

Title 33
ENVIRONMENTAL QUALITY
Part I. Office of the Secretary
Subpart 1. Departmental Administrative Procedures

Chapter 5. Confidential Information Regulations

§501. Scope

A. Department of Environmental Quality records and information obtained under the Louisiana Environmental Quality Act, (hereinafter called “the Act”), or by any rule, regulation, order, license, registration, or permit term or condition adopted or issued thereunder, or by any investigation authorized thereby, shall be available to the public, unless confidentiality is requested by writing to the ~~department’s Office of Legal Affairs and Enforcement; Legal Division, Office of the Secretary, Legal Affairs Division,~~ and such information is determined by the administrative authority to require confidentiality. Such information may be classified as confidential by the administrative authority, unless otherwise provided by law or regulation, if the secretary makes a written determination that confidentiality is necessary to:

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[See Prior Text in A.1-2]

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

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of the Secretary, LR 22:342 (May 1996), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:**.

§502. Definitions

Administrative Authority — the secretary of the Department of Environmental Quality or his designee, or the appropriate assistant secretary or his designee.

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

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Environmental Assessment, Environmental Planning Division, LR 26:**.

Title 33
ENVIRONMENTAL QUALITY
Part I. Office of the Secretary
Subpart 1. Departmental Administrative Procedures

Chapter 9. Petition for Rulemaking

§905. Definitions

Administrative Authority — the secretary of the Department of Environmental Quality or his designee, or the appropriate assistant secretary or his designee.

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[See Prior Text]

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

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of the Secretary, LR 23:297 (March 1997), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:**.

§907. Content of a Rulemaking Petition

Any interested person may petition the administrative authority in writing to issue, amend, or rescind any regulation.

A. The petition shall be addressed to the Office of Environmental Assessment, Environmental Planning Division~~the assistant secretary of the specific office that oversees the regulation.~~

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[See Prior Text In B – D.2]

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

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of the Secretary, LR 23:297 (March 1997), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:**.

§909. Processing a Rulemaking Petition

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[See Prior Text In A]

B. Within 90 days of receipt of the petition for rulemaking, the ~~assistant secretary~~ administrative authority shall deny the petition in writing, stating reasons for the denial, or shall initiate rulemaking by providing the petitioner with a completed Regulatory Agenda Form as provided in ~~DEQ~~ the department's Policy Number 0003-88, "Rule Development Procedure."

1. If the administrative authority~~assistant secretary~~ decides to proceed with rulemaking, the department procedures for processing a proposed regulation shall be followed. In addition, a notice of the initiation of rulemaking shall be published in a major newspaper of general circulation within the area affected by the petition for rulemaking or in the official journal of the state, if the impact of the proposed ~~R~~rule is statewide.

2. If the administrative authority~~assistant secretary~~ decides not to proceed with rulemaking, the decision to deny the petition, stating reasons for the denial, shall be published in a major newspaper of general circulation within the area affected by the petition for rulemaking or in the official journal of the state, if the impact of the petition denial is statewide, and in the *Louisiana Register*.

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

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of the Secretary, LR 23:298 (March 1997), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:**.

Title 33
ENVIRONMENTAL QUALITY
Part I. Office of the Secretary
Subpart 1. Departmental Administrative Procedures

Chapter 11. Declaratory Rulings

§1103. Definitions

The following terms used in this Chapter shall have the meanings listed below, unless the context otherwise requires, or unless specifically redefined in a particular section:

Administrative Authority—the secretary of the Department of Environmental Quality, or his ~~or her~~ designee, or the appropriate assistant secretary or his designee.

* * *

[See Prior Text]

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

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of the Secretary, LR 23:1141 (September 1997), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:**.

§1109. Declaratory Rulings Officer

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[See Prior Text in A – B]

C. The declaratory rulings officer shall have the authority to regulate all matters concerning a request for declaratory ruling and to issue the declaratory ruling after concurrence as to legal sufficiency by the ~~assistant secretary for the Office of Legal Affairs and Enforcement~~ Office of the Secretary, Legal Affairs Division.

