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Department of Environmental Quality
Office of the Secretary
Legal Affairs Division

Advanced Notice of Rulemaking and Solicitation of Comments on
Criteria Pollutant Emissions Inventory, Log #AQ300
(LAC 33:III.111, 311, 501, 605, 918, 919, 1513, 2115, 2153) (0905Pot1)

The Louisiana Department of Environmental Quality is requesting comments on the draft regulations regarding criteria pollutant emissions inventory, LAC 33:III.111, 311, 501, 605, 918, 919, 1513, 2115, and 2153 (AQ300). This is a preliminary step in the rulemaking process. Official rulemaking will be initiated after review and consideration of the comments received on this advanced notice. The revisions are necessary to incorporate changes made to the reporting mechanism that regulated entities use in reporting their criteria pollutant emissions inventory as required by the Clean Air Act.

These revisions will:

- extend the reporting deadline to April 30 of each year;
- list applicable data elements;
- clarify contiguous facilities' applicability;
- clarify how and when the reporting requirements will no longer apply to a facility;
- expand and consolidate definitions;
- clarify additional ozone season requirements by pollutant;
- clarify which emission types shall be included in the inventory;
- clarify if and when a facility should report based upon whether the parish the facility is located in is designated in or out of attainment;
- clarify how a change in ownership is handled; and
- clarify which parishes are nonattainment or adjoining.

The revisions will also expand applicability to facilities with a standard oil and gas air permit (SOGA) in nonattainment areas and adjoining parishes, facilities required by rule or permit to report, and facilities with portable source permits that operate in a nonattainment area or adjoining parish.

Request for Cost Information:

Part of the contemplated revisions includes a listing of the required data elements. To comply with the fiscal and economic impact requirement for rulemaking, the Department is requesting assistance in determining costs to affected entities.

The Department's analysis has determined that there are 26 data elements required in the Emissions Reporting and Inventory Center (ERIC) that are not required by a federal rule or federal reporting system; however, these items were included in the Department's previous Emissions Inventory System (EIS). Therefore, the Department has determined that there will be

no additional costs incurred by regulated entities for reporting these items in the annual emissions inventory.

The Department's analysis has also determined that there are 10 items required by ERIC that were not included in the previous system and are not required by any federal rule or federal reporting system. Of these 10 items, the Department believes that most of them will not cause any additional cost to regulated entities to include them in the annual emissions inventory. For example, providing the contact person's title will not require additional costs.

Therefore, there are four data elements that may or may not incur additional costs if regulated entities are required to include them in the annual emissions inventory. The Department is requesting comments specifically on the additional costs, if any, incurred in reporting these four data elements in the annual emissions inventory. The elements are:
the facility's primary Standard Industrial Classification (SIC) code;
the ozone season average heat content for each process in an ozone nonattainment area;
the material or activity used for each emission factor provided, when applicable; and
the secondary control device type, when applicable.

The Department determined that there are approximately 54 additional facilities in ozone nonattainment and adjoining parishes that operate under a Standard Oil and Gas Air (SOGA) permit that will be required to submit an annual criteria pollutant emissions inventory and is requesting comments specifically on the additional costs of this reporting incurred, if any, by such a facility.

Written comments concerning the draft rule are due no later than 4:30 p.m., June 25, 2009, and should be submitted to Jackie Heber, Office of Environmental Assessment, Plan Development Section, Box 4314, Baton Rouge, LA 70821-4314 or to FAX (225) 219-3240 or by email to jackie.heber@la.gov. Persons commenting should reference this document as AQ300. If you have any questions regarding this document please contact Jackie Heber at (225) 219-3506. Copies of the draft rule can be purchased by contacting the DEQ Public Records Center at (225) 219-3168. Check or money order is required in advance for each copy of AQ300. This draft rule is available on the Internet at: www.deq.louisiana.gov/portal/tabid/1669/default.aspx..

The draft rule is available for inspection at the following DEQ office locations from 8 a.m. until 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; 201 Evans Road, Bldg. 4, Suite 420, New Orleans, LA 70123.

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Executive Counsel

Title 33
ENVIRONMENTAL QUALITY
Part III. Air

Chapter 1. General Provisions

§111. Definitions

A. When used in these rules and regulations, the following words and phrases shall have the meanings ascribed to them below, unless specifically defined elsewhere.

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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), amended LR 14:348 (June 1988), LR 15:1061 (December 1989), amended by the Office of Air Quality and Radiation Protection, Air Quality Division, LR 17:777 (August 1991), LR 21:1081 (October 1995), LR 22:1212 (December 1996), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2444 (November 2000), amended by the Office of the Secretary, Legal Affairs Division, LR 32:808 (May 2006), LR 32:1599 (September 2006), LR 33:2082 (October 2007), LR 34:70 (January 2008), LR 35:**.

Chapter 3. Regulatory Permits

§311. Regulatory Permit for Emergency Engines

A. – J. …

K. Emissions Inventory. Each facility subject to LAC 33:III.919 shall include emissions from all emergency engines, including temporary units, authorized by this regulatory permit in its annual emissions inventory~~statement~~.

L. – M. …

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

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of the Secretary, Legal Affairs Division, LR 35:459 (March 2009), amended LR 35:**.

Chapter 5. Permit Procedures

§501. Scope and Applicability

A. – C.10. …

11. Emissions shall be calculated in accordance with LAC 33:III.919.G~~C~~.

12. Emissions estimation methods set forth in the Compilation of Air Pollution Emission Factors (AP-42) and other department-accepted estimation methods may be promulgated or revised. As a result of new or revised AP-42 emission factors for sources or source categories and/or department-accepted estimation methods, changes in calculated emissions may occur. Changes in reported emission levels as required by LAC 33:III.919.F~~B.2.a~~ due solely to revised AP-42 emission factors or department-accepted estimation methods do not constitute violations of the air permit; however, the department may evaluate changes in emissions on a case-by-case basis, including but not limited to, assessing compliance with other applicable Louisiana air quality regulations.

