

## PREFACE

This supplement contains amendments to the environmental regulations adopted during the 4<sup>th</sup> quarter of 2013 (October - December).

The amendments in this publication include the following:

<b>Media</b>	<b>Rule Log #</b>	<b>Final Date</b>
Part III. Air	AQ314	December 20, 2013
Part IX. Water Quality	WQ087	December 20, 2013

Log # Suffix Key:

- ft – Fast-Track Rule - Federal regulations promulgated in accordance with expedited procedures in R.S. 49:953(F)(3)
- F – Federal Language
- L – Louisiana Language
- S – Substantive Changes to Proposed Rule
- P – Rule resulting from a Petition for Rulemaking

Brenda Hayden

Environmental Regulatory Code Editor



Table of Contents

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

Chapter 25. Miscellaneous Incineration Rules..... 1  
    Subchapter B. Biomedical Waste Incinerators..... 1  
        §2511. Standards of Performance for Biomedical Waste Incinerators ..... 1  
Chapter 51. Comprehensive Toxic Air Pollutant Emission Control Program ..... 1  
    Subchapter A. Applicability, Definitions, and General Provisions..... 1  
        §5113. Notification of Start-Up, Testing, and Monitoring..... 1  
Chapter 53. Area Sources of Toxic Air Pollutants..... 1  
    Subchapter A. Reserved ..... 1  
        §5308. Reporting Requirements ..... 1

**Part IX. Water Quality**

**Subpart 2. The Louisiana Pollutant Discharge Elimination System (LPDES) Program**

Chapter 25. Permit Application and Special LPDES Program Requirements..... 2  
    §2505. Concentrated Animal Feeding Operations (CAFO)..... 2



**Title 33****ENVIRONMENTAL QUALITY****Part III. Air****Chapter 25. Miscellaneous  
Incineration Rules****Subchapter B. Biomedical Waste  
Incinerators****§2511. Standards of Performance for Biomedical Waste  
Incinerators**

A. - E.8. ...

F. Radioactive Materials. Incineration of radioactive materials shall comply with the requirements of LAC 33:XV.463.

G. - L. ...

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

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Radiation Protection, Air Quality Division, LR 20:1098 (October 1994), amended LR 21:1081 (October 1995), LR 22:1212 (December 1996), LR 23:1680 (December 1997), LR 24:1286 (July 1998), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2455 (November 2000), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2442 (October 2005), LR 33:2089 (October 2007), LR 34:1904 (September 2008), amended by the Office of the Secretary, Legal Division, LR 38:2754 (November 2012), LR 39:3268 (December 2013).

**Chapter 51. Comprehensive Toxic Air  
Pollutant Emission Control Program****Subchapter A. Applicability,  
Definitions, and General Provisions****§5113. Notification of Start-Up, Testing, and  
Monitoring**

A. - C.4. ...

5. The administrative authority may require a continuous monitoring system where such systems are deemed feasible and necessary to demonstrate compliance with applicable standards. The owner or operator of a facility that the administrative authority has required to install a continuous monitoring system shall submit to the Office of Environmental Services for approval a plan describing the affected emission units and the methods for ensuring compliance with the continuous monitoring system. The plan for the continuous monitoring system must be submitted to the department within 90 days after the administrative authority requests either the initial plan or an updated plan.

5.a. - 7. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 and 2060 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Radiation Protection, Air Quality Division, LR 17:1204 (December 1991), amended LR 18:1364 (December 1992), LR 23:59 (January 1997), LR 23:1658 (December 1997), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2461 (November 2000), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2448 (October 2005), LR 33:2094 (October 2007), LR 34:1904 (September 2008), amended by the Office of the Secretary, Legal Division, LR 38:2744, 2755 (November 2012), LR 39:3268 (December 2013).

**Chapter 53. Area Sources of Toxic Air  
Pollutants****Subchapter A. Reserved****§5308. Reporting Requirements**

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

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Radiation Protection, Air Quality Division, LR 20:431 (April 1994), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2464 (November 2000), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2450 (October 2005), LR 33:2096 (October 2007), amended by the Office of the Secretary, Legal Division LR 38:2755 (November 2012), repealed LR 39:3268 (December 2013).

## Title 33

### ENVIRONMENTAL QUALITY

#### Part IX. Water Quality

#### Subpart 2. The Louisiana Pollutant Discharge Elimination System (LPDES) Program

#### Chapter 25. Permit Application and Special LPDES Program Requirements

##### §2505. Concentrated Animal Feeding Operations (CAFO)

A. Permit Requirement for CAFOs. *Concentrated animal feeding operations (CAFO)*, as defined in Subsection B of this Section or designated in accordance with Subsection C of this Section, are point sources, subject to LPDES permitting requirements as provided in this Chapter. Once an animal feeding operation is defined as a CAFO for at least one type of animal, the LPDES requirements for CAFOs apply with respect to all animals in confinement at the operation and all manure, litter, and process wastewater generated by those animals or the production of those animals, regardless of the type of animal.

B. – C.3.b. ...

D. Who shall seek coverage under an LPDES permit?

1. The owner or operator of a CAFO shall seek coverage under an LPDES permit if the CAFO discharges a

regulated wastewater. Specifically, the CAFO owner or operator shall either apply for an individual LPDES permit or submit a notice of intent for coverage under an LPDES general permit. If the state administrative authority has not made a general permit available to the CAFO, the CAFO owner or operator shall submit an application for an individual permit to the state administrative authority.

2. Information to Submit with Permit Application or Notice of Intent. An application for an individual permit shall include the information specified in LAC 33:IX.2501. A notice of intent for a general permit shall include the information specified in LAC 33:IX.2501 and 2515.

E. – E.2. ...

F. By when shall the owner or operator of a CAFO have an NPDES permit if it discharges?

1. A CAFO shall be covered by a permit at the time that it discharges.

G. Reserved.

H. – H.2. ...

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

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Water Resources, LR 21:945 (September 1995), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 28:467 (March 2002), LR 29:1463 (August 2003), repromulgated LR 30:230 (February 2004), amended by the Office of Environmental Assessment, LR 31:1577 (July 2005), amended by the Office of the Secretary, Legal Affairs Division, LR 32:819 (May 2006), LR 33:2360 (November 2007), LR 35:648 (April 2009), amended by the Office of the Secretary, Legal Division, LR 39:3269 (December 2013).