

NOTICE OF INTENT

Department of Environmental Quality
Office of Environmental Assessment
Environmental Planning Division

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 rulemaking procedures have been initiated to amend the Air Quality regulations, LAC 33:III.509 and 510 (Log #AQ218).

This rule proposes to establish a control technology requirement for NO_x and VOC emissions at new emissions units located at new and existing major stationary sources, as well as mandate an offset requirement for major modifications as defined in LAC 33:III.509. This rule would be applicable to sources located in parishes where emissions must be regulated to such an extent as to maintain the attainment status of that parish, or expedite or maintain the attainment status of an adjacent or nearby parish. Namely, these parishes are Beauregard, Cameron, Calcasieu, and Jefferson Davis. Calcasieu Parish experienced six ozone exceedance days during the years 1998, 1999, and 2000. Four or more exceedances during any consecutive 3-year period constitute a violation of the ozone National Ambient Air Quality Standard (NAAQS). In accordance with contingency measures established in the approved air quality Maintenance Plan for Calcasieu Parish, a control strategy must be developed and appropriate control measures implemented in an effort to maintain Calcasieu's current attainment designation and to protect air quality in the area. The basis and rationale for this proposed rule are to protect and maintain the air quality in Calcasieu Parish and the adjoining parishes of Beauregard, Cameron, and Jefferson Davis and to continue to meet the National Ambient Air Quality Standard for ozone.

This proposed rule meets an exception listed in R.S. 30:2019 (D) (3) and R.S.49:953 (G) (3); therefore, no report regarding environmental/health benefits and social/economic costs is required. This proposed rule has no known impact on family formation, stability, and autonomy as described in R.S. 49:972.

A public hearing will be held on June 25, 2001, at 1:30 p.m. in the Maynard Ketcham Building, Room 326, 7290 Bluebonnet Boulevard, Baton Rouge, LA 70810. 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 Patsy Deaville at the address given below or at (225) 765-0399.

All interested persons are invited to submit written comments on the proposed regulations. Persons commenting should reference this proposed regulation by AQ218. Such comments must be received no later than July 2, 2001, at 4:30 p.m., and should be sent to Patsy Deaville, Regulation Development Section, Box 82178, Baton Rouge, LA 70884-2178 or to FAX (225) 765-0389. Copies of this proposed regulation can be purchased at the above referenced address. Contact the Regulation Development Section at (225) 765-0399 for pricing information. Check or money order is required in advance for each copy of AQ218.

This proposed regulation is available for inspection at the following DEQ office locations from 8 a.m. until 4:30 p.m.: 7290 Bluebonnet Boulevard, Fourth Floor, Baton Rouge, LA 70810; 804 Thirty-first Street, Monroe, LA 71203; State Office Building, 1525 Fairfield Avenue, Shreveport, LA 71101; 3519 Patrick Street, Lake Charles, LA 70605; 201 Evans Road, Building 4, Suite 420, New Orleans, LA 70123;

100 Asma Boulevard, Suite 151, Lafayette, LA 70508; 104 Lococo Drive, Raceland, LA 70394 or on the Internet at <http://www.deq.state.la.us/planning/regs/index.htm>.

James H. Brent, Ph.D.
Assistant Secretary

Title 33

ENVIRONMENTAL QUALITY

Part III. Air

Chapter 5. Permit Procedures

§509. Prevention of Significant Deterioration

[See Prior Text in A —B. Baseline Area.1]

2. All parishes are designated as attainment for all pollutants except the following parishes are designated nonattainment for ozone only:

Ascension
Calcasieu
East Baton Rouge
Iberville
Livingston
Point Coupee
West Baton Rouge

[See Prior Text in B.Baseline Concentration –S.4]

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 16:613 (July 1990), amended by the Office of Air Quality and Radiation Protection, Air Quality Division, LR 17:478 (May 1991), LR 21:170 (February 1995), LR 22:339 (May 1996), LR 23:1677 (December 1997), LR 24:654 (April 1998), LR 24:1284 (July 1998), repromulgated LR 25:259 (February 1999), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2447 (November 2000), LR 27:

§510. New Emissions Sources and Major Modifications in Specified Parishes

A. Applicability. The provisions of this Section shall be applicable in the following parishes: Beauregard, Calcasieu, Cameron, and Jefferson Davis.