13. If the emission factors or estimation methods for any source or source category used in preparing the ~~A~~annual ~~E~~emissions inventory~~Statement~~ required by LAC 33:III.~~918 and~~ 919 differ from the emission factors or estimation methods used in the current air

permit such that resulting "calculated" emissions reflect a significant change ~~as defined in LAC 33:III.919.B.2.a~~, notification of the use of updated emission factors or estimation methods shall be included in the Title V Annual Certification, as specified in the affected permit. The notification shall include the old and new emission factor or estimation method reference source and the date, volume, and edition (if applicable); the raw data for the reporting year used for that source category calculation; and applicable emission point and permit numbers that are impacted by such change. The notification shall include any other explanation, as well as the facility's intended time frame to reconcile the emission limits in the applicable permit. The department reserves the right to reopen a permit pursuant to LAC 33:III.529. For purposes of this Paragraph, a significant change is any of the following:

a. a 5 percent increase or decrease in the total potential or actual emissions from the facility;

b. a 50 ton per year increase or decrease in the total potential or actual emissions from the facility; or

c. a 10 ton per year increase or decrease in the potential or actual emissions from any single emission point (stack, vent, or fugitive).

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2011 and 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), amended by the Office of Air Quality and Radiation Protection, Air Quality Division, LR 16:613 (July 1990), LR 17:478 (May 1991), LR 19:1420 (November 1993), LR 20:1281 (November 1994), LR 20:1375 (December 1994), LR 23:1677 (December 1997), amended by the Office of the Secretary, LR 25:660 (April 1999), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2445 (November 2000), LR 28:997 (May 2002), amended by the Office of Environmental Assessment, LR 31:1063 (May 2005), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2436 (October 2005), LR 32:1842 (October 2006), LR 33:2082 (October 2007), LR 33:2626 (December 2007), LR 35:461 (March 2009), LR 35:**.

Chapter 6. Regulations on Control of Emissions through the Use of Emission Reduction Credits Banking

§605. Definitions

A. The terms used in this Chapter are defined in LAC 33:III.111 with the exception of those terms specifically defined as follows.

* * *

Current Total Point-Source Emissions Inventory—the aggregate point-source emissions inventory for either NO_x or VOC from the nine modeled parishes compiled from the e~~E~~missions i~~I~~nventory ~~System (EIS)~~ records and updated annually in accordance with LAC 33:III.919 plus any banked ERC and pending ERC applications originally included in the base case inventory that have not expired.

* * *

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 20:874 (August 1994), LR 25:1622 (September 1999), LR 26:2448 (November 2000), LR 28:301 (February 2002),

amended by the Office of the Secretary, Legal Affairs Division, LR 33:2068 (October 2007), LR 34:1890 (September 2008), LR 35:**.

Chapter 9. General Regulations on Control of Emissions and Emission Standards

§918. ~~Recordkeeping and Annual Reporting~~Nonattainment Areas and Adjoining Parishes List

A. ~~Data for emissions reports shall be collected annually. These reports are to be submitted to the Office of Environmental Assessment by March 31 of each year (for the period January 1 to December 31 of the previous year) unless otherwise directed by the department. The report shall include all data applicable to the emissions source or sources as required under LAC 33:III.919.~~For the purposes of the emissions inventory requirements set forth in LAC 33:III.919, Tables 1-6 in Subsection B of this Section list all of the parishes that are located in nonattainment areas as of March 1, 2009, as well as those parishes that adjoin nonattainment areas. Any parish that is designated as a nonattainment area after March 1, 2009, may not be listed in Tables 1-6 in Subsection B of this Section, but a facility located in that parish is nevertheless subject to the requirements of LAC 33:III.919.A.1.a. Any facility located in any parish that is listed as a nonattainment area in Tables 1-6 in Subsection B of this Section and is designated as an attainment area after March 1, 2009, shall continue to be subject to the requirements of LAC 33:III.919.A.1.a until otherwise directed by the department.

B. The following tables list all of the parishes that are located in nonattainment areas as of March 1, 2009, as well as those parishes that adjoin the nonattainment areas.

Table 1	
Carbon Monoxide (CO) Nonattainment Areas and Adjoining Parishes	
Parish Code	**Nonattainment Parish(es)**
	None
Parish Code	**Adjoining Parishes to Nonattainment Areas**
	None

Table 2	
Lead (Pb) Nonattainment Areas and Adjoining Parishes	
Parish Code	**Nonattainment Parish(es)**
	None
Parish Code	**Adjoining Parishes to Nonattainment Areas**
	None

Table 3	
Nitrogen Dioxide (NO2) Nonattainment Areas and Adjoining Parishes	
Parish Code	**Nonattainment Parish(es)**
	None
Parish Code	**Adjoining Parishes to Nonattainment Areas**
	None

Table 4
Ozone Nonattainment Areas and Adjoining Parishes

Parish Code	Nonattainment Parish(es)
0180	Ascension
0840	East Baton Rouge
1280	Iberville
1740	Livingston
3120	West Baton Rouge
Parish Code	**Adjoining Parishes to Nonattainment Areas**
0200	Assumption
0880	East Feliciana
1260	Iberia
2260	Pointe Coupee
2540	Saint Helena
2560	Saint James
2580	Saint John the Baptist
2620	Saint Martin
2840	Tangipahoa
3160	West Feliciana

Table 5	
Particulate Matter (PM10 or PM2.5) Nonattainment Areas and Adjoining Parishes	
Parish Code	**Nonattainment Parish(es)**
	None
Parish Code	**Adjoining Parishes to Nonattainment Areas**
	None

Table 6	
Sulfur Dioxide (SO2) Nonattainment Areas and Adjoining Parishes	
Parish Code	**Nonattainment Parish(es)**
	None
Parish Code	**Adjoining Parishes to Nonattainment Areas**
	None

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), amended by the Office of Air Quality and Radiation Protection, Air Quality Division, 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 33:2083 (October 2007), LR 35:**.

§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. *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. Applicability~~. The owner or operator of the following facilities shall submit annual emissions inventories to the Office of Environmental Assessment. The inventory shall include all air pollutants for which a National Ambient Air Quality Standard (NAAQS) has been issued and all NAAQS precursor pollutants.~~

1. The provisions of this Section apply to the owner or operator of any facility located in Louisiana that meets any of the following criteria at any time during a reporting year.

