

NOTICE OF INTENT

Department of Environmental Quality
Office of the Secretary
Legal Affairs Division

Repeal of LAC 33:III.510
(LAC 33:III.510, 603, 605, 607, 613, and 615) (AQ287P)

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 regulations, LAC 33:III.510, 603, 605, 607, 613, and 615 (Log #AQ287P).

This rule repeals and deletes references to LAC 33:III.510, which provides for control technology requirements and emission offsets only in Calcasieu Parish. This Section was promulgated in 2001 following violation of the 1-hour ozone standard in Calcasieu Parish and prior to EPA's designations for the 8-hour ozone standard in 2004. The Lake Area Industry Alliance (LAIA) submitted a petition for rulemaking to the department requesting the repeal of LAC 33:III.510. The membership of LAIA consists of 23 major industrial facilities located in the Lake Charles/Calcasieu Parish area. A public notice and comment period was held prior to this rulemaking seeking comment regarding the requested repeal. A public hearing was held in Lake Charles prior to reaching a decision on this action. Overwhelming support for the repeal was expressed during the comment period. This "state-only" rule provision was never submitted to EPA for incorporation into Louisiana's State Implementation Plan for air quality. Based on a review of the relevant air quality information for Calcasieu Parish, the department has determined to proceed with the repeal of LAC 33:III.510. The basis and rationale for this rule are to allow air emission sources in Calcasieu Parish to be subject to the same permitting rules as other parishes in Louisiana that are currently in attainment with the National Ambient Air Quality Standard for the air pollutant ozone.

This proposed rule meets an exception listed in R.S. 30:2019(D)(2) 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 August 28, 2007, 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 Judith A. Schuerman, Ph.D., at the address given below or at (225) 219-3550. Parking in the Galvez Garage is free with a validated parking ticket.

All interested persons are invited to submit written comments on the proposed regulation. Persons commenting should reference this proposed regulation by AQ287P. Such comments must be received no later than September 4, 2007, at 4:30 p.m., and should be sent to Judith A.

Schuerman, Ph.D., Office of the Secretary, Legal Affairs Division, Box 4302, Baton Rouge, LA 70821-4302 or to FAX (225) 219-3582 or by e-mail to judith.schuerman@la.gov. Copies of this proposed regulation 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 AQ287P. This regulation is available on the Internet at www.deq.louisiana.gov/portal/tabid/1669/default.aspx.

This proposed regulation 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; 645 N. Lotus Drive, Suite C, Mandeville, LA 70471.

Herman Robinson, CPM
Executive Counsel

**Title 33
ENVIRONMENTAL QUALITY**

Part III. Air

Chapter 5. Permit Procedures

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

Repealed.

~~A. Applicability. The provisions of this Section shall be applicable in the following parish: Calcasieu.~~

~~B. Control Technology Requirements. The provisions of this Section apply to new, modified, and reconstructed emissions units at new or existing major stationary sources, as defined herein, provided the source is located within a parish specified in Subsection A of this Section. Modification and reconstruction shall have the same meanings attributed to them in 40 CFR 60.14 and 60.15.~~

~~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. Each new modified or reconstructed emissions unit at a new or existing major stationary source 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. Modification and reconstruction shall have the same meanings attributed to them in 40 CFR 60.14 and 60.15.~~

~~e. 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 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 Subparagraph 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 an affected emissions unit,~~

~~as identified in Subparagraph B.1.b of this Section, shall submit all information necessary to the Office of Environmental Services, Air 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 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 the control requirements of a national emission standard in 40 CFR Part 61 or a national emission standard for hazardous air pollutants for source categories in 40 CFR Part 63 (with regard to VOC control only);~~

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

~~d. those that must be installed, modified, or reconstructed to comply with the Tier 2 Motor Vehicle Emissions Standards and Gasoline Sulfur Control Requirements published in the *Federal Register* on February 10, 2000, at 65 FR 6697.~~

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

~~1. Emission Offsets~~

~~a. The emissions increase from a new major stationary source or major modification, as defined in LAC 33:III.509.I, 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 be surplus, permanent, quantifiable, and enforceable in accordance with LAC 33:III.Chapter 6 and 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. ~~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, and enforceable;~~

vi. ~~emission offsets shall be obtained from the same source or other sources located in the parishes subject to this Subsection; and~~

vii. ~~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.~~

e. ~~First-time applications for banking Emission Reduction Credits (ERC) where the emission reduction occurred between June 2, 1997, and December 31, 2001, shall be submitted on or before March 31, 2002. Thereafter, applications shall be submitted in accordance with LAC 33:III.615.A.~~

d. ~~The initial summary report required by LAC 33:III.613 shall be due by March 31, 2003, and should cover the period of June 2, 1997, through December 31, 2002. Thereafter, such reports shall be submitted in accordance with LAC 33:III.613.~~