B. Control Technology Requirements. The provisions of this Section apply to the construction and reconstruction of emissions units at new or existing major stationary sources, as defined herein, provided such source or modification is located within a parish specified in Subsection A of this Section.

1. Maintenance Reasonably Available Control Technology (MRACT) Requirements

a. The potential to emit of a stationary source shall be compared to the major stationary source threshold values listed in Table 1 of this Section to determine whether the source is major.

b. All new emissions units at new or existing major stationary sources shall apply MRACT requirements for each pollutant subject to regulation under this Section that it would emit, or have the potential to emit, in amounts greater than or equal to the de minimus value specified in Table 1 of this Section. The de minimus value shall represent the potential to emit of the emissions unit only and shall not consider any contemporaneous increases and decreases at the facility.

c. Approval to construct shall become invalid if construction is not commenced within 18 months after receipt of such approval, if construction is discontinued for a period of 18 months or more, or if construction is not completed within a reasonable time. For a phased construction project, each phase must commence construction within 18 months of the projected and approved commencement date. The department may extend the 18-month period upon a satisfactory showing that an extension is justified.

d. For phased construction projects, the determination of the MRACT shall be reviewed and modified, as appropriate, at the latest reasonable time but no later than 18 months prior to commencement of construction of each independent phase of the project. At such time the owner or operator of the applicable stationary source may be required to demonstrate the adequacy of any previous determination of MRACT.

e. If the owner or operator applies for an extension, as provided for in Subsection B.1.c of this Section, and the new proposed date of construction is greater than 18 months from the date that the approval to construct would become invalid, the determination of the MRACT shall be reviewed and modified as appropriate before such an extension is granted. At such time the owner or operator may be required to demonstrate the adequacy of any previous determination of the MRACT.

2. Source Information. The owner or operator of a proposed major stationary source or major modification shall submit all information necessary to the Office of Environmental Services, Permits Division, in order to perform any analysis or make any determination required under this regulation. Information shall include, but is not limited to:

a. a description of the nature, location, design capacity, and typical operating schedule of the emissions unit(s), including specifications and drawings showing the design and plant layout;

b. a detailed schedule for construction of the emissions unit(s); and

c. a detailed description of the planned system of emission controls to be implemented, emission estimates, and other information necessary to demonstrate that the MRACT will be applied and maintained.

3. Exemptions. The following emissions units are exempt from the control technology requirements of this Subsection:

a. those that are subject to the Best Available Control Technology (BACT) requirements of the Prevention of Significant Deterioration (PSD) program, LAC 33:III.509;

b. those that are subject to control requirements of a Maximum Achievable Control Technology (MACT) standard under the national emission standard for hazardous air pollutants in 40 CFR part 61 or part 63 (with regard to VOC control only); and

c. those that trigger control requirements of any section in LAC 33:III.Chapter 21 (with regard to VOC control only).

C. Offset Requirements. The provisions of this Subsection apply to major stationary sources and major modifications, as provided in LAC 33:III.509.I, provided such source or modification is located within a parish specified in Subsection A of this Section.

1. Emission Offsets

a. The emissions increase from a major modification as defined in LAC 33:III.509 shall be offset in accordance with the provisions of this Section at the ratio specified in Table 1 of this Section.

b. All emission offsets approved by the department shall meet the following criteria:

i. all emission reductions claimed as offset credit shall be from decreases of the same pollutant or pollutant class (e.g., VOC) for which the offset is required. Interprecursor trading, for example, using a NO_x credit to offset a VOC emission increase, is not allowed;

ii. all emission reductions claimed as offset credit must have occurred on or after June 2, 1997;

iii. all emission reductions claimed as offset credit shall be enforceable prior to commencement of construction of the major modification. All emission reductions claimed as offset credit shall occur prior to or concurrent with the start of operation of the proposed major stationary source;

iv. offset credit for any emission reduction can be claimed only to the extent that the department has not relied on it in previously issuing any permit;