~~1.~~ a. The facility is in a nonattainment area or an adjoining parish, as listed in LAC 33:III.918.B.Tables 1-6, and the facility emits, has the *potential to emit* as defined in LAC 33:III.502.A, or is permitted to emit a pollutant that meets or exceeds any threshold value listed in Tables 1-6 in Paragraph A.2 of this Section.~~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. 10 tons per year (TPY) of volatile organic compounds (VOC);~~

~~b. 25 TPY of nitrogen oxides (NO_x);~~

~~c. 100 TPY of carbon monoxide (CO), sulfur dioxide (SO_2), particulate matter of less than 10 microns (PM_{10}), or particulate matter of less than 2.5 microns ($PM_{2.5}$); or~~

~~d. 5 TPY of lead (Pb).~~

~~2.~~ b. The facility is in an attainment parish, and the facility emits, has the *potential to emit* as defined in LAC 33:III.502.A, or is permitted to emit a pollutant that meets or exceeds any threshold value listed in Table 7 in Paragraph A.2 of this Section.~~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:~~

~~a. 50 TPY of VOC;~~

~~b. 100 TPY of NO_x, CO, SO_2, PM_{10}, or $PM_{2.5}$; or~~

~~c. 5 TPY of Pb.~~

~~3.~~ c. The facility is defined as a major stationary source of hazardous air pollutants, in Section 112(a)(1) of the Federal Clean Air Act (FCAA), or a *major source* of toxic air pollutants, in LAC 33:III.5103.~~Any facility located in an attainment parish is required to report if the facility emits or has the potential to emit any one or more of the following:~~

~~a. 100 TPY of VOC, NO_x, CO, SO_2, PM_{10}, or $PM_{2.5}$; or~~

~~b. 5 TPY of Pb.~~

~~4.~~ d. The facility has a 40 CFR Part 70 (Title V) operating permit, regardless of emissions.~~Any facility in Louisiana defined as a major stationary source of hazardous air pollutants in Section 112(a)(1) of the Federal Clean Air Act (FCAA) or of toxic air pollutants in LAC 33:III.Chapter 51 is required to report.~~

~~5.~~ e. The facility is located in a nonattainment area or adjoining parish

and has been issued a standard oil and gas air permit in accordance with LAC 33:III.501, regardless of emissions.~~Any facility in Louisiana that has a 40 CFR Part 70 (Title V) Operating Permit is required to report, regardless of emissions limits.~~

~~6.~~ f. The facility is required by rule or permit to submit an emissions inventory.~~No facility classes or categories are exempted.~~

g. The facility has a portable source permit in accordance with LAC 33:III.513, operates at any time during a reporting year in a nonattainment area or adjoining parish, and meets the applicability criteria of Subparagraph A.1.a of this Section.

2. The following tables list emissions threshold values that require submission of an emissions inventory.

Table 1

Carbon Monoxide (CO) Nonattainment Area and Adjoining Parishes: Emissions Threshold Values

Pollutant	Nonattainment Area Threshold Value (tons/year)	Adjoining Parishes to Nonattainment Area Threshold Value (tons/year)
Ammonia (NH_3)	10	10
CO	10	50
Lead (Pb)	5	5
NO_X	100	100
PM_{10} or $PM_{2.5}$	100	100
SO_2	100	100
VOC	100	100

Table 2

Lead (Pb) Nonattainment Area and Adjoining Parishes: Emissions Threshold Values

Pollutant	Nonattainment Area Threshold Value (tons/year)	Adjoining Parishes to Nonattainment Area Threshold Value (tons/year)
Ammonia (NH_3)	10	10
CO	100	100
Lead (Pb)	5	5
NO_X	100	100
PM_{10} or $PM_{2.5}$	100	100
SO_2	100	100
VOC	100	100

Table 3

Nitrogen Dioxide (NO_2) Nonattainment Area and Adjoining Parishes: Emissions Threshold Values

Pollutant	Nonattainment Area Threshold Value (tons/year)	Adjoining Parishes to Nonattainment Area Threshold Value (tons/year)
Ammonia (NH_3)	10	10
CO	100	100

Table 3		
Nitrogen Dioxide (NO_2) Nonattainment Area and Adjoining Parishes: Emissions Threshold Values		
Pollutant	**Nonattainment Area Threshold Value (tons/year)**	**Adjoining Parishes to Nonattainment Area Threshold Value (tons/year)**
Lead (Pb)	5	5
NO_X	10	50
PM_{10} or $PM_{2.5}$	100	100
SO_2	100	100
VOC	100	100

Table 4		
Ozone Nonattainment Area and Adjoining Parishes: Emissions Threshold Values		
Pollutant	**Nonattainment Area Threshold Value (tons/year)**	**Adjoining Parishes to Nonattainment Area Threshold Value (tons/year)**
Ammonia (NH_3)	10	10
CO	100	100
Lead (Pb)	5	5
NO_X	25	100
PM_{10} or $PM_{2.5}$	100	100
SO_2	100	100
VOC	10	50

Table 5		
Particulate Matter (PM_{10} or $PM_{2.5}$) Nonattainment Area and Adjoining Parishes: Emissions Threshold Values		
Pollutant	**Nonattainment Area Threshold Value (tons/year)**	**Adjoining Parishes to Nonattainment Area Threshold Value (tons/year)**
Ammonia (NH_3)	10	10
CO	100	100
Lead (Pb)	5	5
NO_X	10	50
PM_{10} or $PM_{2.5}$	10	50
SO_2	10	50
VOC	10	50

Table 6		
Sulfur Dioxide (SO_2) Nonattainment Area and Adjoining Parishes: Emissions Threshold Values		
Pollutant	**Nonattainment Area Threshold Value (tons/year)**	**Adjoining Parishes to Nonattainment Area Threshold Value (tons/year)**
Ammonia (NH_3)	10	10

Table 6		
Sulfur Dioxide (SO_2) Nonattainment Area and Adjoining Parishes: Emissions Threshold Values		
Pollutant	Nonattainment Area Threshold Value (tons/year)	Adjoining Parishes to Nonattainment Area Threshold Value (tons/year)
CO	100	100
Lead (Pb)	5	5
NO_X	100	100
PM_{10} or $PM_{2.5}$	100	100
SO_2	10	50
VOC	100	100

Table 7	
Attainment Areas: Emissions Threshold Values	
Pollutant	Threshold Value (tons/year)
Ammonia (NH_3)	10
CO	100
Lead (Pb)	5
NO_X	100
PM_{10} or $PM_{2.5}$	100
SO_2	100
VOC	100

B. ~~Types of Inventories~~Applicability of this Section for contiguous *Agency Interests* (*AIs*), as defined in Subsection E of this Section, shall be determined by a threshold value that is the greater of:

1. the sum of the actual emissions;
2. the sum of the potentials to emit; or
3. the sum of permitted emissions for all contiguous AIs. However, the emissions inventory shall be reported individually for each AI.

