louisiana

ASSOCIATED REPORTERS, INC.
Mark LaCour, C.C.R.
(225) 216-2036

H E A R I N G

MS. SONIAT:

Good afternoon! My name is Gretchen Soniat, 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 Louisiana Environmental Quality regulations.

The comment periods for these amendments began on April 20, 2009, when the notices of intent were published in the Louisiana Register. The comment period will close at 4:30 p.m. June 4, 2009, for the Log Number AQ303. 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

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Mark LaCour, C.C.R.
(225) 216-2036

1 purpose of this public hearing is to
2 allow you, the public, an opportunity to
3 express your thoughts concerning today's
4 proposed amendments.

5 I'll ask that each person
6 commenting come up and sit at the front
7 table and begin by stating his or her
8 name and their affiliation for the
9 record.

10 The first amendment is designated
11 by the Log Number AQ303.

12 This rule will correct two
13 instances of an American Society for
14 Testing and Materials (ASTM) citation,
15 which needs to be updated in order to
16 reflect current ASTM method references.
17 The citation for "ASTM standard D 75-87,
18 reapproved 1992," should read "ASTM
19 standard D 75-03."

20 Does anyone care to comment on
21 this regulation? If not, the hearing on
22 AQ303 is closed.

23

24

THE HEARING ENDED AT 1:33 P.M.

25

* * * * *

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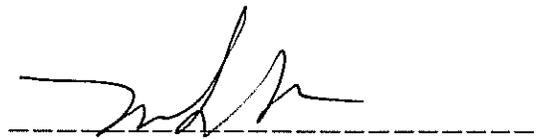
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R E P O R T E R ' S P A G E

I, Mark LaCour, 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 Reporter's transcription of proceeding, and that the dashes (--) do not indicate that words or phrases have been left out of this transcript.

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



Mark LaCour, C.C.R.

89054

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Mark LaCour, C.C.R.

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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 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.



Mark LaCour, C.C.R.

89054

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Mark LaCour, C.C.R.

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APR 21/18/09

The Times-Picayune

3800 HOWARD AVENUE, NEW ORLEANS, LOUISIANA 70140-1097

TELEPHONE (504) 826-3201

NOTICE OF INTENT
Department of Environmental
Quality
Office of the Secretary
Legal Affairs Division
Abrasive Blasting
(LAC 33:III.1327 and 1333)
(AQ303)

Under the authority of the Environmental Quality Act, R.S. 30:2001 et seq., and in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., the secretary gives notice that rulemaking procedures have been initiated to amend the Air regulations, LAC 33:III.1327 and 1333 (Log #AQ303).

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

A public hearing will be held on May 28, 2009, at 1:30 p.m. in the Galvez Building, Oliver Pollock Conference Room, 602 N. Fifth Street, Baton Rouge, LA 70802.

Interested persons are invited to attend and submit oral comments on the proposed amendments. Should individuals with a disability need an accommodation in order to participate, contact Christopher A. Ratcliff at the address given below or at (225) 219-3985. Two hours of free parking are allowed in the Galvez Garage with a validated parking ticket.

All interested persons are invited to submit written comments on the proposed regulation. Persons commenting should reference this proposed regulation by AQ303. Such comments must be received no later than June 4, 2009, at 4:30 p.m., and should be sent to Christopher A. Ratcliff, Attorney Supervisor, Office of the Secretary, Legal Affairs Division, Box 4302, Baton Rouge, LA 70821-4302 or to FAX (225) 219-3988 or by e-mail to chrs.ratcliff@la.gov. Copies of this proposed regulation can be purchased by contacting the DEQ Public Records Center at (225) 219-3168. Check or money order is required in advance for each copy of AQ303. This regulation is available on the Internet at www.deq.louisiana.gov/portal/tabid/1669/default.aspx.

This proposed regulation is available for inspection at the following DEQ office locations from 8 a.m. until 4:30 p.m.: 602 N. Fifth Street, Baton Rouge, LA 70802; 1823 Highway 546, West Monroe, LA 71282; State Office Building, 1525 Fairfield Avenue, Shreveport, LA 71101; 1301 Gadwall Street, Lake Charles, LA 70515; 111 New Center Drive, Lafayette, LA 70508; 110 Barataria Street, Lockport, LA 70374; 201 Evans Road, Bldg. 4, Suite 420, New Orleans, LA 70123.