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

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of the Secretary, LR 23:1141 (September 1997), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:**.

§1111. Duty to Maintain List

The secretary shall maintain, in a place accessible to the public in the ~~Office of Legal Affairs and Enforcement~~ Office of the Secretary, Legal Affairs Division, a list of all petitions for declaratory rulings and declaratory rulings and an index to the list. The list shall identify the petitioner, the matter to be decided, and when applicable, the location of the activity or facility that is the subject of the petition. The list shall also include the date on which the petition is received, the date the secretary decides whether a declaratory ruling will be issued, the date the secretary

sets for issuance of the ruling, the date the ruling issues, and the date of any request for modification or appeal.

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

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of the Secretary, LR 23:1141 (September 1997), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:**.

§1113. Declaratory Rulings Clerk

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

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[See Prior Text In B – B.5]

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

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of the Secretary, LR 23:1142 (September 1997), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:**.

§1117. Petition Contents and Form

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[See Prior Text In A – A.9]

B. A petition for declaratory ruling shall be filed with the ~~Office of Legal Affairs and Enforcement~~ Office of the Secretary, Legal Affairs Division by either of the following methods:

1. personal delivery to the ~~assistant secretary for the Office of Legal Affairs and Enforcement~~ General Counsel or the declaratory rulings clerk at department headquarters, ~~Fourth Floor, 7290 Bluebonnet Boulevard, Baton Rouge, LA 70810~~; or

2. United States Mail as certified mail, return receipt requested to Declaratory Rulings Clerk, ~~Office of Legal Affairs and Enforcement~~ Office of the Secretary, Legal Affairs Division, Box 82282, Baton Rouge, LA 70884 2282.

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[See Prior Text In C – D]

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

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of the Secretary, LR 23:1142 (September 1997), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:**.

Title 33
ENVIRONMENTAL QUALITY
Part I. Office of the Secretary
Subpart 1. Departmental Administrative Procedures

Chapter 13. Risk Evaluation/Corrective Action Program

§1302. Definitions

Department — the Department of Environmental Quality.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2272.1.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Environmental Assessment, Environmental Planning Division, LR 26:**.

§1307. Adoption by Reference

The document entitled, “Louisiana Department of Environmental Quality Risk Evaluation/Corrective Action Program (RECAP)” dated June 20, 2000, is hereby adopted and incorporated herein in its entirety. The RECAP document is available for purchase or inspection from 8 a.m. until 4:30 p.m., Monday through Friday from the ~~Louisiana Department of Environmental Quality, department’s~~ Office of Environmental Assessment, Environmental Planning Division, ~~Regulation Development Section, Box 82178 (7290 Bluebonnet Boulevard, 4th Floor), Baton Rouge, LA 70884-2178.~~ For RECAP document availability at other locations, contact the department’s ~~Regulation Development Section at (225) 765-0399~~ Environmental Planning Division. The RECAP document may also be reviewed on the Internet at <http://www.deq.state.la.us/technology/recap/index.htm>.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2272.1.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of the Secretary, LR 24:2244 (December 1998), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:1264 (June 2000), LR 26:**.

Title 33
ENVIRONMENTAL QUALITY
Part I. Office of the Secretary
Subpart 1. Departmental Administrative Procedures

Chapter 14. Groundwater Fees

§1405. Applicability

A. These rules and regulations apply to facilities which are required under Solid Waste Regulations or Hazardous Waste Regulations to produce annual reports concerning the groundwater condition at their sites, to facilities which have installed groundwater monitoring systems, and to facilities conducting assessment and/or remediation of groundwater contamination (regardless of whether said contamination originated from a regulated waste management unit or from a non-regulated facility) for which the ~~Ground Water Protection Division~~ department is providing oversight. These rules and regulations do not apply:

1. ~~to sites over which other divisions or departments, such as the Underground Storage Tanks Division or the Department of Natural Resources, are legitimately exercising oversight and to which the Ground Water Protection Division does not~~ department provides no assistance or technical guidance, ~~or;~~
2. to sites regulated under the Underground Storage Tank Regulations; or
3. to facilities billed under the authority of another part or chapter of Title 33 for the same activity.