~~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, SO_2, Pb, PM_{10}, $PM_{2.5}$, 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. Statewide Annual Emissions Inventory Update. After the initial submittal of an emissions inventory facilities as identified in Subsection A of this Section shall comply with the following requirements.

a. An update to the emissions inventory is required if there is a significant change in the values currently in the emissions reporting system for operating conditions including start-ups, shutdowns, or process changes at the source that results in an increase or reduction in annual emissions of an individual pollutant: VOC, NO_x, CO, SO_2, Pb, PM_{10}, $PM_{2.5}$, or ammonia. VOCs that are also toxic air pollutants shall be considered for the purpose of determining significant change. A *significant change* is defined as the lesser of the following:

i. a 5 percent increase or decrease in the total potential or actual emissions from the facility;

ii. a 50 ton per year increase or decrease in the total potential or actual emissions from the facility; or

iii. a 10 ton per year increase or decrease in the potential or actual emissions from any single emissions point (stack, vent, or fugitive).

b. An update to the emissions inventory is required if there is a cessation of all production processes and termination of operations at the facility.

c. An update to the minimum data submitted in accordance with Paragraph B.5 of this Section is required if there is any change.

d. Unless an update is required in accordance with Subparagraph B.2.a, b, or c of this Section, then only the Certification Statement is required for the annual submittal.

3. Ozone Nonattainment Area Requirement. Facilities in ozone nonattainment areas that meet the applicability in Paragraph A.1 of this Section shall submit an annual inventory. In addition to the minimum data requirements of Paragraph B.5 of this Section, the inventory shall consist of actual, annual emissions and typical weekday emissions that occur during the three-month period of greatest or most frequent ozone exceedances. *Typical weekday emissions* are defined as an average daily emissions rate that is calculated for each week of the three-month period of greatest or most frequent ozone exceedances. The department will indicate in the annual instructions which three-month period has the greatest or most frequent ozone exceedances in each ozone nonattainment area.

4. Special Inventories. Upon request by the administrative authority, any facility subject to any Rule of the Environmental Quality regulations, LAC Title 33, shall file additional emissions data with the department. The request shall specify a reasonable time for response, which shall not be less than 60 days from receipt of the request.

5. Minimum Data Requirements. The minimum data requirements for the emissions inventory are listed below. Operating and process rate information are provided for information only, and do not constitute permit limits. Submittal of a report of excess emissions above allowable limits under this regulation does not pre-empt the need for compliance with LAC 33:III.Chapter 5 that requires a permit request to initiate or increase emissions, nor does it qualify as a notice of excess emissions. Format and submittal requirements will be published annually by the department. Any new or modified data requirements will be included in the

annual requests for updates. Any substantive changes will be established in accordance with the Administrative Procedure Act. Except for the annual Certification Statement, the minimum data requirements apply to initial submittals only. Data requirements for updates require that only those data elements that have changed be submitted.

a. Certification Statement. A Certification Statement, required by Section 182(a)(3)(B) of the FCAA, shall be signed by a *responsible official* as defined in LAC 33:III.502.A, or a person designated by the responsible official, and shall accompany each emissions inventory to attest that the information contained in the inventory is true and accurate to the best knowledge of the certifying official. The Certification Statement shall include the full name, title, signature, date of signature, and telephone number of the certifying official.

b. Facility Identification Information. The facility identification information shall include:

i. full name, physical location, and mailing address of facility;

ii. UTM horizontal and vertical coordinates; and

iii. SIC code(s).

c. Operating Information. The operating information shall include:

i. percentage annual throughput by season. The four seasons will represent one calendar year. The first season, winter, will represent January, February, and December of the reporting year; spring will be March-May; summer will be June-August; and fall will be September-November;

ii. days per week during the normal operating schedule;

iii. hours per day during the normal operating schedule; and

iv. weeks per year during the normal operating schedule.

d. Process Rate Data. The process rate data shall include:

i. annual process rate (annual throughput). The SCC prescribes the units to be used with each SCC for annual fuel/process rate reporting;

ii. in nonattainment parishes, peak ozone season daily process rate. The SCC prescribes the units to be used with each SCC for peak ozone season daily process rate reporting. Peak ozone season daily process rate is an average of emissions from a daily operation during the peak ozone season months; and

iii. annual average heat, ash, and sulfur content and design capacity, where applicable.

e. Control Equipment Information. The control equipment information shall include:

i. current primary and secondary control equipment; and

ii. current control equipment efficiency (percent). The actual efficiency should reflect the total control efficiency from all control equipment and include downtime and maintenance degradation. If the actual control efficiency is unavailable, the design efficiency or the control efficiency limit imposed by a permit shall be used.

f. Emissions Information. The emissions information shall include:

i. estimated actual criteria pollutant and precursor emissions at the emissions point level, in tons per year, if applicable, for an annual emissions rate and pounds per day for a typical ozone season day. Actual emissions estimates must include all emissions, i.e., upsets, downtime, fugitive emissions, and insignificant sources;

ii. permitted criteria pollutant and precursor emissions at the

~~emissions point level in tons per year and in pounds per hour;~~

~~iii. estimated emissions method;~~

~~iv. calendar year for the emissions; and~~

~~v. emissions factor (if emissions were calculated using an emissions factor).~~

~~g. Stack Parameters. The stack parameters shall include:~~

~~i. stack height;~~

~~ii. stack diameter;~~

~~iii. exit gas temperature;~~

~~iv. exit gas velocity; and~~

~~v. exit gas flow rate.~~

C. Any facility meeting the applicability criteria in Subparagraph A.1.a of this Section and that is located in any parish that is listed as a nonattainment area in LAC 33:III.918.B.Tables 1- 6, but is designated as an attainment area after March 1, 2009, shall continue to be subject to Subparagraph A.1.a of this Section until otherwise directed by the department.

D. Once a facility meets the applicability criteria of Subparagraph A.1.a, b, c, d, e, f, or g of this Section, the facility shall continue to submit an emissions inventory until otherwise directed by the department.