Herman Robinson, CPM
Executive Counsel

State of Louisiana

Parish of Orleans

City of New Orleans

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

LEGAL NOTICE

Re: Notice of Intent Department Environmental Quality
Abrasive Blasting LAC 33:III.1327 & 1333)(AQ303

Advertisement of Office of Environmental Quality

P.O. BOX 4303
Baton Rouge, La. 70821

Was published in The Times Picayune

3800 Howard Ave.
New Orleans, La. 70125

On the following dates April 20, 2009

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

21st

Sworn to and subscribed before me this
Day of April, 2009

Elizabeth C Darcey
[Signature]
Notary Public

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

Notary identification number 23492

CERTIFIED COPY

Handwritten initials and date: 5/18/09

The Times

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APR 15 2009

LA. DEPT. OF ENVIRONMENTAL QUALITY
LEGAL AFFAIRS DIVISION

PROOF OF PUBLICATION

NOTICE OF INTENT

Department of Environmental Quality
Office of the Secretary
Legal Affairs Division

Abrasive Blasting
(LAC 33:III.1327 and 1333) (AQ303)

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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 Department of Environmental Quality Office of the Secretary Legal Affairs Division Abrasive Blasting (AQ303)

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

April 11, 2009

(Signed) Altheas Critton

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

Diana W. Barber

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

(Notary)

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Herman Robinson,
CPM
Executive Counsel

The Times:
April 11, 2009

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5/18/09

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APR 20 2009

LA. DEPT. OF ENVIRONMENTAL QUALITY
LEGAL AFFAIRS DIVISION

Affidavit of Publication

NOTICE OF INTENT

Department of Environmental Quality
Office of the Secretary
Legal Affairs Division

Abrasive Blasting
(LAC 33:111.1327 and
1333) (AQ303)

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STATE OF LOUISIANA

Parish of Calcasieu

Before me the undersigned authority, personally came and appeared

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:

00523280 - \$36.00

April 15, 2009

Duly Authorized Agent

Subscribed and sworn to before me on this 15th day of April, 2009 at
Lake Charles, LA

Notary Public

00053262

LDEQ-OSEC-LAD

Gwendolyn R. Dugas
#056523

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Herman Robinson, CPM
Executive Counsel

Apr 15
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LA. DEPT. OF ENVIRONMENTAL QUALITY
LEGAL AFFAIRS DIVISION

State of Louisiana
Parish of Rapides
AFFIDAVIT OF PUBLICATION

(A Correct Copy of Publication)

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Department of
Environmental Quality
Office of the Secretary
Legal Affairs Division

Abrasive Blasting
(LAC 33:111.1327
and 1333) (AQ303)

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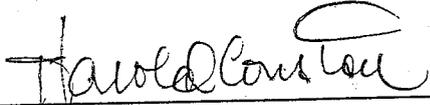
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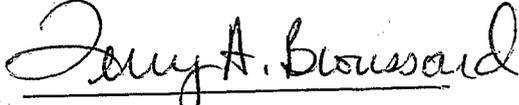
Herman Robinson,
CPM
Executive Counsel

(4) 17

I, Harold Constance, Classified Sales Manager,
of THE TOWN TALK, published at Alexandria,
Louisiana do solemnly swear that the
Notice of Intent (AQ303)
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 April 17, 2009 and ending with the
issue dated April 17, 2009.


Harold Constance

Subscribed and sworn to before me
this 17th day of April, 2009 at
Alexandria, Louisiana.


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

4/14/09

APR 24 2009

LA. DEPT. OF ENVIRONMENTAL QUALITY
LEGAL AFFAIRS DIVISION

Publisher of
THE ADVOCATE

CERTIFIED COPY

PROOF OF PUBLICATION

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

04/14/09

Susan A. Bush

Susan A. Bush, Public Notice Clerk

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

April 14, 2009

M. Monic McChristian

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

NOTICE OF INTENT

Department of Environmental Quality
Office of the Secretary
Legal Affairs Division

Abrasive Blasting
(LAC 33:III.1327 and 1333) (AQ303)

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Herman Robinson, CPM
Executive Counsel

4072055-apr 14-1t



DEQ - OSEC/LAD REG 4072055
REMENDER WEATHERSPOON
PO BOX 4302 RM 821-74
BATON ROUGE LA 70821-4314

5/18/09

MAY 18 2009

LA. DEPT. OF ENVIRONMENTAL QUALITY
LEGAL AFFAIRS DIVISION

THE ADVERTISER AFFIDAVIT OF PUBLICATION

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Department of
Environmental Quality
Office of the Secretary
Legal Affairs Division

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(LAC 33:III.1327 and
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Herman Robinson,
CPM
Executive Counsel

Title 33
ENVIRONMENTAL QUALITY
Part III. Air

Chapter 13. Emission Standards for Particulate Matter (Including Standards for Some Specific Facilities)

Subchapter F. Abrasive Blasting

§1327. Blasting Operations

A. – A.1. ...

2. Abrasives shall contain less than 10 percent (by weight) of fines that would pass through a No. 80 sieve as documented by the supplier. If supplier documentation is not provided for weight percent of fines in abrasive material, samples shall be taken according to ASTM standard ASTM D 75-~~0387, reapproved 1992~~, before initial use.

