

PREFACE

This supplement contains amendments to the environmental regulations adopted during the 1st quarter of 2006 (January - March) and also includes an editor's note to final rule UT011 that was promulgated May 20, 2005.

The amendments in this publication include the following:

Media	Rule Log #	Final Date
Part III. Air	AQ255	February 20, 2006
Part XI. Underground Storage Tanks	Editor's Note to Final Rule - UT011	Repromulgated March 20, 2006

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 9. General Regulations on Control of Emissions and Emission Standards 1
 §919. Emissions Inventory 1

Part XI. Underground Storage Tanks

Chapter 3. Registration Requirements, Standards, and Fee Schedules 2
 §301. Registration Requirements 2
Chapter 5. General Operating Requirements 2
 §509. Reporting and Recordkeeping 2
Chapter 13. Certification Requirements for Persons Who Install, Repair, or Close Underground Storage
 Tank Systems..... 2
 §1313. UST Certification Board..... 2

Title 33
ENVIRONMENTAL QUALITY
Part III. Air
Chapter 9. General Regulations on
Control of Emissions and Emission
Standards

§919. Emissions Inventory

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

A. ...

1. Any facility located in the 8-hour ozone nonattainment parish of Ascension, East Baton Rouge, Iberville, Livingston, or West Baton Rouge is required to report if the facility emits or has the potential to emit any one or more of the following:

a. - d. ...

2. Any facility located in the parish of Assumption, East Feliciana, Iberia, Pointe Coupee, Saint Helena, Saint James, Saint John the Baptist, Saint Martin, Tangipahoa, or West Feliciana (parishes that adjoin an 8-hour ozone nonattainment parish) is required to report if the facility emits or has the potential to emit any one or more of the following:

2.a. - 5. ...

6. No facility classes or categories are exempted.

B. Types of Inventories

1. Annual Emissions Statement. Facilities as identified in Subsection A of this Section, shall submit an original Annual Emissions Statement (AES) and a duplicate for all criteria pollutants for which a NAAQS has been issued and

for NAAQS precursor pollutants. Except as provided in Subparagraph B.2.d of this Section, the AES shall consist of an inventory of actual emissions and the allowable (permitted) emissions limits of VOC, NO_x, CO, SO₂, Pb, PM₁₀, PM_{2.5}, and ammonia, and an annual Certification Statement in accordance with Subparagraph B.5.a of this Section. The emissions inventory may be an initial emissions inventory for facilities submitting their first emissions inventory, or an annual emissions inventory update for facilities that have previously submitted an emissions inventory. Actual emissions shall be reported for all sources of emissions at a facility, including fugitive emissions, flash gas emissions, insignificant sources (as defined in LAC 33:III.501.B.5, Insignificant Activities List, A. Based on Size or Emission Rate), and excess emissions occurring during maintenance, start-ups, shutdowns, upsets, and downtime. For purposes of this Section, the term *actual emissions* is the calculation or estimate of the actual emissions of a pollutant, in accordance with Subsection C of this Section, for the calendar year or other period of time if requested by the department. *Excess emissions* are defined as emissions quantities greater than normal operations. Where there is an enforceable document, such as a permit, that establishes allowable levels, the AES shall include the allowable emissions level as identified in the permit Maximum Allowable Emissions Rate Table and the allowable tons per year.

2. - 5.g.v. ...

C. Calculations. Actual measurement with continuous emissions monitoring systems (CEMS) or approved stack testing shall be used for reporting of emissions from an emissions point when such data exists. In the absence of CEMS or stack test data, emissions shall be calculated using methods found in the most recent edition, as of December 31 of the current reporting year, of the Compilation of Air Pollution Emission Factors (AP-42), calculations published in engineering journals, and/or EPA or department-approved estimation methodologies.

D. - F. ...

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

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Nuclear Energy, Air Quality Division, LR 13:741 (December 1987), repealed and repromulgated by the Office of Air Quality and Radiation Protection, Air Quality Division, LR 19:184 (February 1993), repromulgated LR 19:485 (April 1993), amended LR 19:1418 (November 1993), LR 20:1101 (October 1994), LR 22:339 (May 1996), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2450 (November 2000), LR 29:2776 (December 2003), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2438 (October 2005), LR 32:241 (February 2006).

Title 33
ENVIRONMENTAL QUALITY
Part XI. Underground Storage Tanks
Chapter 3. Registration
Requirements, Standards, and Fee
Schedule

§301. Registration Requirements

A. – B.1.d ...

2. All owners of new UST systems must ensure that the installer certifies on the registration form that the methods used to install the tanks and piping comply with the requirements of LAC 33:XI.303.B.4.a. Beginning January 20, 1992, registration forms shall include the name and department-issued certificate number of the individual exercising supervisory control over *installation-critical junctures* (as defined in LAC 33:XI.1303) of a UST system.

C. – C.4. ...

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

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Underground Storage Tank Division, LR 11:1139 (December 1985), amended LR 16:614 (July 1990), LR 17:658 (July 1991), LR 18:727 (July 1992), LR 20:294 (March 1994), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2558 (November 2000), LR 28:475 (March 2002), amended by the Office of Environmental Assessment, LR 31:1066 (May 2005), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2520 (October 2005), repromulgated LR 32:393 (March 2006).

Chapter 5. General Operating
Requirements

§509. Reporting and Recordkeeping

A. – B.1. ...

2. documentation of operation of corrosion protection equipment (LAC 33:XI.503.B);

3. documentation of UST system repairs (LAC 33:XI.507.B);

B.4. – C. ...

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

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Underground Storage Tank Division, LR 16:614 (July 1990), amended LR 18:728 (July 1992), amended by the Office of Environmental Assessment, LR 31:1070 (May 2005), repromulgated by the Office of the Secretary, Legal Affairs Division, LR 32:393 (March 2006).

Chapter 13. Certification
Requirements for Persons Who
Install, Repair, or Close Underground
Storage Tank Systems

§1313. UST Certification Board

A. – A.4. ...

5. two representatives from the Louisiana Association of Petroleum Equipment Contractors.

B. - F. ...

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

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste LR 16:614 (July 1990), amended LR 17:658 (July 1991), amended by the Office of Environmental Assessment, LR 31:1075 (May 2005), repromulgated by the Office of the Secretary, Legal Affairs Division, LR 32:394 (March 2006).