1. If a facility no longer meets its applicability criteria under Paragraph A.1 of this Section for one full calendar year, the owner or operator may request, in writing, approval from the department to discontinue submission of an emissions inventory. All such requests shall be submitted to the Office of Environmental Assessment.

a. An owner or operator who has submitted a request for approval to discontinue submission of an emissions inventory shall continue to submit an emissions inventory unless the owner or operator has received a response from the department.

b. A request for departmental approval to discontinue submission of an emissions inventory will be considered if one or more of the following conditions have been met.

i. The facility's permit has been rescinded for one full year and the most current emissions inventory shows emissions below the applicable reporting thresholds in Paragraph A.2 of this Section.

ii. The facility has been permitted to emit pollutants below reporting thresholds in Paragraph A.2 of this Section for one full year, and the most current emissions inventory shows emissions below those reporting thresholds.

iii. The facility's potential to emit has been below the applicable reporting thresholds in Paragraph A.2 of this Section for one full year, and the most current emissions inventory shows emissions below those reporting thresholds.

iv. For one full year, the facility has not been a major stationary source of hazardous air pollutants in accordance with Section 112(a)(1) of the Federal Clean Air Act (FCAA), or a major source of toxic air pollutants in accordance with LAC 33:III.Chapter 51, and:

(a). the facility does not have a 40 CFR Part 70 (Title V) operating permit;

(b). the facility is located in a nonattainment area or adjoining parish and does not have a standard oil and gas air permit;

(c). the facility is not required by rule or permit to submit an emissions inventory; and

(d). the facility operates in a nonattainment area or adjoining parish and does not have a portable source permit as required by LAC 33:III.513.

2. No facility classes or categories are exempted from emissions inventory reporting.

E. Definitions. For the purposes of this Section, the terms below will have the meaning herein given.

Actual Emissions—a calculation, measurement, or estimate of the actual emissions of a pollutant, in accordance with Subsection G of this Section, for the calendar year or other period of time.

Agency Interests (AIs)—those regulated entities that are the largest logical entities of interest to the department.

Attainment Area—an area of the state that is not listed as a nonattainment area by the U.S. Environmental Protection Agency.

Certified—the status of an emissions inventory once the department has received it, as well as the certification statement required by this Section.

Contiguous Facilities—facilities under common control separated by 0.25 miles or less.

Control Efficiency—the percentage by which a control system or technique reduces the emissions from a source.

Control System—a combination of one or more capture system(s) and control device(s) working in concert to reduce discharges of pollutants to the ambient air.

Emissions Factor—the ratio relating emissions of a specific pollutant to an activity or material throughput level.

Excess Emissions—emissions quantities greater than those produced by routine operations.

Facility—all emissions sources under common control on contiguous property. [NOTE: A facility can be one or more AIs, and each AI must comply with Subsection C of this Section.]

Flash Gas Emissions—emissions from depressurization of crude oil or condensate when it is transferred from a higher pressure to a lower pressure tank, reservoir, or other container.

Fugitive Emissions—emissions that do not reasonably pass through a stack, chimney, vent, or other functionally equivalent opening.

General Condition XVII Emissions—authorized discharges that are very small emissions to the air resulting from routine operations that are predictable, expected, periodic, and quantifiable and that are submitted by the permitted facility and approved by the department. General Condition XVII emissions must be approved as authorized discharges in the General Condition XVII activities list of a permit, and these very small releases must:

a. generally be less than 5 TPY;

b. be less than the minimum emission rate (MER);

c. be scheduled daily, weekly, monthly, etc.; or

d. be necessary prior to plant start-up or after shutdown (for line or compressor pressuring/depressuring, for example).

National Ambient Air Quality Standard (NAAQS)—a standard established in

accordance with Section 109 of the CAA, including standards for carbon monoxide (CO), lead (Pb), nitrogen dioxide (NO_2), ozone, particulate matter ($PM_{2.5}$ and PM_{10}), and sulfur dioxide (SO_2).

Nonattainment Area—an area (parish or group of parishes) that has been declared by the administrative authority not to be in compliance with a federal National Ambient Air Quality Standard and that is listed in the *Federal Register* as a nonattainment area.

Ozone Season—May 1 to September 30, inclusively.

Process—the activity that a source was operating when it generated emissions.

Release Point—the point where emissions from one or more processes are released into the atmosphere.

Reporting Year—the year for which an emissions inventory is being submitted.

Routine Operations—operations that are authorized and/or permitted and that do not include any start-up/shutdown emissions.

Source—the point at which the emissions are generated, typically a piece of, or a closely related set of, equipment.

F. Requirements

1. Data for emissions inventory reports shall be collected annually. The owner or operator of each facility that meets the applicability criteria of Paragraph A.1 of this Section shall submit an emissions inventory, separately for each AI, for all air pollutants for which a NAAQS has been issued and for all NAAQS precursor pollutants, in a format specified by the department.

a. The emissions inventory shall include actual emissions in tons per year of volatile organic compounds (VOC), nitrogen oxides (NO_X), carbon monoxide (CO), sulfur dioxide (SO_2), particulate matter of less than 10 microns (PM_{10}), particulate matter of less than 2.5 microns ($PM_{2.5}$), lead (Pb), and ammonia (NH_3).

i. In addition to the requirements of Subsection C of this Section, the owner or operator of any facility located in the parish of Ascension, East Baton Rouge, Iberville, Livingston, St. Charles, St. James, St. John the Baptist, or West Baton Rouge is required to include actual emissions in tons per year of ethylene and propylene in the emissions inventory.

ii. Supporting Information. In order to meet federal emissions inventory requirements and regulations, support modeling analyses, permit projection of future control strategies, allow the measurement of progress in reducing emissions, facilitate preparation of state implementation plans, and provide data for setting baselines from which to do future planning and for answering public requests for information, the emissions inventory shall include the required information listed in the following table. The emissions inventory shall also include all required data applicable to the facility. The information provided does not constitute permit limits. Submittal of a report of excess emissions above allowable limits under this regulation does not pre-empt the need for compliance with provisions of LAC 33:III.Chapter 5 that require a permit request to initiate or increase emissions; nor does it qualify as a notice of excess emissions.

Supporting Information for Emissions Inventory		
Data Element	**Description**	**Status**
I. Inventory Information — Information describing the inventory being submitted.		
Inventory Year	The calendar year for which emissions estimates are calculated	Required