v. the emission limit for determining emission offset credit involving an existing fuel combustion source shall be the most stringent emission standard that is allowable under the applicable regulation for this major stationary source for the type of fuel being burned at the time the permit application is filed. If the existing source commits to switch to a cleaner fuel, emission offset credit based on the difference between the allowable VOC emissions of the fuels involved shall be acceptable only if an alternative control measure, which would achieve the same degree of emission reductions should the source switch back to a fuel that produces more pollution, is specified in a permit issued by the department;

vi. emission reductions achieved by shutting down an existing source or curtailing production or operating hours below baseline levels may be generally credited if such reductions are permanent, quantifiable, federally enforceable, and in accordance with the State Implementation Plan (SIP);

vii. emission offsets shall be obtained from the same source or other sources located in the parishes subject to Subsection B of this Section; and

viii. emission reductions otherwise required by the Act or by state regulations shall not be credited for purposes of satisfying the offset requirement. Incidental emission reductions that are not otherwise required by the Act or by state regulations may be creditable as offsets.

2. Source Information. The owner or operator desiring to utilize emission reductions as an offset shall submit to the Office of Environmental Services, Permits Division the following information:

a. a detailed description of the process to be controlled and the control technology to be used;

b. emission calculations showing the types and amounts of actual emissions to be reduced; and

c. the effective date of the reduction.

D. Compliance Schedule. For affected sources that have submitted or will submit a permit application prior to final promulgation of this Section that entails either a major modification as defined in LAC 33:III.509 or construction or reconstruction of a new emissions unit, the offset requirements of

Subsection C of this Section and/or the MRACT requirements of Subsection B of this Section shall not apply if the application has been deemed administratively complete in accordance with LAC 33:III.519.A prior to the final promulgation date of this Section.

E. Definitions. The terms in this Section are used as defined in LAC 33:III.111 or 504.G, with the exception of those terms specifically defined as follows:

Emissions Unit—any part of a major stationary source, as defined herein, that emits or would have the potential to emit any pollutant regulated under this Section.

Existing—a major stationary source or emissions unit that does not meet the definition of *new*.

Maintenance RACT (MRACT)—reasonably available control technology for new emissions units in parishes designated by the department.

a. Includes control devices, systems, process modifications, or other apparatus or techniques that are reasonably available, as determined by the department on a case by case basis, taking into account:

i. the necessity of imposing such controls in order to attain and maintain a national ambient air quality standard in the parishes in question; and

ii the energy, environmental, and economic impact of such controls.

b. In no event shall application of reasonably available control technology result in emissions of any pollutant that would exceed the emissions allowed by an applicable standard as set forth in sections 111 and 112 of the Act or LAC 33:III.5109.A, if applicable. If the department determines that technological or economic limitations on the application of measurement methodology to a particular emissions unit would make the imposition of an emissions standard infeasible, a design, equipment, work practice, or operational standard, or combination thereof, may be prescribed instead to satisfy the requirement for the application of MRACT. Such standard shall, to the degree possible, set forth the emission reduction achievable by implementation of such design, equipment, work practice, or operation and shall provide for compliance by means that achieve equivalent results.

Major Stationary Source—

a. any stationary source (including all emission points and units of such source located within a contiguous area and under common control) of air pollutants that emits, or has the potential to emit, any regulated pollutant at or above the threshold values defined in Table 1 of this Section; or

b. any physical change that would occur at a stationary source not qualifying under Subparagraph a of this definition as a major stationary source, if the change would constitute a major stationary source by itself;

c. a stationary source shall not be a major stationary source due to fugitive emissions, to the extent that they are quantifiable, unless the source belongs to:

i. any category in Table A in LAC 33:III.509.B; or

ii. any other stationary source category that, as of August 7, 1980, is being regulated under section 111 or 112 of the Act;

d. a stationary source shall not be a major stationary source due to secondary emissions.

New—a major stationary source or emissions unit for which construction or reconstruction commenced after promulgation of this Section.

Regulated Pollutant—a pollutant listed in Table 1 of this Section.