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

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Water Resources, Ground Water Division in LR 18:729 (July 1992), repromulgated LR 21:796 (August 1995), repromulgated by the Office of the Secretary, LR 24:2204 (November 1998), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:**.

Title 33
ENVIRONMENTAL QUALITY
Part I. Office of the Secretary
Subpart 1. Departmental Administrative Procedures

Chapter 15. Permit Review

§1505. Review of Permit Applications for New Facilities and Substantial Permit Modifications

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[See Prior Text In A – A.3.b]

4. Within 30 days after receipt of a letter of completeness, the applicant shall publish a notice, provided by the department, of the completeness determination in a major local newspaper of general circulation and submit proof of publication to the Office of Environmental Services, Permits Division~~department~~.

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[See Prior Text In A.5 – F]

1. An applicant may voluntarily withdraw an application during the review process, without prejudice, provided notice of withdrawal is submitted to the Office of Environmental Services, Permits Division in writing with the appropriate signatory authority, and:

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[See Prior Text In F.1.a 3]

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2022.B.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Legal Affairs and Enforcement, Enforcement and Regulatory Compliance Division, LR 19:487 (April 1993), repromulgated LR 19:742 (June 1993), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:**.

Title 33
ENVIRONMENTAL QUALITY
Part I. Office of the Secretary
Subpart 1. Departmental Administrative Procedures

Chapter 17. Permit Qualifications and Requirements

§1701. Requirements for Obtaining a Permit

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[See Prior Text In A B.2]

C. The applicant shall provide to the Office of Environmental Services, Permits Division ~~department~~ a list of the state(s) where he or she has federal or state environmental permits identical to, or of a similar nature to, the permit for which application is being made. This information shall be provided for all individuals, partnerships, corporations, or other entities who own a controlling interest (50 percent or more) in the company or who participate in the environmental management of the facility for an entity applying for a permit or an ownership interest.

D. In addition to providing the information required in Subsection C of this Section, the applicant shall submit a written statement to the Office of Environmental Services, Permits Division, as part of the permit application, to certify that:

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[See Prior Text In D.1 E]

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2014.2 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of the Secretary, LR 25:660 (April 1999), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:**.

Title 33
ENVIRONMENTAL QUALITY
Part I. Office of the Secretary
Subpart 1. Departmental Administrative Procedures

Chapter 20. Records of Decision for Judicial Review

§2005. Responsibility for Assembly of Record of Decision

A. When the department is served with notice of an appeal or other request for judicial review, such notice shall be immediately forwarded to the department's Office of the Secretary, Legal Affairs Division, which shall be responsible for assembling a complete and legible copy of the record of decision and transmitting it to the court.

B. Upon receipt of such notice, the Legal Affairs Division shall promptly notify the decision maker and other appropriate agency personnel, each of whom shall be responsible for promptly transmitting to the Legal Affairs Division complete and legible copies of any portions of the record of decision that may be in his/her possession or control.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq., and in particular, R.S. 30:2050.20.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of the Secretary, LR 25:858 (May 1999), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:**.

Title 33
ENVIRONMENTAL QUALITY
Part I. Office of the Secretary
Subpart 1. Departmental Administrative Procedures

Chapter 23. Procedures for Public Record Requests

§2305. Standard Operating Procedures

A. All requests for copies of public records, including subpoenas duces tecum for production of original public records, shall be made using DEQ Form FSD-0005-01. A certification on DEQ Form FSD-0005-02 shall be submitted with the request if free or reduced rate copies are requested. Completed forms may be submitted in person, by mail, or by facsimile. No other request (e.g., e-mail, telephone, telegram) will be honored. Completion of the DEQ Form FSD-0005-01 is waived only if the records requested are prepared by the department specifically for sale to the public (e.g., *Environmental Regulatory Code*). Copies of the forms may be obtained through the DEQ website at <http://www.deq.state.la.us> or from the following contacts: Office of Management and Finance, Custodian of Records.