Supporting Information for Emissions Inventory		
Data Element	**Description**	**Status**
Reporting Period Start Date	The first day of the inventory period	Required
Reporting Period End Date	The last day of the inventory period	Required
Ownership Start Date	The first day of ownership of the facility	Required
Ownership End Date	The last day of ownership of the facility, if applicable	Required
II. Facility Information — Information describing the facility (AI) for which the inventory is being submitted. A facility corresponds to one AI Number.		
Facility ID (AI Number)	Unique ID assigned by the department to each facility	Required
Facility Name	Short name of facility	Required
Owner Company Name	Name of company that owns the facility	Required
Operator Company Name	Name of company that operates the facility, if different than owner	Required
Description	Description of business conducted at facility	Required
Facility Status	Operating status of the facility during the emissions inventory year	Required
Address	Facility physical address	Required
City	Facility city	Required
Parish	Facility parish	Required
State	Facility state	Required
Zip Code	Facility zip code	Required
Longitude	Longitude of facility front gate	Optional
Latitude	Latitude of facility front gate	Optional
UTM Easting	UTM easting of facility front gate	Required
UTM Northing	UTM northing of facility front gate	Required
UTM Zone	UTM zone of facility front gate [15 or 16]	Required
Datum	Code that represents the reference datum used to determine the location coordinates	Required
Primary SIC Code	Standard Industrial Classification (SIC) for the entire facility	Required
Primary NAICS Code	North American Industrial Classification System (NAICS) for the entire facility	Required
ORIS Code	Four digit number assigned by the Energy Information Agency (EIA) at the U.S. Department of Energy to power plants owned by utilities	Optional
Comments	Miscellaneous information	Optional
III. Contact Information — Information describing the contact person(s) for each facility (AI).		
Contact Type	Emissions inventory (EI) facility contact person, EI consultant, responsible official, EI billing party, or other	Required — Both EI billing party and EI facility contact persons' names are required, if different.
Name	Full name of contact person	Required
Company	Name of company that the contact person works for	Required
Title	Contact person's title	Required
Email Address	Email address of contact person	Required
Phone Number	Phone number of contact person	Required
Mailing Address	Contact person's mailing address	Required
City	Contact person's city	Required

Supporting Information for Emissions Inventory		
Data Element	**Description**	**Status**
State	Contact person's state	Required
Zip Code	Contact person's zip code	Required
IV. Source Information — Information describing the point at which the emissions are generated (which is typically a piece of, or a closely related set of, equipment).		
Source ID	Unique ID assigned to the source by the facility and reported consistently over time	Required
NEDS Point ID	The NEDS point ID for the source from the legacy Emissions Inventory System	Optional
Subject Item ID #	Subject item ID assigned by the agency to the source, if available	Required
Source Description	Description of source	Required
Source Type	The type of equipment or unit that generates the emissions. Examples include heaters, boilers, flares, storage tanks, cooling towers, fugitive emissions, and spills.	Required
Permit Number	The permit number under which the source is permitted	Required
EIQ Number	Emission Inventory Questionnaire number from the permit application	Required
Serial Number	Serial number of equipment, if available	Optional
Construction Date	Date source was constructed, not put into operation	Optional
Start-up Date	Date source actually started operating	Optional
Shutdown Date	Date source was permanently taken out of service/no longer operating	Optional
Status	Operating status of the source during the emissions inventory year (active, idle, permitted but not built, shutdown)	Required
SIC	Standard Industrial Classification (SIC) for the source	Required
NAICS	North American Industry Classification Code (NAICS) for the source	Optional
Maximum Design Rate	Maximum design heat input (MMBTU/hr)	Required for combustion sources only
Maximum Nameplate Capacity	For electrical generators powered by combustion unit(s), the maximum electrical generating output in megawatts (MW) that the generator is capable of producing on a steady-state basis and during continuous operation	Optional
Engine Rating	Power rating in HP for engines	Optional
Firing Type	Describes the burner type for boilers: front, opposed, tangential, internal, or other	Optional
Comments	Miscellaneous information	Optional
V. Process Information — Information describing the process that each source was engaged in when it generated emissions.		
Process ID	Unique ID for the process assigned by the facility and reported consistently over time	Required
Source ID	Facility-assigned source ID to which this process record applies	Required
Process Description	A text description of the emission process	Required
Confidentiality	Flag indicating that the process information is confidential	Optional
SCC	Source Classification Code (SCC) — a ten-digit EPA-developed code used to associate air pollution estimates with unique, identifiable industrial processes	Required
Material Name	Name of input material for the process (fuel, raw material)	Required
Average Annual Throughput	Annual throughput of material for the process	Required

Supporting Information for Emissions Inventory		
Data Element	**Description**	**Status**
Annual Throughput Units	Units of measure for material throughput	Required
Average Ozone Season Throughput	Average daily throughput during the ozone season	Required for facilities in ozone nonattainment areas
Ozone Season Throughput Units	Units of measure for material throughput	Required for facilities in ozone nonattainment areas
Annual Average Ash Content	For solid fuels, the concentration of ash produced by the fuel, expressed as a percentage of total weight averaged over the emissions inventory reporting year, for the process	Required
Ozone Season Average Ash Content	For solid fuels, the concentration of ash produced by the fuel, expressed as a percentage of total weight averaged over the emissions inventory ozone season, for the process	Optional
Annual Average Sulfur Content	The concentration of sulfur in the fuel, expressed as a percentage of weight averaged over the emissions inventory reporting year, for the process	Required
Ozone Season Average Sulfur Content	The concentration of sulfur in the fuel, expressed as a percentage of weight averaged over the emissions inventory ozone season, for the process	Optional
Annual Average Heat Content	Total annual heat input (MMBTU/year), for combustion units	Required
Ozone Season Average Heat Content	Ozone season total heat input (MMBTU), for combustion units	Required for facilities in ozone nonattainment areas
Spring Throughput (%)	Seasonal operating percentage—the percentage of annual facility operations that occurs during the Spring season, March through May	Required
Summer Throughput (%)	Seasonal operating percentage—the percentage of annual facility operations that occurs during the Summer season, June through August	Required
Fall Throughput (%)	Seasonal operating percentage—the percentage of annual facility operations that occurs during the Fall season, September through November	Required
Winter Throughput (%)	Seasonal operating percentage—the percentage of annual facility operations that occurs during the Winter season, January, February and December of the same calendar year	Required
Hours per Day in Operation	The actual number of hours per day for which the facility is normally active	Required
Days per week in Operation	The actual number of days per week for which the facility is normally active	Required
Weeks per year in Operation	The actual number of weeks per year for which the facility is normally active	Required
VI. Emissions Factor — Information describing a ratio relating emissions of a specific pollutant to an activity or material throughput level. The emissions factor describes the calculation for a pollutant emitted by a specific process.		
Process ID	Facility-assigned process ID to which this emission factor applies	Required
Pollutant	Pollutant for which the emission factor applies	Required
Emission Factor	Emission factor numeric value for specified pollutant	Required