A.3. – B.5. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2054(B)(1).

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of the Secretary, Legal Affairs Division, LR 33:822 (May 2007), amended LR 35:**.

§1333. Recordkeeping and Reporting

A. – A.4.a. ...

b. if abrasive material is being reused, weight percent of fines as determined by sampling. For the purpose of determining weight percent of fines in abrasive material, samples shall be taken according to ASTM standard ASTM D 75-~~0387, reapproved 1992~~;

A.5. – B. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2054(B)(1).

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of the Secretary, Legal Affairs Division, LR 33:824 (May 2007), amended LR 35:**.

(August 2002), LR 28:2335 (November 2002), LR 29:2038 (October 2003), repromulgated LR 29:2374 (November 2003), amended LR 30:791 (April 2004), LR 30:1472 (July 2004), LR 31:2216 (September 2005), LR 32:1434 (August 2006), LR 32:2240 (December 2006), LR 33:2359 (November 2007), LR 34:1886 (September 2008), LR 35:

Family Impact Statement

The proposed Rule has no known impact on family formation, stability, or autonomy, as described in R.S. 49:972. (ST09106NI)

Interested persons may submit written comments on the proposed changes (ST09106NI) until 4:30 p.m., May 11, 2009, to Melanie Amrhein, Executive Director, Office of Student Financial Assistance, P.O. Box 91202, Baton Rouge, LA 70821-9202.

George Badge Eldredge
General Counsel

**FISCAL AND ECONOMIC IMPACT STATEMENT
FOR ADMINISTRATIVE RULES
RULE TITLE: Interest Rates—2008**

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

There are no estimated implementation costs or savings to state or local governmental units. This rulemaking places in rule the actual earnings realized by START account owners who invested in the Louisiana Principal Protection investment option and the actual earnings realized on the investment of Earnings Enhancements. This increase in START funds belongs to the account owner (it is not state general fund money), and no expenditure of state general funds is required. This rulemaking will also authorize the use of START funds to purchase computer technology. Since these are not state funds, there is no cost to the state due to this rulemaking.

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

Revenue collections of state and local governments will not be affected by the proposed changes.

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

These changes adopt the actual interest rates for deposits made to the START Louisiana Principal Protection investment option and earnings enhancements for the year ending December 31, 2008. In addition, Louisiana families will benefit from the amendment that allows the purchase of computers, computer software, and computer equipment for calendar years 2009 and 2010 with START Section 529 tax free funds.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

There are no anticipated effects on competition and employment resulting from these measures.

George Eldredge
General Counsel
0904#017

H. Gordon Monk
Legislative Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

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

Abrasive Blasting (LAC 33:III.1327 and 1333)(AQ303)

Under the authority of the Environmental Quality Act, R.S. 30:2001 et seq., and in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., the secretary gives notice that rulemaking procedures have been initiated to amend the Air regulations, LAC 33:III.1327 and 1333 (Log #AQ303).

This rule will correct two instances of an American Society for Testing and Materials (ASTM) citation, which needs to be updated in order to reflect current ASTM method references. The citation for "ASTM standard D 75-87, reapproved 1992," should read "ASTM standard D 75-03." The basis and rationale for this rule are to keep the Louisiana air regulations accurate and current. This Rule meets an exception listed in R.S. 30:2019(D)(2) and R.S. 49:953(G)(3); therefore, no report regarding environmental/health benefits and social/economic costs is required.

**Title 33
ENVIRONMENTAL QUALITY
Part III. Air**

Chapter 13. Emission Standards for Particulate Matter (Including Standards for Some Specific Facilities)

Subchapter F. Abrasive Blasting

§1327. Blasting Operations

A. - A.1. ...

2. Abrasives shall contain less than 10 percent (by weight) of fines that would pass through a No. 80 sieve as documented by the supplier. If supplier documentation is not provided for weight percent of fines in abrasive material, samples shall be taken according to ASTM standard ASTM D 75-03 before initial use.

A.3. - B.5. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2054(B)(1).

