

## NOTICE OF INTENT

Department of Environmental Quality  
Office of Environmental Assessment

## Cleanup Package

(LAC 33:I.4503, 4705; III.5151; V.529, 1109, 1115, 1117, 1705, 1907, 1917, 3023, 3711, 3719, 4037, 4901; VII:115, 721; IX.2505; XI.103, 1121, 1139) (OS063)

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 Environmental Quality regulations, LAC 33:I.4503, 4705; III.5151; V.529, 1109, 1115, 1117, 1705, 1907, 1917, 3023, 3711, 3719, 4037, 4901; VII:115, 721; IX.2505; XI.103, 1121, 1139 (Log #OS063).

This proposed rule will correct typographical errors, edit references that are incorrect, and update regulations to show consistency with other rules. This rulemaking is necessary due to inconsistent wording of regulations, typographical errors, and incorrect references. The basis and rationale for this rule are to incorporate the necessary changes into the regulations.

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 May 25, 2005, at 1:30 p.m. in the Galvez Building, Oliver Pollock Conference Room C111, 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. Free parking is available across the street in the Galvez parking garage when the parking ticket is validated by department personnel at the hearing.

All interested persons are invited to submit written comments on the proposed regulation. Persons commenting should reference this proposed regulation by OS063. Such comments must be received no later than June 1, 2005, at 4:30 p.m., and should be sent to Judith A. Schuerman, Ph.D., Office of Environmental Assessment, Regulation Development Section, Box 4314, Baton Rouge, LA 70821-4314 or to FAX (225) 219-3582 or by e-mail to [judith.schuerman@la.gov](mailto: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 OS063. This regulation is available on the Internet at [www.deq.louisiana.gov](http://www.deq.louisiana.gov) under Rules and Regulations.

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; 201 Evans Road, Building 4, Suite 420, New Orleans, LA 70123; 111 New Center Drive, Lafayette, LA 70508; 110 Barataria Street, Lockport, LA 70374.

Wilbert F. Jordan, Jr.  
Assistant Secretary

**Title 33**  
**ENVIRONMENTAL QUALITY**  
**Part I. Office of the Secretary**  
**Subpart 3. Laboratory Accreditation**  
**Chapter 45. Policy and Intent**

**§4503. Definitions**

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

\* \* \*

*Test Category*—any one of the 110 categories listed in LAC 33:I.4705.B in which a laboratory may request department accreditation for a specific test or analysis.

\* \* \*

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2011.  
 HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of the Secretary, LR 24:918 (May 1998), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:1434 (July 2000), amended by the Office of Environmental Assessment, LR 31:\*\*.

**Chapter 47. Program Requirements**

**§4705. Categories of Accreditation**

A. ...

B. A laboratory may apply for accreditation in any one or more of the eight fields of testing (e.g., air emissions, wastewater/surface water, etc.) and in one or more of the 110 test categories applicable to the field(s) of testing selected. The laboratory shall be accredited in those parameters within the test category(ies) for which the laboratory demonstrates acceptable performance on proficiency samples (when available) and meets all other requirements of the department accreditation program. The accreditation test categories are as follows:

B.1. - C. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2011.  
 HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of the Secretary, LR 24:919 (May 1998), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:1435 (July 2000), LR 26:2443 (November 2000), repromulgated LR 27:38 (January 2001), amended by the Office of Environmental Assessment, LR 31:\*\*.

**Part III. Air**

**Chapter 51. Comprehensive Toxic Air Pollutant Emission Control Program**

**Subchapter M. Asbestos**

**§5151. Emission Standard for Asbestos**

A. - J.4.d. ...

i. ~~a taken to locate the asbestos waste shipment and the results of those efforts~~ copy of the waste shipment record for which a confirmation of delivery was not received; and

ii. a cover letter signed by the waste generator explaining the efforts taken to locate the asbestos waste shipment and the results of those efforts;

J.4.e. - P.2.a. ...

b. When response actions are performed by contracted personnel, those persons shall be accredited.

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 17:1204 (December 1991), repealed and repromulgated LR 18:1121 (October 1992), amended LR 20:1277 (November 1994), LR 24:27 (January 1998), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2462 (November 2000), LR 30:1673 (August 2004), amended by the Office of Environmental Assessment, LR 30:2022 (September 2004), LR 31:\*\*.

**Part V. Hazardous Waste and Hazardous Materials**

**Subpart 1. Department of Environmental Quality—Hazardous Waste**

**Chapter 5. Permit Application Contents**

**Subchapter E. Specific Information Requirements**

**§529. Specific Part II Information Requirements for Incinerators**

Except as LAC 33:V.Chapter 31 and Subsection F of this Section provide otherwise, owners and operators of facilities that incinerate hazardous waste must fulfill the requirements of Subsection A, B, or C of this Section:

A. when seeking an exemption under LAC 33:V.3105.B or C ~~of this Part~~ (ignitable, corrosive, or reactive wastes only):

1. documentation that the waste is listed as a hazardous waste in LAC 33:V.Chapter 49 ~~of this Part~~, solely because it is ignitable (Hazard Code I) or corrosive (Hazard Code C) or both; or

2. documentation that the waste is listed as a hazardous waste in LAC 33:V.Chapter 49 ~~of this Part~~, solely because it is reactive (Hazard Code R) for characteristics other than those listed in LAC 33:V.4903.C.4 and C.5 ~~of this Part~~, and will not be burned when other hazardous wastes are present in the combustion zone; or

3. documentation that the waste is a hazardous waste solely because it possesses the characteristics of ignitability, corrosivity, or both, as determined by the tests for characteristics of hazardous waste under LAC 33:V.4903 ~~of this Part~~; or

4. documentation that the waste is a hazardous waste solely because it

possesses the reactivity characteristics listed in LAC 33:V.4903.C.1, 2, 3, 6, 7, or 8 of this Part, and that it will not be burned when other hazardous wastes are present in the combustion zone; or

B. - C.5.b. ...

6. the expected incinerator operation information to demonstrate compliance with LAC 33:V.3111 and 3117, of this Part including:

C.6.a. - D.1. ...