1. ~~Customer Information Number (888) 763-5424;~~
2. ~~DEQ Headquarters, 7290 Bluebonnet Boulevard, Baton Rouge, LA 70810, phone: (225) 765-0741;~~
3. ~~Office of Air Quality and Radiation Protection, Custodian of Records, Box 82135, Baton Rouge, LA 70884-2135, phone: (225) 765-0219, fax: (225) 765-0222;~~
4. ~~Office of Legal Affairs and Enforcement, Custodian of Records, Box 82282, Baton Rouge, LA 70884-2282, phone: (225) 765-0370, fax: (225) 765-0409;~~
5. ~~Office of Management and Finance, Custodian of Records, Box 82231, Baton Rouge, LA 70884-2231, phone: (225) 765-0647, fax: (225) 765-0746;~~
6. ~~Office of the Secretary, Custodian of Records, Box 82263, Baton Rouge, LA 70884-2263, phone: (225) 765-0741, fax: (225) 765-0746;~~
7. ~~Office of Waste Services, Custodian of Records, Box 82178, Baton Rouge, LA 70884-2178, phone: (225) 765-0355, fax: (225) 765-0617; and~~
8. ~~Office of Water Resources, Custodian of Records, Box 82215, Baton Rouge, LA 70884-2215, phone: (225) 765-0634, fax: (225) 765-0635.~~

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[See Prior Text In B-D]

AUTHORITY NOTE: Promulgated in accordance with R.S. 49:950 et seq. and 44:1 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Management and Finance, Fiscal Services Division, LR 25:429 (March 1999), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:**.

§2307. Exceptions to Standard Operating Procedures

The following procedures shall apply to persons requesting copies of public records under an exception to standard operating procedures.

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[See Prior Text in A]

B. Requests for exceptions to standard operating procedures must be approved in advance by the ~~appropriate division administrator~~ Custodian of Records in the Office of Management and Finance.

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[See Prior Text in C – C.2]

D. When payment of an invoice for copies of public records provided by facsimile, as an exception to standard operating procedure, is not received in the Office of Management and Finance, Fiscal Financial Services Division within 10 working days, the requester's name will appear on an Accounts Receivable Past Due report maintained by the ~~Fiscal Financial Services Division~~. No copies shall be provided to any requester who appears on the Accounts Receivable Past Due report until all past due amounts have been paid. Custodian of Records~~Division administrator~~ approval is required, and credit approval may be required, prior to providing copies by facsimile.

AUTHORITY NOTE: Promulgated in accordance with R.S. 49:950 et seq. and 44:1 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Management and Finance, Fiscal Services Division, LR 25:429 (March 1999), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:**.

Title 33
ENVIRONMENTAL QUALITY
Part I. Office of the Secretary
Subpart 1. Departmental Administrative Procedures

Chapter 37. Regulatory Innovations Programs

§3703. Definitions

Administrative Authority—the secretary of the Department of Environmental Quality or ~~the secretary's~~ his designee or the appropriate assistant secretary or his designee.

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[See Prior Text]

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2561 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Environmental Assessment, Environmental Planning Division, LR 25:2197 (November 1999), repromulgated LR 25:2399 (December 1999), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:**.

§3705. Application for a Demonstration Project

A. An application for a demonstration project (DP) shall be submitted to the ~~administrative authority~~ Office of the Secretary, Deputy Secretary. The application shall, at a minimum, include:

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[See Prior Text In A.1 – B]

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2561 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Environmental Assessment, Environmental Planning Division, LR 25:2197 (November 1999), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:**.

