DEPARTMENT OF ENVIRONMENTAL QUALITY

KATHLEEN BABINEAUX BLANCO
GOVERNOR

MIKE D. McDANIEL, Ph.D.
SECRETARY

August 7, 2007

Mr. Carl E. Edlund, Division Director
Multimedia Planning and Permitting Division
USEPA Region 6
1445 Ross Avenue Suite 1200
Mail Code: 6PD
Dallas, Texas 75202-2733

RE: UST Compliance Act
Delivery Prohibition

Dear Mr. Edlund:

This letter is Louisiana's official response to EPA regarding the UST Compliance Act requirement for Delivery Prohibition of fuel to underground storage tanks that have been determined to be ineligible for delivery, deposit or acceptance of fuel. The Louisiana Department of Environmental Quality (LDEQ) has been working on this requirement over the past year and as part of that effort, LDEQ has assembled a work group with Louisiana's Oil Marketers Association and representatives of UST system installers, to collaborate on the implementation of the UST Compliance Act and assist in expediting legislation and/or rulemaking that may be required. With input from this work group Louisiana has drafted and begun official rulemaking in accordance with our Administrative Procedures Act. A copy of the proposed Delivery Prohibition regulations is attached. This rule was proposed on June 20, 2007, a public hearing held on July 25, 2007, and the public comment period ended on August 1, 2007. It is currently projected that the rule will go final on October 20, 2007; however, a legislative oversight committee hearing may be held which could alter this schedule. LDEQ will be working to complete the rule making by taking all necessary actions required by the Louisiana Administrative Procedures Act.

If you have any questions, or if this letter does not satisfy the requirements of the final Delivery Prohibition guidance provided by EPA, please contact me at (225) 219-3233 or via email wilbert.jordan@la.gov.

ENVIRONMENTAL **ASSESSMENT**
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We look forward to working with you as we prepare to adopt these important requirements.

With kind regards,

Wilbert F. Jordan, Jr.
Assistant Secretary

sc

c: Dr. Mike McDaniel, LDEQ
Dr. Harold Leggett, LDEQ-OEC
Steve Chustz, LDEQ-USTD
Steve Vargo, USEPA-Region 6
Willie Kelley, USEPA-Region 6