<u>Table 1</u> <u>Major Stationary Source/New Unit Emission</u> <u>Thresholds</u>			
<u>Pollutant</u>	<u>Major Stationary Source Threshold Values (tons/year)</u>	<u>New Emissions Unit De Minimus Trigger Values (tons/year)</u>	<u>Offset Ratio Minimum</u>
<u>VOC</u>	<u>100</u>	<u>25</u>	<u>1.10 to 1</u>
<u>NO_x</u>	<u>100</u>	<u>25</u>	<u>1.10 to 1</u>

VOC = volatile organic compounds

NO_x = nitrogen oxides

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

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Environmental Assessment, Environmental Planning Division, LR 27:

**FISCAL AND ECONOMIC IMPACT STATEMENT
FOR ADMINISTRATIVE RULES LOG #: AQ 218**

Person

Preparing

Statement: Paul Heussner

Phone: (225) 765-0244

Dept.: Department of Environmental Quality

Office: Office of Environmental Assessment

Return

Address: P.O. Box 82178

Baton Rouge, LA 70884-2178

Rule Title: Permit Procedures for New Emissions

Sources and Major Modifications in

Specified Parishes (LAC 33:III.509, 510)

Date Rule Takes Effect: Upon Promulgation

SUMMARY

(Use complete sentences)

In accordance with Section 953 of Title 49 of the Louisiana Revised Statutes, there is hereby submitted a fiscal and economic impact statement on the rule proposed for adoption, repeal or amendment. THE FOLLOWING STATEMENTS SUMMARIZE ATTACHED WORKSHEETS, I THROUGH IV AND WILL BE PUBLISHED IN THE LOUISIANA REGISTER WITH THE PROPOSED AGENCY RULE.

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

There will be no costs or savings to state or local governmental units as a result of this rule.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

There is no estimated effect on revenue collections of state or local governmental units.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS (Summary)

The exact effect this rule will have on a facility will vary. If a major source is not planning to construct a new emissions unit that can emit NO_x or VOC greater than the de minimus level, the rule will have no effect at all. However, if such a facility wishes to install a new emissions unit that can emit NO_x or VOC greater than the de minimus level, the unit must be designed with reasonably available control technology (RACT), as determined on a case-by-case basis by the Department. Costs of RACT technology may vary considerably due to factors such as the type and size of emissions unit, the potential for multiple control strategies, etc.

The offset component of the rule will apply to major stationary sources and major modifications as described in LAC 33:III.509.I, and require facilities to offset the increase that triggered the major modification at a ratio of 1.10 to 1. If an existing facility has made past reductions that could qualify as Emission Reduction Credits (ERC), no additional cost will be incurred. If no such reductions exist, a facility would have to purchase ERC from another company. The potential supply of ERC in the Calcasieu area cannot be predicted, as the specific emission reductions that are eligible to be banked as ERC have not been catalogued. Consequently, an

ERC cost would be difficult to predict, except that it should be comparable to that in the Baton Rouge area (\$5000 per ERC).

Costs, if any, are dependent on the future plans of individual facilities and are not further quantifiable.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

There is no effect on competition since all facilities must follow the same rules. There is no estimated effect on employment.

Signature of Agency Head or Designee

LEGISLATIVE FISCAL OFFICER OR DESIGNEE

James H. Brent, Ph.D., Assistant Secretary
Typed Name and Title of Agency Head
or Designee

Date of Signature

Date of Signature

LFO 7/1/94

**FISCAL AND ECONOMIC IMPACT STATEMENT
FOR ADMINISTRATIVE RULES**

The following information is requested in order to assist the Legislative Fiscal Office in its review of the fiscal and economic impact statement and to assist the appropriate legislative oversight subcommittee in its deliberation on the proposed rule.

- A. Provide a brief summary of the content of the rule (if proposed for adoption or repeal) or a brief summary of the change in the rule (if proposed for amendment). Attach a copy of the notice of intent and a copy of the rule proposed for initial adoption or repeal (or, in the case of a rule change, copies of both the current and proposed rules with amended portions indicated).

This rule proposes to establish a control technology requirement for NO_x and VOC emissions at new emissions units located at new and existing major stationary sources, as well as mandate an offset requirement for major modifications as defined in LAC 33:III.509. This rule would be applicable to sources located in parishes where emissions must be regulated to such an extent as to maintain the attainment status of that parish, or expedite or maintain the attainment status of an adjacent or nearby parish. Namely, these parishes are Beauregard, Cameron, Calcasieu, and Jefferson Davis.