2. the incinerator units are sufficiently similar, and the data from other trial burns are adequate to specify (under LAC 33:V.3117 of this Part) operating conditions that will ensure that the performance standards in LAC 33:V.3111 of this Part will be met by the incinerator;

E. - F. ...

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 30:2011(D)(24)(a) and 2180 et seq.

**HISTORICAL NOTE:** Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Hazardous Waste Division, LR 10:200 (March 1984), amended LR 10:280 (April 1984), LR 22:817 (September 1996), amended by the Office of Waste Services, Hazardous Waste Division, LR 25:2199 (November 1999), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 27:292 (March 2001), LR 29:319 (March 2003), amended by the Office of Environmental Assessment, LR 31:\*\*.

## **Chapter 11. Generators**

### **Subchapter A. General**

#### **§1109. Pre-Transport Requirements**

A. Packaging. Before transporting hazardous waste or offering hazardous waste for transportation off-site, a generator must package the waste in accordance with the applicable Department of Public Safety regulations and packaging under LAC 33:V.Subpart 2.Chapter 1034.

1. Hazardous waste, liquid, or solid not otherwise specified must meet the requirement of Subchapter C of 49 CFR, and/or the Louisiana Hazardous Material Regulations Subchapter C. Special attention must be directed towards LAC 33:V.Subpart 2.Chapter 1054.

2. - 3. ...

B. Labeling. Before transporting or offering hazardous waste for transportation off-site, a generator must label each package in accordance with the applicable transportation regulations on hazardous materials of the Louisiana Department of Public Safety and Corrections or its successor agency under LAC 33:V.Subpart 2.Chapter 1054.

C. Marking. Before transporting hazardous waste or offering hazardous waste for transportation off-site, a generator must mark each container of 110 gallons or less used in such transportation with the following words and information displayed in accordance with the Department of Public Safety regulations (see Department of Public Safety regulation LAC 33:V.Subpart 2.Chapter 1054).

Hazardous Waste: Federal and state law prohibits improper disposal. If found, contact the

nearest police or public safety authority or the U.S. Environmental Protection Agency.

Generator's Name and Address \_\_\_\_\_

Manifest Document Number \_\_\_\_\_

D. Placarding. Before transporting hazardous waste or offering hazardous waste for transportation off-site, a generator must placard or offer the initial transporter the appropriate placards according to Department of Public Safety regulations for hazardous materials under LAC 33:V.Subpart 2.Chapter 1054.

E. – E.1.a. ...

i. in containers and the generator complies with the applicable requirements of LAC 33:V.2103, 2105, 2107, 2109.A, 2113, 2115, and Chapter 43.Subchapters H, Q, R, and V; and/or

ii. ...

iii. on drip pads and the generator complies with LAC 33:V.2801, 2803, 2805, 2807, 2809, and 2811 Chapter 43.Subchapter S and maintains the following records at the facility:

1.a.iii.(a). - 7. ...

a. the generator complies with the requirements of LAC 33:V.2103, 2105, 2107, 2109.A, and 2115 Chapter 43.Subchapter H except for LAC 33:V.4427 and 4430;

7.b. - 10.d.i. ...

(a). in containers and the generator complies with the applicable requirements of LAC 33:V.2103, 2105, 2107, 2109.A, 2113, 2115, and Chapter 43.Subchapters H, Q, R, and V; and/or

10.d.i.(b). - 12. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2180 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Hazardous Waste Division, LR 10:200 (March 1984), amended LR 10:496 (July 1984), LR 13:433 (August 1987), LR 16:47 (January 1990), LR 16:220 (March 1990), LR 16:1057 (December 1990), LR 17:658 (July 1991), LR 18:1256 (November 1992), LR 18:1375 (December 1992), LR 20:1000 (September 1994), LR 20:1109 (October 1994), LR 21:266 (March 1995), amended by the Office of Waste Services, Hazardous Waste Division, LR 24:1693 (September 1998), LR 25:437 (March 1999), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 25:1466 (August 1999), LR 26:277 (February 2000), LR 26:2470 (November 2000), LR 27:293 (March 2001), LR 27:709, 716 (May 2001), LR 27:1014 (July 2001), LR 30:1673 (August 2004), amended by the Office of Environmental Assessment, LR 31:\*\*.

**§1115. Preparedness and Prevention**

Repealed.

~~A. All generators shall comply with the requirements of LAC 33:V.1511.~~

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2180 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Hazardous Waste Division, LR 10:200 (March 1984),

amended LR 18:1256 (November 1992), repealed by the Office of Environmental Assessment, LR 31:\*\*.

### **§1117. Contingency Plan**

Repealed.

~~A. Each generator shall prepare a contingency plan. The contingency plan must include the information as specified in LAC 33:V.1513.A, B, C, D.2, and F. The contingency plan shall include a section describing emergency response procedure as specified in LAC 33:V.1513.F.~~

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2180 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Hazardous Waste Division, LR 10:200 (March 1984), amended LR 10:496 (July 1984), repealed by the Office of Environmental Assessment, LR 31:\*\*.