Supporting Information for Emissions Inventory		
Data Element	**Description**	**Status**
Material or Activity	Material name for emission factor	Required
Emission Factor Source	Source of information for emission factor (stack test, AP-42, etc.)	Required
Emissions Units (Numerator)	Unit of measure for emission factor numerator	Required
Material or Activity Rate (Denominator)	Unit of measure for emission factor denominator	Required
VII. Control System Information — Information describing the system where control measures are applied at or to a source or process to reduce the amount of a pollutant released into the environment. The information describes the control equipment chain (series of one or more control devices) that is used to control or abate emissions from a source.		
Control System ID	Unique ID assigned to the control system by the facility and reported consistently over time	Required
Subject Item ID #	Subject item ID assigned by the department to the control equipment, if available	Required
Control System Description	Description of the control equipment chain	Required
Primary Control Device Type	Type of primary control device. Examples include flare, scrubber, condenser, and vapor recovery unit.	Required
Secondary Control Device Type	Type of secondary control device (if applicable)	Required
VIII. Control Efficiency — Information describing the percentage by which a control system or technique reduces the emissions from a source.		
Control System ID	Unique ID assigned to the control system by the facility and reported consistently over time	Required
Pollutant	Pollutant for which the control efficiency applies	Required
Primary Device Efficiency (%)	Emission reduction efficiency of the primary control device	Optional
Secondary Device Efficiency (%)	Emission reduction efficiency of the secondary control device	Optional
Total Efficiency	Net emission reduction efficiency of all emissions collection devices	Required
IX. Release Point Information — Information describing the point where emissions from one or more processes are released into the atmosphere.		
Release Point ID	Unique ID assigned to the release point by the facility and reported consistently over time	Required
Subject Item ID #	Subject item ID assigned by the department to the release point, if available	Required
Release Point Description	Description of emissions release point	Required
Release Point Type	Release point type. Examples include vertical stack, horizontal stack, gooseneck stack, and area.	Required
Height	Physical height of release point above the surrounding terrain	Required
Diameter	Inside diameter of tower top (natural draft); of fan (mechanical draft); or of one fan (multicell tower)	Required
Width	Width of area for area release point types. This is the shorter dimension of the rectangular area over which the emissions occur.	Required for fugitive and area release point types
Length	Length of area for area release point types. This is the longer dimension of the rectangular area over which the emissions occur.	Required for fugitive and area release point types

Supporting Information for Emissions Inventory		
Data Element	**Description**	**Status**
Orientation	Orientation (bearing) of long axis of area release point types for fugitive or area sources, measured in degrees of clockwise rotation from true north	Required
Flow Rate	Stack gas flow rate (actual cubic feet per second)	Required
Velocity	Air exit velocity at tower top (natural draft), or velocity of the fan-propelled air under normal operating conditions (mechanical draft). If velocity is not directly known, divide the volumetric air flow rate by the cross sectional area of the release point.	Required
Temperature	Air temperature at tower tip (if unknown, assume 10 -15 degrees warmer than ambient temperature)	Required
Moisture Content	Moisture content of exit gas stream, designated as a percentage	Optional
Longitude	Longitude of release point	Optional
Latitude	Latitude of release point	Optional
UTM Easting	UTM easting of release point	Required
UTM Northing	UTM northing of release point	Required
UTM Zone	UTM zone of release point [15 or 16]	Required
Datum	Code that represents the reference datum used to determine the location coordinates	Required
Accuracy	Measure of accuracy of the release point coordinates (if using GPS reading, accuracy of GPS device)	Required
Collection Method	Method used to determine the release point coordinates (USGS quad, satellite photo, GPS, Address Geocoding, other)	Required
X. Portable Source Location — Information describing the specific location or locations at which a portable source released emissions over the inventory year.		
Release Point ID	Facility-assigned release point ID for which this is a supplemental location, if any	Required
Location ID	Unique ID assigned by facility to the location and reported consistently over time, if any	Required
Start Date	Date source started operating at this location	Required
End Date	Date source stopped operating at this location	Required
Parish	Parish containing this location	Required
Longitude	Longitude of release point at this location	Optional
Latitude	Latitude of release point at this location	Optional
UTM Easting	UTM easting of release point at this location	Required
UTM Northing	UTM northing of release point at this location	Required
UTM Zone	UTM zone of release point [15 or 16] at this location	Required
Datum	Code that represents the reference datum used to determine the location coordinates	Required
Accuracy	Measure of accuracy of the location's release point coordinates (if using GPS reading, accuracy of GPS device)	Required
Collection Method	Method used to determine the location's release point coordinates (USGS quad, satellite photo, GPS, Address Geocoding, other)	Required
XI. Emissions Record — Information describing the emissions for a specified combination of process (source and operating mode), control equipment, and release point.		
Source ID	Facility-assigned source ID for this emission record	Required
Process ID	Facility-assigned process ID for this emission record	Required
Control System ID	Facility-assigned control system ID for this emission record	Optional
Release Point ID	Facility-assigned release point ID for this emission record	Required
Location ID	Facility-assigned location ID if this is a portable source operating at a location other than the location on the release point record	Optional

Supporting Information for Emissions Inventory		
Data Element	**Description**	**Status**
Emission Record Type	Routine, start-up/shutdown, upset/malfunction/other, variance. Separate emission records must be submitted showing the annual total and ozone season daily emissions for each category.	Required
Pollutant	Pollutant emitted	Required
Total Emissions	Annual total emissions of specified pollutant (tons/year)	Required
Emissions Units	Ton	Required
Estimation Method	The method used to estimate emissions (AP-42, mass balance, etc.)	Required
Ozone Season Emissions	Ozone season average daily emissions of specified pollutant (pounds/day)	Required for facilities in ozone nonattainment areas
Ozone Season Emissions Units	Pounds/day	Required for facilities in ozone nonattainment areas
Ozone Season Estimation Method	A code indicating the method used to estimate emissions (AP-42, mass balance, etc.)	Required for facilities in ozone nonattainment areas
Number of Start-ups	Number of start-up events for which this record applies (only for emissions records of permitted start-ups/shutdowns)	Optional
Number of Shutdowns	Number of shutdown events for which this record applies (only for emissions records of permitted start-ups/shutdowns)	Optional

iii. Ozone Nonattainment Area Requirement. In addition to the requirements of Subsection C of this Section, the owner or operator of any facility located in an ozone nonattainment area that meets the applicability criteria of Subparagraph A.1.a of this Section shall submit an emissions inventory that includes:

(a). ozone season average daily emissions (in pounds/day) of CO, NO_X, VOC, ethylene, and propylene;

(b). average ozone season throughput;

