

POTPOURRI

Department of Environmental Quality
Office of the Secretary
Legal Affairs Division

Clean Air Interstate Rule (CAIR) Nitrogen Oxides (NO_x) Trading Programs SIP Revision (0806Pot1)

Under the authority of the Louisiana Environmental Quality Act, R. S. 30:2001 et seq., the secretary gives notice that the Office of Environmental Assessment, Air Quality Assessment Division, is proposing a revision to the Louisiana air quality State Implementation Plan (SIP). The proposed revision to the SIP contains the revisions to the Clean Air Interstate Rule (CAIR) nitrogen oxide (NO_x) trading programs allocation methodology rule. Following the promulgation of CAIR, EPA promulgated a Federal Implementation Plan (FIP) for the rule on April 28, 2006. The FIP became effective on June 27, 2006. The FIP gives limited flexibility in implementation of certain federal rule provisions related to CAIR and provides states with an option to submit an abbreviated SIP. Louisiana submitted an abbreviated SIP for the Annual and Ozone Season allowance allocations method on August 20, 2007, and it was approved by EPA on September 28, 2007, in the *Federal Register* at 72 FR 55064. Louisiana will remain under the other provisions of the FIP for the Annual and Ozone Season NO_x Trading Programs.

On March 20, 2008, the department proposed revisions to the CAIR NO_x Trading Programs allocation methodology rule (AQ292) in the *Louisiana Register*. This rule updates certain citations to all federal revisions to the CAIR; revises and adds definitions, adds provisions for petroleum coke-fired electricity generation units (EGUs) and reclassification of units from utility to non-utility and vice versa; and adds language to cease allocation of NO_x allowances to certified units that aren't built. The state provisions in the rule will be in lieu of 40 CFR 96, Subpart EE – CAIR NO_x Allowance Allocations (§96.141 and §96.142) and Subpart EEEE – CAIR NO_x Ozone Season Allowance Allocations (§96.341 and §96.342). Upon final promulgation, AQ292 will be submitted to EPA as a revision to the Louisiana SIP. The submittal of an approvable abbreviated SIP revision of the CAIR Annual and Ozone Season NO_x Trading Programs satisfies Louisiana's obligation under Section 110(a)(2)(D)(i) of the Clean Air Act (CAA).

The public hearing for the revision to the SIP will be held on July 29, 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 SIP revisions. Should individuals with a disability need an accommodation in order to participate, contact Vivian H. Aucoin, at (225) 219-3575 at the address given below. Two hours of free parking are allowed in the Galvez Garage with a validated parking ticket.

Interested persons are invited to submit written comments concerning the proposed CAIR abbreviated SIP revision no later than 4:30 p.m., August 5, 2008. Comments should be sent to Vivian H. Aucoin, Office of Environmental Assessment, Box 4314, Baton Rouge, LA 70821-4314 or FAX to (225) 219-3582 or by e-mail to vivian.aucoin@la.gov. The proposed SIP revisions are available on the internet at <http://www.deq.louisiana.gov/portal/tabid/2381/Default.aspx> under Louisiana SIP Revisions.

A copy of the proposed SIP revision may be viewed at the following DEQ office locations from 8 a.m. to 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