## **Chapter 17. Air Emission Standards**

### **Subchapter A. Process Vents**

#### **§1705. Applicability**

A. - A.2.Note. ...

~~3. The requirements of this Subchapter do not apply to the pharmaceutical manufacturing facility, commonly referred to as the Stonewall Plant, located at Route 340 South, Elkton, Virginia, provided that facility is operated in compliance with the requirements contained in a Clean Air Act permit issued in accordance with 40 CFR 52.2454. The requirements of this Subchapter shall apply to the facility upon termination of the Clean Air Act permit issued pursuant to 40 CFR 52.2454.~~

34. The requirements of this Subchapter do not apply to the process vents at a facility where the facility owner or operator certifies that all of the process vents that would otherwise be subject to this Subchapter are equipped with and operating air emission controls in accordance with the process vent requirements of an applicable Clean Air Act regulation codified under 40 CFR Part 60, Part 61, or Part 63. The documentation of compliance under regulations at 40 CFR Part 60, Part 61, or Part 63 shall be kept with, or made readily available with, the facility operating record.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2180 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Hazardous Waste Division, LR 17:658 (July 1991), amended LR 18:723 (July 1992), LR 20:1000 (September 1994), amended by the Office of Waste Services, Hazardous Waste Division, LR 24:1698 (September 1998), LR 25:437 (March 1999), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 27:294 (March 2001), amended by the Office of Environmental Assessment, LR 31:\*\*.

## **Chapter 19. Tanks**

**§1907. Containment and Detection of Releases**

- A. - E.2.e. ...
- i. meets the definitions of ignitable waste under LAC 33:V.4903.B ~~of this Part~~; or
  - ii. meets the definition of reactive waste under LAC 33:V.4903.D ~~of this Part~~, and may form an ignitable or explosive vapor;
- E.2.f. - I.5. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2180 et seq.  
 HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Hazardous Waste Division, LR 10:200 (March 1984), amended LR 13:651 (November 1987), LR 14:790 (November 1988), LR 16:614 (July 1990), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2475 (November 2000), amended by the Office of Environmental Assessment, LR 31:\*\*.

**§1917. Special Requirements for Ignitable or Reactive Wastes**

- A. - A.1. ...
- a. the resulting waste, mixture, or dissolved material no longer meets the definition of ignitable or reactive waste under LAC 33:V.4903.B or D ~~of this Part~~; and
- A.1.b. - B. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2180 et seq.  
 HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Hazardous Waste Division, LR 13:651 (November 1987), amended LR 22:819 (September 1996), amended by the Office of Environmental Assessment, LR 31:\*\*.

**Chapter 30. Hazardous Waste Burned in Boilers and Industrial Furnaces**

**§3023. Standards for Direct Transfer**

- A. - D.1. ...
- 2. the use and management requirements of LAC 33:V.Chapter 43 ~~Subchapter H~~ ~~Subpart I~~, except for LAC 33:V.4417 and 4425 except that, in lieu of the special requirements of LAC 33:V.4427 for ignitable or reactive waste, the owner or operator may comply with the requirements for the maintenance of protective distances between the waste management area and any public ways, streets, alleys, or an adjacent property line that can be built upon as required in Tables 2-1 through 2-6 of the National Fire Protection Association's (NFPA) "Flammable and Combustible Liquids Code," (1977 or 1981), as incorporated by reference at LAC 33:V.110. The owner or operator must obtain and keep on file at the facility a written certification by the local fire marshal that the installation meets the subject NFPA codes; and

D.3.-E.6. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2180 et seq.  
 HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Hazardous Waste Division, LR 18:1375 (December 1992),

amended LR 21:266 (March 1995), LR 22:826 (September 1996), amended by the Office of Environmental Assessment, LR 31:\*\*.

## **Chapter 37. Financial Requirements**

### **Subchapter B. Post-Closure Requirements**

#### **§3711. Financial Assurance for Post-Closure Care**

The owner or operator of a hazardous waste management unit subject to the requirements of LAC 33:V.3709 must establish financial assurance for post-closure care in accordance with the approved post-closure plan for the facility 60 days prior to the initial receipt of hazardous waste or the effective date of the regulation, whichever is later. Under this Section, the owner or operator must choose from the options as specified in Subsections A-F of this Section, which choice the administrative authority must find acceptable based on the application and the circumstances.

A. - F.5. ...

6. If the owner or operator no longer meets the requirements of LAC 33:V.3711.F.1 of this Part, he must send notice to the Office of Management and Finance, Financial Services Division, of intent to establish alternate financial assurance as specified in this Part. The notice must be sent by certified mail within 90 days after the end of the fiscal year for which the year-end financial data show that the owner or operator no longer meets the requirements. The owner or operator must provide the alternate financial assurance within 120 days after the end of such fiscal year.

F.7. - I. ...

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 30:2180 et seq.

**HISTORICAL NOTE:** Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Hazardous Waste Division, LR 10:200 (March 1984), amended LR 10:496 (July 1984), LR 13:433 (August 1987), LR 14:791 (November 1988), LR 18:723 (July 1992), amended by the Office of Waste Services, Hazardous Waste Division, LR 23:1512 (November 1997), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2490 (November 2000), amended by the Office of Environmental Assessment, LR 31:\*\*.