Title 33
ENVIRONMENTAL QUALITY
Part I. Office of the Secretary
Subpart 2. Notification Regulations

Chapter 39. Notification Regulations and Procedures for Unauthorized Discharges

Subchapter A. General

§3905. Definitions

A. The following terms as used in these regulations, unless the context otherwise requires or unless redefined by a particular part hereof, shall have the following meanings:

Administrative Authority—the secretary of the Department of Environmental Quality or his designee or the appropriate assistant secretaries or his designee ~~of the Department of Environmental Quality.~~

Air Contaminant—particulate matter, dust, fumes, gas, mist, smoke, or vapor, or any combination thereof produced by other than natural processes.

* * *

[See Prior Text]

Division—the appropriate division ~~Air Quality Division, Water Pollution Control Division, Hazardous Waste Division, Ground Water Protection Division, Solid Waste Division, Radiation Protection Division, or Underground Storage Tank Division~~ within the Department of Environmental Quality.

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[See Prior Text]

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2025(J), 30:2060(H), 30:2076(D), 30:2183(I), 30:2204(A) and 30:2373(B).

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of the Secretary, LR 11:770 (August 1985), amended LR 19:1022 (August 1993), LR 20:182 (February 1994), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:**.

Subchapter B. Requirements for Emergency Notification

§3915. Notification Requirements for Unauthorized Discharges Which Cause Emergency Conditions

A. Notification to the DPS 24-hour Louisiana Emergency Hazardous Materials Hotline

1. In the event of an unauthorized discharge that does cause an emergency condition, the discharger shall notify the hotline by telephone at ~~(504)~~ (225) 925-6595 (collect calls accepted 24 hours a day) immediately (a reasonable period of time after taking prompt measures to determine the nature, quantity, and potential off-site impact of a release, considering the exigency of the circumstances), but in no case later than one hour after learning of the discharge. (An emergency condition is any condition which could reasonably be expected to endanger the health and safety of the public, cause significant adverse impact to the land, water, or air environment, or cause severe damage to property.) Notification required by this Subsection will be made regardless of the amount of the discharge.

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[See Prior Text in A.2 – B]

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2025(J), 30:2060(H), 30:2076(D), 30:2183(I), 30:2204(A), 30:2194(C) and 30:2373(B).

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of the Secretary, LR 11:770 (August 1985), amended LR 19:1022 (August 1993), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:**.

Subchapter C. Requirements for Prompt Notification

§3917. Notification Requirements for Unauthorized Discharges Which Do Not Cause an Emergency Condition

A. In the event of an unauthorized discharge which exceeds a reportable quantity specified in Subchapter E of this Chapter but which does not cause an emergency condition, the discharger shall notify the Office of Environmental Compliance ~~appropriate division in the Department of Environmental Quality~~ by telephone or by e-mail within 24 hours after learning of the discharge. Notification should be made ~~between the hours of 8 a.m. and 4:30 p.m. on working days to the:~~ Office of Environmental Compliance at (225) 763-3908 during office hours; (225) 342-1234 after hours, weekends, and holidays; or by e-mail utilizing the Incident Report Form and procedures found at www.deq.state.la.us/surveillance.

Air Quality Division	(225) 765-0219
Radiation Protection Division	(225) 765-0160
Solid Waste Division	(225) 765-0249
Hazardous Waste Division	(225) 765-0355
Underground Storage Tanks Division	(225) 765-0243
Ground Water Protection Division	(225) 765-0585

Water Pollution Control Division	(225) 765-0634
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<p>Office of Environmental Compliance (225) 763-3908 during office hours (225) 342-1234 after hours, weekends, and holidays; or e-mail: surveillance@deq.state.la.us</p>

~~B. In the event the appropriate division is unable for any reason(s) to receive the notification required in Subsection A of this Section, the discharger shall notify the department at (504) 342-1234 within 24 hours after learning of the discharge.~~

CB. Dischargers are not relieved from any requisite written notification procedures in LAC 33:I.3925 or of any permit or license terms and conditions issued under the Louisiana Environmental Quality Act.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2025(J), R.S. 30:2060(H), 30:2076(D), 30:2183(I), 30:2194(C) and 30:2204(A).

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of the Secretary, LR 11:770 (August 1985), amended LR 19:1022 (August 1993), repromulgated LR 20:182 (February 1994), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:***.