(c). ozone season average heat content (in MMBtu/ozone season); and

(d). ozone season estimation method for emissions of CO, NO_X, VOC, ethylene, and propylene.

b. Actual emissions shall be reported for all sources of emissions at a facility, including but not limited to, emissions from routine operations, General Condition XVII emissions, fugitive emissions, flash gas emissions, emissions from insignificant sources (as defined in LAC 33:III.501.B.5, Insignificant Activities List, A—Based on Size or Emission Rate, and D—Exemptions Based on Emissions Levels), and excess emissions occurring during maintenance, start-ups, shutdowns, upsets, and downtime.

c. Certification Statement. A certification statement, required by Section 182(a)(3)(B) of the Federal Clean Air Act, shall be signed by a *responsible official*, as defined in LAC 33:III.502.A, for the facility or facilities and shall be submitted for each emissions inventory to attest that the information contained in the inventory is true and accurate to the best knowledge of the certifying official. The certification statement shall include the full name, title, signature and date of signature, and telephone number of the certifying official.

d. The emissions inventory shall be submitted, as well as the certification statement required by Subparagraph F.1.c of this Section, to the Office of Environmental Assessment by April 30 of each year (for the period January 1 to December 31 of the previous year) unless otherwise directed by the department. Any subsequent revisions shall be accompanied by a certification statement.

i. Any facility located in a parish designated as a nonattainment area, or within a nonattainment area, after March 1, 2009, and that meets the applicability criteria in Subparagraph A.1.a of this Section, shall submit an emissions inventory, as well as the certification statement required by Subparagraph F.1.c of this Section, to the Office of Environmental Assessment by April 30 of the year following the first full calendar year of the nonattainment designation, unless otherwise directed by the department.

ii. Any facility located in a parish that adjoins a parish designated as a nonattainment area, or within a nonattainment area, after March 1, 2009, and that meets the applicability criteria in Subparagraph A.1.a of this Section, shall submit an emissions inventory, as well as the certification statement required by Subparagraph F.1.c of this Section, to the Office of Environmental Assessment by April 30 of the year following the first full calendar year of the nonattainment designation, unless otherwise directed by the department.

2. When there is a change of ownership of any facility to which this Section applies, submitted in accordance with LAC 33:III.517.G, at any time during a reporting year, each owner shall submit an emissions inventory, in accordance with this Section, with a start and/or end date that coincides with the date of transfer of ownership.

3. Special Inventories. Upon request by the administrative authority, any facility subject to any rule of the Environmental Quality regulations, LAC Title 33, shall file additional emissions data with the department. The request shall specify a reasonable time for response, which shall not be less than 60 days from receipt of the request.

4. The department will publish a Potpourri notice in the *Louisiana Register*, as early as possible, advising of any planned changes in required data elements or reporting format, so that entities subject to reporting requirements under this Section will be able to make necessary adjustments.

G~~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. Reporting Requirements. The annual emissions inventory shall be submitted to the department no later than March 31 for the previous calendar year unless otherwise directed.~~

H~~E~~. Enforcement. The department reserves the right to initiate formal enforcement actions, under R.S. 30:2025, for failure to submit emissions inventories as required in this Section.

I~~F~~. Fees. The annual emissions inventory will be used to assess the criteria pollutant annual fee in accordance with LAC 33:III.223.

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), LR 33:2084 (October 2007), LR 35:**.

Chapter 15. Emission Standards for Sulfur Dioxide

§1513. Recordkeeping and Reporting

A. – D.…

E. All compliance data shall be made available to a representative of the department or the U.S. EPA on request. When applicable, compliance data shall be reported to the department annually in accordance with LAC 33:III.919~~8~~. In addition, quarterly reports of three-hour excess emissions and reports of emergency conditions in accordance with LAC 33:I.Chapter 39 shall be made.

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 18:376 (April 1992), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 30:1671 (August 2004), amended by the Office of the Secretary, Legal Affairs Division, LR 33:1013 (June 2007), LR 35:**.

Chapter 21. Control of Emission of Organic Compounds

Subchapter A. General

§2115. Waste Gas Disposal

Any waste gas stream containing volatile organic compounds (VOC) from any emission source shall be controlled by one or more of the applicable methods set forth in Subsections A-G of this Section. This Section shall apply to all waste gas streams located at facilities that have the potential to emit 25 TPY or more of VOC in the parishes of Ascension, East Baton Rouge, Iberville, Livingston, and West Baton Rouge; 50 TPY or more of VOC in the parishes of Calcasieu and Pointe Coupee; or 100 TPY or more of VOC in any other parish. This Section does not apply to waste gas streams that must comply with a control requirement, meet an exemption, or are below an applicability threshold specified in another section of this Chapter. This Section does not apply to waste gas streams that are required by another federal or state regulation to implement controls that reduce VOC to a more stringent standard than would be required by this Section.

A. – K.4. …

L. This Section does not apply to safety relief and vapor blowdown systems where control cannot be accomplished because of safety or economic considerations. However, the emissions from these systems shall be reported to the department as required under LAC 33:III.919~~8~~. Emergency conditions shall be reported in accordance with LAC 33:I.Chapter 39.

M. – M.*Waste Gas Stream.* …

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),

amended by the Office of Air Quality and Radiation Protection, Air Quality Division, LR 16:960 (November 1990), LR 17:654 (July 1991), LR 18:1122 (October 1992), LR 19:317 (March 1993), LR 22:1212 (December 1996), LR 24:21 (January 1998), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 28:1764 (August 2002), LR 30:745 (April 2004), LR 30:1672 (August 2004), amended by the Office of the Secretary, Legal Affairs Division, LR 35:**.

Subchapter M. Limiting Volatile Organic Compound (VOC) Emissions from Industrial Wastewater

§2153. Limiting VOC Emissions from Industrial Wastewater

A. Definitions. Unless specifically defined in LAC 33:III.111, the terms in this Chapter shall have the meanings normally used in the field of air pollution control. Additionally the following meanings apply, unless the context clearly indicates otherwise.

* * *

Plant—all facilities located within a contiguous area, under common control, and identified by the Plant ID number as assigned by the department, within the parish in which the plant is primarily located, for inclusion in the emissions inventory ~~system (EIS)~~.

* * *

B. – I. …

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 21:936 (September 1995), amended LR 22:1212 (December 1996), LR 24:26 (January 1998), LR 25:850 (May 1999), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2453 (November 2000), LR 28:1765 (August 2002), LR 30:747 (April 2004), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2441 (October 2005), LR 33:2087 (October 2007), LR 35:**.