### **Subchapter F. Financial and Insurance Instruments**

#### **§3719. Wording of the Instruments**

A. - E. ...

F. Closure Guarantee. A letter from the chief financial officer, as specified in LAC 33:V:3707.F.3 or 3711.F.3 or 4403.E.3 or 4407.E.3, must be worded as follows, except that instructions in brackets are to be replaced with the relevant information and the brackets deleted.

LETTER FROM CHIEF FINANCIAL OFFICER

(Closure and/or Post-Closure Care)

\* \* \*

[See Prior Text in Letter]

G. Liability Coverage Guarantee. A letter from the chief financial officer, as specified in LAC 33:V.3715.F or 4411, must be worded as follows, except that instructions in brackets are to be replaced with the relevant information and the brackets deleted.

LETTER FROM CHIEF FINANCIAL OFFICER

(Liability Coverage)

\* \* \*

[See Prior Text in Letter]

PART A. LIABILITY COVERAGE FOR SUDDEN AND NONSUDDEN OCCURRENCES

[Fill in Alternative I if the first criteria of LAC 33:V.3707.F.1 or 4411.F.1 are used. Fill in Alternative II if the second criteria of LAC 33:V.3707.F.1 or ~~4411.F.1~~ 4411.F.1 are used.]

\* \* \*

[See Prior Text in Letter]

H. - N.2. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2180.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Hazardous Waste Division, LR 10:200 (March 1984), amended LR 10:496 (July 1984), LR 11:686 (July 1985), LR 13:433 (August 1987), LR 13:651 (November 1987), LR 16:47 (January 1990), LR 18:723 (July 1992), LR 21:266 (March 1995), LR 22:835 (September 1996), amended by the Office of Waste Services, Hazardous Waste Division, LR 23:1514 (November 1997), repromulgated LR 23:1684 (December 1997), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2493 (November 2000), amended by the Office of Environmental Assessment, LR 30:2023 (September 2004), LR 31:\*\*.

**Chapter 40. Used Oil**

**Subchapter D. Standards for Used Oil Transporter and Transfer Facilities**

**§4037. Tracking**

A. - A.4. ...

5. ~~except as provided in LAC 33:V.4037.A.5.b,~~ the signature, dated upon receipt of the used oil, of a representative of the generator, transporter, or processor/re-refiner who provided the used oil for transport. Intermediate rail transporters are not required to sign the record of acceptance.

B. - D. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2180 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality,

Office of Solid and Hazardous Waste, Hazardous Waste Division, LR 21:266, 267 (March 1995), amended by the Office of Environmental Assessment, LR 31:\*\*.

**Chapter 49. Lists of Hazardous Wastes**

[Comment: Chapter 49 is divided into two sections: Category I Hazardous Wastes, which consist of Hazardous Wastes from nonspecific and specific sources (F and K wastes), Acute Hazardous Wastes (P wastes), and Toxic Wastes (U wastes) (LAC 33:V.4901); and Category II Hazardous Wastes, which consist of wastes ~~which~~that are ignitable, corrosive, reactive, or toxic (LAC 33:V.4903).]

**§4901. Category I Hazardous Wastes**

A. - F. Table 4. ...

G. Constituents that Serve as a Basis for Listing Hazardous Waste. Table 6 of this Section lists constituents that serve as a basis for listing hazardous waste.

| <b>Table 6.</b>  |   |
|--|---|
| <b>Table of Constituents that Serve as a Basis for Listing Hazardous Waste</b> |   |
| <b>EPA Hazardous Waste Number F001</b>   | Tetrachloroethylene; methylene chloride; trichloroethylene; 1,1,1-trichloroethane; carbon tetrachloride; chlorinated fluorocarbons  |
| <b>EPA Hazardous Waste Number F002</b>   | Tetrachloroethylene; methylene chloride; trichloroethylene; 1,1,1-trichloroethane; 1,1,2-trichloroethane; chlorobenzene; 1,1,2-trichloro-1,2,2-trifluoroethane; ortho-dichlorobenzene; trichlorofluoromethane |
| <b>EPA Hazardous Waste Number F003</b>   | N.A.  |
| <b>EPA Hazardous Waste Number F004</b>   | Cresols and cresylic acid; nitrobenzene   |
| <b>EPA Hazardous Waste Number F005</b>   | Toluene; methyl ethyl ketone; carbon disulfide; isobutanol; pyridine; 2-ethoxyethanol; benzene; 2-nitropropane  |
| <b>EPA Hazardous Waste Number F006</b>   | Cadmium; hexavalent chromium; nickel; cyanide (complexed)   |
| <b>EPA Hazardous Waste Number F007</b>   | Cyanide (salts)   |
| <b>EPA Hazardous Waste Number F008</b>   | Cyanide (salts)   |
| <b>EPA Hazardous Waste Number F009</b>   | Cyanide (salts)   |
| <b>EPA Hazardous Waste Number F010</b>   | Cyanide (salts)   |
| <b>EPA Hazardous Waste Number F011</b>   | Cyanide (salts)   |
| <b>EPA Hazardous Waste Number F012</b>   | Cyanide (complexed)   |
| <b>EPA Hazardous Waste Number F019</b>   | Hexavalent chromium; cyanide (complexed)  |
| <b>EPA Hazardous Waste Number F020</b>   |   |