§3919. Notification Requirements for Unauthorized Discharges With Groundwater Contamination Impact

In the event that any unauthorized discharge results in the contamination of the groundwaters of the state or otherwise moves in, into, within, or on any saturated subsurface strata, the discharger shall notify the department ~~appropriate division in the department~~ in writing in accordance with LAC 33:I.3925 within seven calendar days after obtaining knowledge of groundwater contamination.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2025(J), R.S. 30:2076(D), 30:2183(I), and 30:2204(A).

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of the Secretary, LR 11:770 (August 1985), repealed LR 19:1022 (August 1993), repromulgated and amended LR 20:182 (February 1994), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:***.

Subchapter D. Notification Procedures

§3925. Written Notification Procedures for the Department of Environmental Quality

A. Written reports for any unauthorized discharge that requires verbal notification under LAC 33:I.3915.A or 3917, or that requires written notification under LAC 33:I.3919, will be submitted by the discharger to the department in accordance with this Section within seven calendar days after the telephone notification required by LAC 33:I.3915.A or 3917, or within seven calendar days after obtaining knowledge of groundwater contamination as required by LAC 33:I.3919, unless otherwise provided for in a valid permit or other ~~division~~-department regulations.

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[See Prior Text In A.1 B.13]

C. Written notification reports should be submitted to the Office of Environmental Compliance by mail or fax, administrator of the appropriate division. ~~The department will provide information regarding the appropriate division if requested. If more than one division is investigating an unauthorized discharge, each division should be provided a copy of the written report in one transmittal package to the primary addressee. The transmittal envelope and report or fax cover page and report should be clearly marked "unauthorized discharge notification report." "UNAUTHORIZED DISCHARGE NOTIFICATION REPORT."~~ The report(s) should be sent to the main office in care of the primary addressee as follows:

Louisiana Department of Environmental Quality
 Post Office Box 82263 ~~Box 82215~~
 Baton Rouge, Louisiana ~~70884 2263 2215~~
 ATTENTION: ~~(appropriate division)~~
 "UNAUTHORIZED DISCHARGE NOTIFICATION REPORT"

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2025(J), 30:2060(H), 30:2076(D), 30:2183(I), 30:2194(C) and 30:2204(A).

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of the Secretary, LR 11:770 (August 1985), amended LR 19:1022 (August 1993), LR 20:182 (February 1994), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:**.

Title 33
ENVIRONMENTAL QUALITY
Part I. Office of the Secretary
Subpart 3. Laboratory Accreditation

Chapter 47. Program Requirements

§4705. Categories of Accreditation

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

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[See Prior Text In B B.11]

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

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

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of the Secretary, LR 24:919 (May 1998), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:1435 (July 2000), LR 26:**.

Title 33
ENVIRONMENTAL QUALITY
Part I. Office of the Secretary
Subpart 3. Laboratory Accreditation

Chapter 57. Maintenance of Accreditation

§5707. Changes in Laboratory Operation

Changes in laboratory name, ownership, location, personnel, facilities, methodology, or any factors significantly affecting the performance of analyses for which the laboratory was originally accredited shall be reported to the ~~department~~ Office of Management and Finance, Laboratory Services Division within 30 days.

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

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of the Secretary, LR 24:933 (May 1998), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:**.

Title 33
ENVIRONMENTAL QUALITY
Part I. Office of the Secretary
Subpart 4. Emergency Response Regulations

Chapter 69. Emergency Response Regulations

§6905. Definitions

The following terms as used in this Chapter shall have the meaning listed below:

* * *

[See Prior Text]

Administrative Authority—the secretary of the Department of Environmental Quality, or his designee or the appropriate assistant secretary or his designee. ~~or her delegate,~~ including members of the department's Emergency Response Section

* * *

[See Prior Text]

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

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of the Secretary, LR 22:977 (October 1996), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:**.

§6921. Reporting Requirements

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

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

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of the Secretary, LR 22:979 (October 1996), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:**.