2. ~~Source Information. The owner or operator desiring to utilize emission reductions as an offset shall submit to the Office of Environmental Services, Air 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.~~

3. ~~Exemptions. The following significant net increases in NO_x and/or VOC emissions shall not be considered major modifications and are exempt from the offset requirements of this Subsection:~~

a. ~~those that will be realized as a direct result of modifications or process changes required to comply with the Tier 2 Motor Vehicle Emissions Standards and Gasoline Sulfur Control Requirements published in the *Federal Register* on February 10, 2000, at 65 FR 6697; and~~

b. ~~those that are a direct result of and incidental to the installation of abatement equipment or implementation of a control technique required to comply with another state or federal regulation, consent decree, or other enforcement action or those that result from a project meeting the qualifications for a pollution control project in accordance with EPA's July 1, 1994, Pollution Control Projects and New Source Review (NSR) Applicability.~~

~~D. Compliance Schedule~~

1. ~~The control technology requirements of Subsection B of this Section shall apply to all affected emissions units for which an application to construct, modify, or reconstruct is received on or after December 20, 2001. Modification and reconstruction shall have the same meanings attributed to them in 40 CFR 60.14 and 60.15.~~

2. ~~The offset requirements of Subsection C of this Section shall apply to all new major stationary sources and major modifications, as defined in LAC 33:III.509.I, for which an application to construct or modify is received on or after December 20, 2001.~~

E. ~~Definitions. Unless otherwise noted, the terms in this Section are defined in LAC 33:III.111 or 504.K, 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 has 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. *MRACT* may include 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 Section 111 of the Federal Clean Air 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 Federal Clean Air 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 an application to construct, modify, or reconstruct is received on or after December 20, 2001.~~

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

Pollutant	Major Stationary Source Threshold Values (tons/year)	New Emissions Unit De Minimus Trigger Values (tons/year)	Offset Ratio Minimum
VOC	100	25	1:10 to 1
NO _x	100	25	1:10 to 1

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 27:2234 (December 2001), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2437 (October 2005), repealed LR 33:**.

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

§603. Applicability

A. Major stationary sources are subject to the provisions of this Chapter for the purpose of utilizing emission reductions as offsets in accordance with LAC 33:III.504 and 510. Minor stationary sources located in ozone nonattainment areas or Calcasieu Parish may submit ERC applications for purposes of banking. Other sources located in EPA-designated ozone attainment areas may not participate in the emissions banking program. Any stationary point source at an affected facility is eligible to participate.

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), amended LR 24:2239 (December 1998), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 25:1622 (September 1999), LR 28:301 (February 2002), amended by the Office of the Secretary, Legal Affairs Division, LR 33:**.

§605. Definitions

A. ...

* * *

Offset—a legally enforceable reduction, approved by the department, in the rate of actual emissions from an existing stationary point source, which is used to compensate for a significant net increase in emissions of NO_x or VOC from a new or modified stationary source in accordance with the requirements of LAC 33:III.504 or 510. To be valid, an *offset* must meet the definition of ERC.

* * *

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:**.

§607. Determination of Creditable Emission Reductions

A. – C.4.a.ii. ...

~~b. Reserved for stationary sources located in Calcasieu Parish or any parish redesignated as ozone nonattainment by the EPA after December 20, 2001, baseline emissions shall be the lower of actual emissions or adjusted allowable emissions determined in accordance with Paragraph C.3 of this Section.~~

C.5. – D. ...

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 20:877 (August 1994), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 25:1622 (September 1999), LR 28:302 (February 2002), amended by the Office of the Secretary, Legal Affairs Division, LR 32:1601 (September 2006), LR 33:**.

§613. ERC Bank Recordkeeping and Reporting Requirements

A. – B.2. ...

~~3. Repealed. Sources located in EPA designated ozone attainment areas subject to LAC 33:III.510 shall submit the summary report required by Paragraph B.2 of this Section according to the schedule outlined in LAC 33:III.510.C.1.~~

C. ...

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 20:877 (August 1994), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 25:1622 (September 1999), LR 26:486 (March 2000), LR 26:2449 (November 2000), LR 28:303 (February 2002), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2437 (October 2005), LR 33:**.

§615. Schedule for Submitting Applications

A. – B. ...

~~C. Sources subject to LAC 33:III.510 shall submit applications for banking ERCs according to the schedule outlined in LAC 33:III.510.C.1.~~

~~C.D.~~ Applications for banking emission reductions that are to be made as part of a project that includes an increase in emissions for which the reduction will serve to offset the increase may be submitted as part of the permit application for the proposed increase. Such reductions will be reviewed for applicability as ERCs concurrently with the review of the permit application.

