

POTPOURRI
Department of Environmental Quality
Office of the Secretary
Legal Division

Notice of Public Hearing
Substantive Changes to Proposed Rule AQ328ft
PM_{2.5} Increments, Significant Impact Levels and Significant Monitoring Concentration
(LAC 33:III.509) (Log #AQ328ftS)
(1209Pot1)

Under the authority of the Environmental Quality Act, R.S. 30:2001 et seq., and in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., the secretary gives notice that the department is seeking to incorporate substantive changes to the proposed amendments to various regulations, LAC 33:III.509 (Log #AQ328ftS), which were originally notice as AQ328ft in the March 20, 2012 issue of the *Louisiana Register*.

The department has made substantive changes to address comments received during the public comment period of proposed rule AQ328ft. This substantive change revises language dealing with significant impact levels (SILS) for PM_{2.5} which was proposed as LAC33:III.509.K.2. EPA's authority to implement the PM_{2.5} SILS is presently the subject of litigation. In light of this litigation, LDEQ will not adopt LAC 33:III.509.K.2 as proposed. This language will be stricken from the proposed rule. Because of the removal of Paragraph K.2, all references will also be revised. In addition, the department seeks to change the definitions of "Baseline Area" and "Baseline Date" to reflect the changes made by EPA as published at 75 FR 64903.

A strikeout/underline/shaded version of the proposed rule that distinguishes original proposed language from substantively changed language is available on the Internet at www.deq.louisiana.gov under Rules and Regulations.

A public hearing on the substantive changes will be held on October 31, 2012, 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 amendments. Should individuals with a disability need an accommodation in order to participate, contact Deidra Johnson at the address given below or at (225) 219-3985. Two hours of free parking are allowed in the Galvez Garage with a validated parking ticket.

All interested persons are invited to submit written comments on the substantive changes. Persons commenting should reference this proposed regulation by OS083S. Such comments must be received no later than October 31, 2012, at 4:30 p.m., and should be sent to Deidra Johnson, Attorney Supervisor, Office of the Secretary, Legal Division, Box 4302, Baton Rouge, LA 70821-4302 or to FAX (225) 219-4068 or by e-mail to deidra.johnson@la.gov. The comment period for the substantive changes ends on the same date as the public hearing. Copies of these substantive changes 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 AQ328ftS. These proposed regulations are available on the Internet at www.deq.louisiana.gov/portal/tabid/1669/default.aspx.

These substantive changes are 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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