| <b>Table 6.</b>  |  |
|--|--|
| <b>Table of Constituents that Serve as a Basis for Listing Hazardous Waste</b> |  |
| <b>EPA Hazardous Waste Number F021</b>   | Tetra- and pentachlorodibenzo-p-dioxins; tetra- and pentachlorodibenzofurans; tri- and tetrachlorophenols and their chlorophenoxy derivative acids, esters, ethers, amine, and other salts   |
| <b>EPA Hazardous Waste Number F022</b>   | Penta- and hexachlorodibenzo-p-dioxins; penta- and hexachlorodibenzofurans; pentachlorophenol and its derivatives  |
| <b>EPA Hazardous Waste Number F023</b>   | Tetra-, penta-, and hexachlorodibenzo-p-dioxins; tetra-, penta-, and hexachlorodibenzofurans   |
| <b>EPA Hazardous Waste Number F024</b>   | Tetra- and pentachlorodibenzo-p-dioxins; tetra- and pentachlorodibenzofurans; tri- and tetrachlorophenols and their chlorophenoxy derivative acids, esters, ethers, amine, and other salts   |
| <b>EPA Hazardous Waste Number F025</b>   | Chloromethane; dichloromethane; trichloromethane; carbon tetrachloride; chloroethylene; 1,1-dichloroethane; 1,2-dichloroethane; trans-1,2-dichloroethylene; 1,1-dichloroethylene; 1,1,1-trichloroethane; 1,1,2-trichloroethane; trichloroethylene; 1,1,1,2-tetrachloroethane; 1,1,2,2-tetrachloroethane; tetrachloroethylene; pentachloroethane; hexachloroethane; allyl chloride (3-chloropropene); dichloropropane; dichloropropene; 2-chloro-1,3-butadiene; hexachloro-1,3-butadiene; hexachlorocyclopentadiene; hexachlorocyclohexane; benzene; chlorobenzene; dichlorobenzenes; 1,2,4-trichlorobenzene; tetrachlorobenzene; pentachlorobenzene; hexachlorobenzene; toluene; naphthalene |
| <b>EPA Hazardous Waste Number F026</b>   | Chloromethane; dichloromethane; trichloromethane; carbon tetrachloride; chloroethylene; 1,1-dichloroethane; 1,2-dichloroethane; trans-1,2-dichloroethylene; 1,1-dichloroethylene; 1,1,1-trichloroethane; 1,1,2-trichloroethane; trichloroethylene; 1,1,1,2-tetrachloroethane; 1,1,2,2-tetrachloroethane; tetrachloroethylene; pentachloroethane; hexachloroethane; allyl chloride (3-chloropropene); dichloropropane; dichloropropene; 2-chloro-1,3-butadiene; hexachloro-1,3-butadiene; hexachlorocyclopentadiene; benzene; chlorobenzene; dichlorobenzenes; 1,2,4-trichlorobenzene; tetrachlorobenzene; pentachlorobenzene; hexachlorobenzene; toluene; naphthalene                        |
| <b>EPA Hazardous Waste Number F027</b>   | Tetra-, penta-, and hexachlorodibenzo-p-dioxins; tetra-, penta-, and hexachlorodibenzofurans   |
| <b>EPA Hazardous Waste Number F028</b>   | Tetra-, penta-, and hexachlorodibenzo-p-dioxins; tetra-, penta-, and hexachlorodibenzofurans; tri-, tetra-, and pentachlorophenols and their chlorophenoxy derivative acids, esters, ethers, amine, and other salts  |
| <b>EPA Hazardous Waste Number F032</b>   | Tetra-, penta-, and hexachlorodibenzo-p-dioxins; tetra-, penta-, and hexachlorodibenzofurans; tri-, tetra-, and pentachlorophenols and their chlorophenoxy derivative acids, esters, ethers, amine, and other salts  |
| <b>EPA Hazardous Waste Number F034</b>   | Benz(a)anthracene; benzo(a)pyrene; dibenz(a,h)anthracene; indeno(1,2,3-cd)pyrene; pentachlorophenol; arsenic; chromium; tetra-, penta-, hexa-, heptachlorodibenzo-p-dioxins; tetra-, penta-, hexa-, heptachlorodibenzofurans   |
| <b>EPA Hazardous Waste Number F035</b>   | Benz(a)anthracene; benzo(k)fluoranthene; benzo(a)pyrene; dibenz(a,h)anthracene; indeno(1,2,3-cd)pyrene; naphthalene; arsenic; chromium   |
| <b>EPA Hazardous Waste Number F037</b>   | Arsenic; chromium; lead  |
| <b>EPA Hazardous Waste Number F038</b>   | Benzene; benzo(a)pyrene; chrysene; lead; chromium  |
| <b>EPA Hazardous Waste Number F039</b>   | Benzene; benzo(a)pyrene; chrysene; lead; chromium  |