~~D.E.~~ The applicant shall speciate VOC according to individual compounds when applying to bank VOC reductions. Speciation of toxic air pollutants regulated in LAC 33:III.Chapter 51 is required.

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 20:878 (August 1994), amended LR 21:681 (July 1995), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 25:1623 (September 1999), LR 26:486 (March 2000), LR 28:304 (February 2002), amended by the Office of the Secretary, Legal Affairs Division, LR 33:**.

FISCAL AND ECONOMIC IMPACT STATEMENT
FOR ADMINISTRATIVE RULES

LOG #: AQ287P

Person Preparing Statement: Jim Orgeron Dept.: DEQ
 Phone: 225-219-3578 Office: Office of Environmental Assessment
 Return Address: 602 N. Fifth St. Rule Title: Petition for the Repeal of LAC 33:III.510
Baton Rouge, LA 70802 (LAC 33:III.510, 603, 605, 607, 613, and 615)
 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 are no estimated implementation costs (savings) to state or local governmental units as a result of the proposed rule. This proposed rule repeals LAC 33:III.510, which provides for control technology requirements and emission offsets only in Calcasieu Parish. The original basis for imposing those requirements has been removed,

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 resulting from the proposed rule.

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

The repeal of LAC 33:III.510 may enhance the potential for economic growth and development in Calcasieu Parish. Future new projects at industrial facilities in southwestern Louisiana will no longer be hindered by the need for emission offsets. The economic benefits are unquantifiable at this time.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

There is no estimated effect on competition or employment as a result of the proposed rule.

Signature of Agency Head or Designee

Legislative Fiscal Officer or Designee

Herman Robinson, CPM, Executive Counsel
Typed Name and Title of Agency Head or Designee

Date of Signature

Date of Signature

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 proposed rule would repeal LAC 33:III.510, which provides for control technology requirements and emission offsets only in Calcasieu Parish. Section 510 was promulgated in 2001 following violation of the one-hour ozone standard in Calcasieu Parish and prior to EPA's designations for the 8-hour ozone standard in 2004. The proposed rule also deletes references in other sections that refer to Section 510.

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

The Lake Area Industry Alliance (LAIA) submitted a petition for rulemaking to the department requesting the repeal of LAC 33:III.510. The membership of LAIA consists of 23 major industrial facilities located in the Lake Charles/Calcasieu Parish area. A public notice and comment period was held prior to this rulemaking seeking comment regarding the requested repeal. A public hearing was held in Lake Charles prior to reaching a decision on this action. There was overwhelming support for repeal of Section 510 expressed during the comment period. Section 510 is a "state-only" rule provision and was never submitted to EPA for incorporation into Louisiana's State Implementation Plan for air quality. Based on a review of relevant air quality information for Calcasieu Parish, the Department has determined to proceed with the proposed repeal of LAC 33:III.510. The repeal of LAC 33:III.510 will allow air emission sources in Calcasieu Parish to be subject to the same permitting rules as other parishes in Louisiana that, like Calcasieu, are currently in attainment with the National Ambient Air Quality Standard for the air pollutant ozone.

- C. Compliance with Act 11 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.

The proposed rule change 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 question is not applicable.

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 is no anticipated increase (decrease) in costs to implement the proposed rule.

COSTS	FY 07-08	FY 08-09	FY 09-10
PERSONAL SERVICES			
OPERATING EXPENSES			
PROFESSIONAL SERVICES			
OTHER CHARGES			
EQUIPMENT			
TOTAL	-0-	-0-	-0-
MAJOR REPAIR & CONSTR			
POSITIONS (#)	-0-	-0-	-0-

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.

This question is not applicable.

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

SOURCE	FY 07-08	FY 08-09	FY 09-10
STATE GENERAL FUND			
AGENCY SELF-GENERATED			
DEDICATED			
FEDERAL FUNDS			
OTHER (Specify)			
TOTAL	-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?

The department has sufficient funds 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 on local governmental units, including adjustments in workload and paperwork requirements.

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

This question is not applicable.

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?

No increase (decrease) in revenues is anticipated from the proposed action.

REVENUE INCREASE/DECREASE	FY 07-08	FY 08-09	FY 09-10
STATE GENERAL FUND			
AGENCY SELF-GENERATED			
RESTRICTED FUNDS*			
FEDERAL FUNDS			
LOCAL FUNDS			
TOTAL	-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.

This question is not applicable.

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 repeal of LAC 33:III.510 may enhance the potential for economic growth and development in Calcasieu Parish. Future new projects at industrial facilities in southwestern Louisiana will no longer be hindered by the need for emission offsets. The economic benefits are unquantifiable at this time.

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 is no anticipated impact on receipts and/or income as a result of the repeal of LAC 33:III.510.

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 will be no impact on competition or employment in the public or private sector from the proposed rule.