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of the Secretary, Legal Affairs Division, LR 33:822 (May 2007), amended LR 35:

§1333. Recordkeeping and Reporting

A. - A.4.a. ...

b. if abrasive material is being reused, weight percent of fines as determined by sampling. For the purpose of determining weight percent of fines in abrasive material, samples shall be taken according to ASTM standard ASTM D 75-03;

A.5. - B. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2054(B)(1).

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of the Secretary, Legal Affairs Division, LR 33:824 (May 2007), amended LR 35:

Family Impact Statement

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

A public hearing will be held on May 28, 2009, at 1:30 p.m. in the Galvez Building, Oliver Pollock Conference Room, 602 N. Fifth Street, Baton Rouge, LA 70802. Interested persons are invited to attend and submit oral comments on the proposed amendments. Should individuals with a disability need an accommodation in order to participate, contact Christopher A. Ratcliff at the address given below or at (225) 219-3985. Two hours of free parking are allowed in the Galvez Garage with a validated parking ticket.

All interested persons are invited to submit written comments on the proposed regulation. Persons commenting should reference this proposed regulation by AQ303. Such comments must be received no later than June 4, 2009, at 4:30 p.m., and should be sent to Christopher A. Ratcliff, Attorney Supervisor, Office of the Secretary, Legal Affairs Division, Box 4302, Baton Rouge, LA 70821-4302 or to fax (225) 219-3398 or by e-mail to chris.ratcliff@la.gov. Copies of this proposed regulation can be purchased by contacting the DEQ Public Records Center at (225) 219-3168. Check or money order is required in advance for each copy of AQ303. This regulation is available on the Internet at www.deq.louisiana.gov/portal/tabid/1669/default.aspx.

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

Herman Robinson, CPM
Executive Counsel

**FISCAL AND ECONOMIC IMPACT STATEMENT
FOR ADMINISTRATIVE RULES
RULE TITLE: Abrasive Blasting**

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

There are no estimated implementation costs (savings) to state or local governmental units as a result of the proposed rule.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF 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.

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

There are no estimated costs and/or economic benefits to directly affected persons or non-governmental groups as a result of the proposed rule.

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
0904#022

H. Gordon Monk
Legislative Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

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

Incorporation by Reference for 2008
(LAC 33:I.3931; III.506, 507, 2160, 3003, 5116, 5122, 5311, and 5901; V.3099; IX.2301, 4901, and 4903; and XV.1599)
(MM011ft)

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.3931; III.506, 507, 2160, 3003, 5116, 5122, 5311, and 5901; V.3099; IX.2301, 4901, and 4903; and XV.1599 (Log #MM011ft).

This rule is identical to federal regulations found in 10 CFR 71, App. A, 1/1/2008; 40 CFR 51, App. M, 60-61, 63, 68, 70.6(a), 117.3, 136, 266, App. I-IX and XI-XIII, 302.4, 302.6(e), 355.40(a)(2)(vii), 401, and 405-471, 7/1/2008; and subsequent revisions to 40 CFR 60 and 63 in the *Federal Register* (see rule text), which are applicable in Louisiana. For more information regarding the federal requirement, contact the Regulation Development Section at (225) 219-3985 or Box 4302, Baton Rouge, LA 70821-4302. No fiscal or economic impact will result from the Rule. This Rule will be promulgated in accordance with the procedures in R.S. 49:953(F)(3) and (4).

The date of publication for the Code of Federal Regulations (CFR) volumes as contained in the various parts of the Title 33, Environmental Quality, regulations is being updated to reflect that the CFR volumes incorporated by reference into the state regulations are the volumes published in 2008. This rule incorporates by reference (IBR) into LAC 33:I, III, V, IX, and XV the corresponding federal reportable quantity list of hazardous substances in 40 CFR 117.3 and 302.4, July 1, 2008; administrative reporting exemptions for certain air releases of NO_x in 40 CFR 302.6(e) and 355.40(a)(2)(vii), July 1, 2008; Capture Efficiency Test Procedures in 40 CFR Part 51, Appendix M, July 1, 2008; Standards of Performance for New Stationary Sources in 40 CFR Part 60, July 1, 2008; National Emission Standards for Hazardous Air Pollutants (NESHAP) in 40 CFR Part 61, July 1, 2008; NESHAP for Source Categories in 40 CFR Part 63, July 1, 2008; Chemical Accident Prevention and Minimization of Consequences in 40 CFR Part 68, July 1, 2008; Part 70 Operating Permits Program in 40 CFR 70.6(a), July 1, 2008; Federal SO₂ Model Rule in 40 CFR Part 96, July 1, 2008; hazardous waste regulations in