| <b>Table 6.</b>   |  |
|---|--|
| <b>Table of Constituents that Serve as a Basis for Listing Hazardous Waste</b>  |  |
| All constituents for which treatment standards are specified for multi-source leachate (wastewaters and nonwastewaters) under LAC 33:V.2247, Table 2  |  |
| <b>EPA Hazardous Waste Number K001</b>  |  |
| Pentachlorophenol; phenol; 2-chlorophenol; p-chloro-m-cresol; 2,4-dimethylphenol; 2,4-dinitrophenol; trichlorophenols; tetrachlorophenols; 2,4-dinitrophenol; creosote; chrysene; naphthalene; fluoranthene; benzo(b)fluoranthene; benzo(a)pyrene; indeno(1,2,3-cd)pyrene; benz(a)anthracene; dibenz(a)anthracene; acenaphthalene |  |
| <b>EPA Hazardous Waste Number K002</b>  |  |
| Hexavalent chromium; lead   |  |
| <b>EPA Hazardous Waste Number K003</b>  |  |
| Hexavalent chromium; lead   |  |
| <b>EPA Hazardous Waste Number K004</b>  |  |
| Hexavalent chromium   |  |
| <b>EPA Hazardous Waste Number K005</b>  |  |
| Hexavalent chromium; lead   |  |
| <b>EPA Hazardous Waste Number K006</b>  |  |
| Hexavalent chromium   |  |
| <b>EPA Hazardous Waste Number K007</b>  |  |
| Cyanide (complexed); hexavalent chromium  |  |
| <b>EPA Hazardous Waste Number K008</b>  |  |
| Hexavalent chromium   |  |
| <b>EPA Hazardous Waste Number K009</b>  |  |
| Chloroform; formaldehyde; methylene chloride; methyl chloride; paraldehyde; formic acid   |  |
| <b>EPA Hazardous Waste Number K010</b>  |  |
| Chloroform; formaldehyde; methylene chloride; methyl chloride; paraldehyde; formic acid; chloroacetaldehyde   |  |
| <b>EPA Hazardous Waste Number K011</b>  |  |
| Acrylonitrile; acetonitrile; hydrocyanic acid   |  |
| <b>EPA Hazardous Waste Number K013</b>  |  |
| Hydrocyanic acid; acrylonitrile; acetonitrile   |  |
| <b>EPA Hazardous Waste Number K014</b>  |  |
| Acetonitrile; acrylamide  |  |
| <b>EPA Hazardous Waste Number K015</b>  |  |
| Benzyl chloride; chlorobenzene; toluene; benzotrichloride   |  |
| <b>EPA Hazardous Waste Number K016</b>  |  |
| Hexachlorobenzene; hexachlorobutadiene; carbon tetrachloride; hexachloroethane; perchloroethylene   |  |
| <b>EPA Hazardous Waste Number K017</b>  |  |
| Epichlorohydrin; chloroethers [bis(chloromethyl) ether and bis(2-chloroethyl) ethers]; trichloropropane; dichloropropanols  |  |
| <b>EPA Hazardous Waste Number K018</b>  |  |
| 1,2-dichloroethane; trichloroethylene; hexachlorobutadiene; hexachlorobenzene   |  |
| <b>EPA Hazardous Waste Number K019</b>  |  |
| Ethylene dichloride; 1,1,1-trichloroethane; 1,1,2-trichloroethane; tetrachloroethanes (1,1,2,2-tetrachloroethane and 1,1,1,2-tetrachloroethane); trichloroethylene; tetrachloroethylene; carbon tetrachloride; chloroform; vinyl chloride; vinylidene chloride  |  |
| <b>EPA Hazardous Waste Number K020</b>  |  |
| Ethylene dichloride; 1,1,1-trichloroethane; 1,1,2-trichloroethane; tetrachloroethanes (1,1,2,2-tetrachloroethane and 1,1,1,2-tetrachloroethane); trichloroethylene; tetrachloroethylene; carbon tetrachloride; chloroform; vinyl chloride; vinylidene chloride  |  |

| <b>Table 6.</b>  |   |
|--|---|
| <b>Table of Constituents that Serve as a Basis for Listing Hazardous Waste</b> |   |
| <b>EPA Hazardous Waste Number K021</b>   | Antimony; carbon tetrachloride; chloroform  |
| <b>EPA Hazardous Waste Number K022</b>   | Phenol; tars (polycyclic aromatic hydrocarbons)   |
| <b>EPA Hazardous Waste Number K023</b>   | Phthalic anhydride; maleic anhydride  |
| <b>EPA Hazardous Waste Number K024</b>   | Phthalic anhydride; 1,4-naphthoquinone  |
| <b>EPA Hazardous Waste Number K025</b>   | Meta-dinitrobenzene; 2,4-dinitrotoluene   |
| <b>EPA Hazardous Waste Number K026</b>   | Paraldehyde; pyridines; 2-picoline  |
| <b>EPA Hazardous Waste Number K027</b>   | Toluene diisocyanate; toluene-2,4-diamine   |
| <b>EPA Hazardous Waste Number K028</b>   | 1,1,1-trichloroethane; vinyl chloride   |
| <b>EPA Hazardous Waste Number K029</b>   | 1,2-dichloroethane; 1,1,1-trichloroethane; vinyl chloride; vinylidene chloride; chloroform  |
| <b>EPA Hazardous Waste Number K030</b>   | Hexachlorobenzene; hexachlorobutadiene; hexachloroethane; 1,1,1,2-tetrachloroethane; 1,1,2,2-tetrachloroethane; ethylene dichloride                                   |
| <b>EPA Hazardous Waste Number K031</b>   | Arsenic   |
| <b>EPA Hazardous Waste Number K032</b>   | Hexachlorocyclopentadiene   |
| <b>EPA Hazardous Waste Number K033</b>   | Hexachlorocyclopentadiene   |
| <b>EPA Hazardous Waste Number K034</b>   | Hexachlorocyclopentadiene   |
| <b>EPA Hazardous Waste Number K035</b>   | Creosote; chrysene; naphthalene; fluoranthene; benzo(b)fluoranthene; benzo(a)pyrene; indeno(1,2,3-cd)pyrene; benzo(a)anthracene; dibenzo(a)anthracene; acenaphthalene |
| <b>EPA Hazardous Waste Number K036</b>   | Toluene; phosphorodithioic and phosphorothioic acid esters  |
| <b>EPA Hazardous Waste Number K037</b>   | Toluene; phosphorodithioic and phosphorothioic acid esters  |
| <b>EPA Hazardous Waste Number K038</b>   | Phorate; formaldehyde; phosphorodithioic and phosphorothioic acid esters  |
| <b>EPA Hazardous Waste Number K039</b>   | Phosphorodithioic and phosphorothioic acid esters   |
| <b>EPA Hazardous Waste Number K040</b>   | Phorate; formaldehyde; phosphorodithioic and phosphorothioic acid esters  |
| <b>EPA Hazardous Waste Number K041</b>   | Toxaphene   |
| <b>EPA Hazardous Waste Number K042</b>   | Hexachlorobenzene; ortho-dichlorobenzene  |
| <b>EPA Hazardous Waste Number K043</b>   | 2,4-dichlorophenol; 2,6-dichlorophenol; 2,4,6-trichlorophenol   |
| <b>EPA Hazardous Waste Number K044</b>   | N.A.  |