First, if a major source proposes to add a new emissions unit that emits, or has the potential to emit, NO_x or VOC at a rate greater than a specified de minimus level (25 TPY), that unit must be equipped with a control deemed maintenance reasonably available control technology (MRACT). Such technology should generally be equivalent to Best Available Control Technology (BACT) under the existing Prevention of Significant Deterioration (PSD) program, 40 CFR 52.21 and LAC 33:III.509, and like BACT, will be determined on a case-by-case basis. Exemptions from the control technology requirement are given if the emissions unit triggers BACT (for NO_x or VOC) or a maximum achievable control technology (MACT) standard under 40 CFR Part 61 or 63 (for VOC).

Second, if a major source undergoes a major modification as defined under PSD regulations, the resultant NO_x and/or VOC emissions increase must be offset at a ratio of 1.10 to 1.

- B. Summarize the circumstances which require this action. If the Action is required by federal regulation, attach a copy of the applicable regulation.

Calcasieu Parish experienced 6 ozone exceedance days during the years 1998, 1999, and 2000. Four or more exceedances during any consecutive 3-year period constitute a violation of the ozone National Ambient Air Quality Standard (NAAQS). In accordance with contingency measures established in the approved air quality Maintenance Plan for Calcasieu Parish, a control strategy must be developed and appropriate control measures implemented in an effort to maintain Calcasieu's current attainment designation and to protect air quality in the area.

- C. Compliance with Act II of the 1986 First Extraordinary Session
(1) Will the proposed rule change result in any increase in the expenditure of funds? If so, specify amount and source of funding.

No, this proposed rule will not result in any increase in the expenditure of funds.

2) If the answer to (1) above is yes, has the Legislature specifically appropriated the funds necessary for the associated expenditure increase?

- (a) Yes. If yes, attach documentation.
- (b) No. If no, provide justification as to why this rule change should be published at this time.

This proposed rule will not result in any increase in the expenditure of funds.

FISCAL AND ECONOMIC IMPACT STATEMENT

WORKSHEET

I. **A. COSTS OR SAVINGS TO STATE AGENCIES RESULTING FROM THE ACTION PROPOSED**

1. What is the anticipated increase (decrease) in costs to implement the proposed action?

There will be no costs or savings to state or local governmental units as a result of this rule.

COSTS	FY 01-02	FY 02-03	FY 03-04
PERSONAL SERVICES	-0-	-0-	-0-
OPERATING EXPENSES	-0-	-0-	-0-
PROFESSIONAL SERVICES	-0-	-0-	-0-
OTHER CHARGES	-0-	-0-	-0-
<u>EQUIPMENT</u>	-0-	-0-	-0-
<u>TOTAL</u>	-0-	-0-	-0-
<u>MAJOR REPAIR & CONSTR.</u>	-0-	-0-	-0-
<u>POSITIONS(#)</u>			

2. Provide a narrative explanation of the costs or savings shown in "A.1.", including the increase or reduction in workload or additional paperwork (number of new forms, additional documentation, etc.) anticipated as a result of the implementation of the proposed action. Describe all data, assumptions, and methods used in calculating these costs.

There are no costs or savings associated with the proposed rule. Any workload adjustment will be absorbed by existing staff.

3. Sources of funding for implementing the proposed rule or rule change.

SOURCE	FY 01-02	FY 02-03	FY 03-04
STATE GENERAL FUND	-0-	-0-	-0-
AGENCY SELF-GENERATED	-0-	-0-	-0-
DEDICATED	-0-	-0-	-0-
FEDERAL FUNDS	-0-	-0-	-0-
<u>OTHER (Specify)</u>	-0-	-0-	-0-
<u>TOTAL</u>	-0-	-0-	-0-

4. Does your agency currently have sufficient funds to implement the proposed action? If not, how and when do you anticipate obtaining such funds?

No funds are required to implement the proposed action.

B. COST OR SAVINGS TO LOCAL GOVERNMENTAL UNITS RESULTING FROM THE ACTION PROPOSED.

1. Provide an estimate of the anticipated impact of the proposed action on local governmental units, including adjustments in workload and paperwork requirements. Describe all data, assumptions and methods used in calculating this impact.

