

Title 33
ENVIRONMENTAL QUALITY
Part III. Air

Chapter 5. Permit Procedures

§501. Scope and Applicability

A. - B.1.d. ...

2. Statutory Exemptions. The requirement to obtain a permit in accordance with this Chapter does not apply to:

- a. ...
- b. controlled burning of agricultural by-products in the field or of cotton gin agricultural wastes; ~~or~~
- c. controlled burning in connection with timber stand management, or of pastureland or marshland in connection with trapping or livestock production; ~~or~~
- d. any source that is not a *Part 70 source*, as defined in LAC 33:III.502, and for which:

- i. facility-wide potential emissions are less than:
 - (a). 5 tons per year for each of any regulated air pollutant as defined by the Clean Air Act;
 - (b). 15 tons per year of all such defined pollutants combined; and

- (c). the minimum emission rate (MER) for each toxic air pollutant established by Tables 51.1 and 51.3 of LAC 33:III.Chapter 51; ~~and~~

- ii. for purposes of this exemption, any physical limitation on the capacity of a source to emit an air pollutant, including air pollution control equipment, shall be treated as part of its design; and

- iii. for purposes of determining applicability of 40 CFR Part 70 and LAC 33:III.507, *potential to emit* as defined in LAC 33:III.502 shall be used.

B.3. - C.13. ...

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:**.