| <b>Table 6.</b>  |   |
|--|---|
| <b>Table of Constituents that Serve as a Basis for Listing Hazardous Waste</b> |   |
| <b>EPA Hazardous Waste Number K045</b>   | N.A.  |
| <b>EPA Hazardous Waste Number K046</b>   | Lead  |
| <b>EPA Hazardous Waste Number K047</b>   | N.A.  |
| <b>EPA Hazardous Waste Number K048</b>   | Hexavalent chromium; lead   |
| <b>EPA Hazardous Waste Number K049</b>   | Hexavalent chromium; lead   |
| <b>EPA Hazardous Waste Number K050</b>   | Hexavalent chromium   |
| <b>EPA Hazardous Waste Number K051</b>   | Hexavalent chromium; lead   |
| <b>EPA Hazardous Waste Number K052</b>   | Lead  |
| <b>EPA Hazardous Waste Number K060</b>   | Cyanide; naphthalene; phenolic compounds; arsenic   |
| <b>EPA Hazardous Waste Number K061</b>   | Hexavalent chromium; lead; cadmium  |
| <b>EPA Hazardous Waste Number K062</b>   | Hexavalent chromium; lead   |
| <b>EPA Hazardous Waste Number K064</b>   | Lead; cadmium   |
| <b>EPA Hazardous Waste Number K065</b>   | Do  |
| <b>EPA Hazardous Waste Number K066</b>   | Do  |
| <b>EPA Hazardous Waste Number K069</b>   | Hexavalent chromium; lead; cadmium  |
| <b>EPA Hazardous Waste Number K071</b>   | Mercury   |
| <b>EPA Hazardous Waste Number K073</b>   | Chloroform; carbon tetrachloride; hexachloroethane; trichloroethane; tetrachloroethylene; dichloroethylene; 1,1,2,2-tetrachloroethane |
| <b>EPA Hazardous Waste Number K083</b>   | Aniline; diphenylamine; nitrobenzene; phenylenediamine  |
| <b>EPA Hazardous Waste Number K084</b>   | Arsenic   |
| <b>EPA Hazardous Waste Number K085</b>   | Benzene; dichlorobenzenes; trichlorobenzenes; tetrachlorobenzenes; pentachlorobenzene; hexachlorobenzene; benzyl chloride             |
| <b>EPA Hazardous Waste Number K086</b>   | Lead; hexavalent chromium   |
| <b>EPA Hazardous Waste Number K087</b>   | Phenol; naphthalene   |
| <b>EPA Hazardous Waste Number K088</b>   | Cyanide (complexes)   |
| <b>EPA Hazardous Waste Number K090</b>   | Chromium  |

| <b>Table 6.</b>  |   |
|--|---|
| <b>Table of Constituents that Serve as a Basis for Listing Hazardous Waste</b> |   |
| <b>EPA Hazardous Waste Number K091</b>   | Do  |
| <b>EPA Hazardous Waste Number K093</b>   | Phthalic anhydride; maleic anhydride  |
| <b>EPA Hazardous Waste Number K094</b>   | Phthalic anhydride  |
| <b>EPA Hazardous Waste Number K095</b>   | 1,1,2-trichloroethane; 1,1,1,2-tetrachloroethane; 1,1,2,2-tetrachloroethane |
| <b>EPA Hazardous Waste Number K096</b>   | 1,2-dichloroethane; 1,1,1-trichloroethane; 1,1,2-trichloroethane            |
| <b>EPA Hazardous Waste Number K097</b>   | Chlordane; heptachlor   |
| <b>EPA Hazardous Waste Number K098</b>   | Toxaphene   |
| <b>EPA Hazardous Waste Number K099</b>   | 2,4-dichlorophenol; 2,4,6-trichlorophenol                                   |
| <b>EPA Hazardous Waste Number K100</b>   | Hexavalent chromium; lead; cadmium  |
| <b>EPA Hazardous Waste Number K101</b>   | Arsenic   |
| <b>EPA Hazardous Waste Number K102</b>   | Arsenic   |
| <b>EPA Hazardous Waste Number K103</b>   | Aniline; nitrobenzene; phenylenediamine                                     |
| <b>EPA Hazardous Waste Number K104</b>   | Aniline; benzene; diphenylamine; nitrobenzene; phenylenediamine             |
| <b>EPA Hazardous Waste Number K105</b>   | Benzene; monochlorobenzene; dichlorobenzenes; 2,4,6-trichlorophenol         |
| <b>EPA Hazardous Waste Number K106</b>   | Mercury   |
| <b>EPA Hazardous Waste Number K107</b>   | 1,1-dimethylhydrazine (UDMH)  |
| <b>EPA Hazardous Waste Number K108</b>   | 1,1-dimethylhydrazine (UDMH)  |
| <b>EPA Hazardous Waste Number K109</b>   | 1,1-dimethylhydrazine (UDMH)  |
| <b>EPA Hazardous Waste Number K110</b>   | 1,1-dimethylhydrazine (UDMH)  |
| <b>EPA Hazardous Waste Number K111</b>   | 2,4-dinitrotoluene  |
| <b>EPA Hazardous Waste Number K112</b>   | 2,4-toluenediamine; o-toluidine; p-toluidine; aniline                       |
| <b>EPA Hazardous Waste Number K113</b>   | 2,4-toluenediamine; o-toluidine; p-toluidine; aniline                       |
| <b>EPA Hazardous Waste Number K114</b>   | 2,4-toluenediamine; o-toluidine; p-toluidine                                |
| <b>EPA Hazardous Waste Number K115</b>   | 2,4-toluenediamine  |
| <b>EPA Hazardous Waste Number K116</b>   | Carbon tetrachloride; tetrachloroethylene; chloroform; phosgene             |