There is no anticipated impact of the proposed action on local governmental units.

2. Indicate the sources of funding of the local governmental unit that will be affected by these costs or savings.

There are no costs or savings to local governmental units and no funding is needed.

**FISCAL AND ECONOMIC IMPACT STATEMENT
WORKSHEET**

II. EFFECT ON REVENUE COLLECTIONS OF STATE AND LOCAL GOVERNMENTAL UNITS

A. What increase (decrease) in revenues can be anticipated from the proposed action?

There is no estimated effect on revenue collections of state or local governmental units from the proposed action.

REVENUE INCREASE/DECREASE	FY 01-02	FY 02-03	FY 03-04
STATE GENERAL FUND	-0-	-0-	-0-
AGENCY SELF-GENERATED	-0-	-0-	-0-
RESTRICTED FUNDS*	-0-	-0-	-0-
FEDERAL FUNDS	-0-	-0-	-0-
<u>LOCAL FUNDS</u>	-0-	-0-	-0-
<u>TOTAL</u>	-0-	-0-	-0-

*Specify the particular fund being impacted.

B. Provide a narrative explanation of each increase or decrease in revenues shown in "A." Describe all data, assumptions, and methods used in calculating these increases or decreases.

There are no estimated effects on revenue collections of state and local governmental units.

III. COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS

A. What persons or non-governmental groups would be directly affected by the proposed action? For each, provide an estimate and a narrative description of any effect on costs, including workload adjustments and additional paperwork (number of new forms, additional documentation, etc.), they may have to incur as a result of the proposed action.

The exact effect this rule will have on a facility will vary. The control technology aspect of the rule will apply to new emissions units that emit, or have the potential to emit, greater than 25 tons per year of NO_x and/or VOC and are located at new or existing major sources. This rule would only be applicable to facilities located in parishes where emissions must be regulated to such an extent as to maintain the attainment status of that parish, or expedite or maintain the attainment status of an adjacent or nearby parish. These parishes are Beauregard, Cameron, Calcasieu, and Jefferson Davis.

If a major source is not planning to construct a new emissions unit that can emit NO_x or VOC greater than the de minimus level discussed above, the rule will have no effect at all. However, if such a facility wishes to install a new emissions unit that can emit NO_x or VOC greater than the specified level, the unit must be designed with reasonably available control technology (RACT), as determined on a case-by-case basis by the Department. Costs of RACT technology may vary considerably due to factors such as the type and size of emissions unit, the potential for multiple control strategies, etc.

The offset component of the rule will apply to major stationary sources and major modifications (located in the designated parishes) as described in LAC 33:III.509.I. In this case, a facility must install Best Available Control Technology (BACT) under the existing federal Prevention of Significant Deterioration (PSD) program, 40 CFR 52.21 and LAC 33:III.509; hence, no additional control technology requirement will be needed. However, this rule will impose an additional requirement to offset the increase which triggered BACT at a ratio of 1.10 to 1. If an existing facility has made past reductions which could qualify as emission reduction credit (ERC), no additional cost will be incurred. If no such reductions exist, a facility would have to purchase ERC from another company in the 4-parish area.

Industry environmental representatives and consultants have indicated that the one ERC (1 ton per year) has a market value of approximately \$5,000 in the Baton Rouge nonattainment area. The Department of Environmental Quality maintains a database of banked ERC, but the financial transactions are strictly between the companies involved. The potential supply of ERC in the Calcasieu area cannot be predicted, as the specific emission reductions that are eligible to be banked as ERC have not been catalogued. Consequently, an ERC cost would be difficult to predict, except that it should be comparable to that in the Baton Rouge area.

Without having detailed information on the long-term plans of the relevant facilities, it is not possible to make a more detailed cost projection.

- B. Also provide an estimate and a narrative description of any impact on receipts and/or income resulting from this rule or rule change to these groups.

There are no estimated impacts on receipts or income.

IV. EFFECTS ON COMPETITION AND EMPLOYMENT

Identify and provide estimates of the impact of the proposed action on competition and employment in the public and private sectors. Include a summary of any data, assumptions and methods used in making these estimates.

There is no effect on competition since all facilities must follow the same rules. There is no estimated effect on employment in the public and private sectors.