| <b>Table 6.</b>  |   |
|--|---|
| <b>Table of Constituents that Serve as a Basis for Listing Hazardous Waste</b> |   |
| <b>EPA Hazardous Waste Number K117</b>   | Ethylene dibromide  |
| <b>EPA Hazardous Waste Number K118</b>   | Ethylene dibromide  |
| <b>EPA Hazardous Waste Number K123</b>   | Ethylene thiourea   |
| <b>EPA Hazardous Waste Number K124</b>   | Ethylene thiourea   |
| <b>EPA Hazardous Waste Number K125</b>   | Ethylene thiourea   |
| <b>EPA Hazardous Waste Number K126</b>   | Ethylene thiourea   |
| <b>EPA Hazardous Waste Number K131</b>   | Dimethyl sulfate; methyl bromide  |
| <b>EPA Hazardous Waste Number K132</b>   | Methyl bromide  |
| <b>EPA Hazardous Waste Number K136</b>   | Ethylene dibromide  |
| <b>EPA Hazardous Waste Number K141</b>   | Benzene; benz(a)anthracene; benzo(a)pyrene; benzo(b)fluoranthene; benzo(k)fluoranthene; dibenz(a,h)anthracene; indeno(1,2,3-cd)pyrene   |
| <b>EPA Hazardous Waste Number K142</b>   | Benzene; benz(a)anthracene; benzo(a)pyrene; benzo(b)fluoranthene; benzo(k)fluoranthene; dibenz(a,h)anthracene; indeno(1,2,3-cd)pyrene   |
| <b>EPA Hazardous Waste Number K143</b>   | Benzene; benz(a)anthracene; benzo(b)fluoranthene; benzo(k)fluoranthene  |
| <b>EPA Hazardous Waste Number K144</b>   | Benzene; benz(a)anthracene; benzo(a)pyrene; benzo(b)fluoranthene; benzo(k)fluoranthene; dibenz(a,h)anthracene   |
| <b>EPA Hazardous Waste Number K145</b>   | Benzene; benz(a)anthracene; benzo(a)pyrene; dibenz(a,h)anthracene; naphthalene  |
| <b>EPA Hazardous Waste Number K147</b>   | Benzene; benz(a)anthracene; benzo(a)pyrene; benzo(b)fluoranthene; benzo(k)fluoranthene; dibenz(a,h)anthracene; indeno(1,2,3-cd)pyrene   |
| <b>EPA Hazardous Waste Number K148</b>   | Benz(a)anthracene; benzo(a)pyrene; benzo(b)fluoranthene; benzo(k)fluoranthene; dibenz(a,h)anthracene; indeno(1,2,3-cd)pyrene  |
| <b>EPA Hazardous Waste Number K149</b>   | Benzotrichloride; benzyl chloride; chloroform; chloromethane; chlorobenzene; 1,4-dichlorobenzene; hexachlorobenzene; pentachlorobenzene; 1,2,4,5-tetrachlorobenzene; toluene                                    |
| <b>EPA Hazardous Waste Number K150</b>   | Carbon tetrachloride; chloroform; chloromethane; 1,4-dichlorobenzene; hexachlorobenzene; pentachlorobenzene; 1,2,4,5-tetrachlorobenzene; 1,1,2,2-tetrachloroethane; tetrachloroethylene; 1,2,4-trichlorobenzene |
| <b>EPA Hazardous Waste Number K151</b>   | Benzene; carbon tetrachloride; chloroform; hexachlorobenzene; pentachlorobenzene; toluene; 1,2,4,5-tetrachlorobenzene; tetrachloroethylene  |
| <b>EPA Hazardous Waste Number K156</b>   | Benomyl; carbaryl; carbendazim; carbofuran; carbosulfan; formaldehyde; methylene chloride; triethylamine  |

| <b>Table 6.</b>  |   |
|--|---|
| <b>Table of Constituents that Serve as a Basis for Listing Hazardous Waste</b> |   |
| <b>EPA Hazardous Waste Number K157</b>   | Carbon tetrachloride; formaldehyde; methyl chloride; methylene chloride; pyridine; triethylamine  |
| <b>EPA Hazardous Waste Number K158</b>   | Benomyl; carbendazim; carbofuran; carbosulfan; chloroform; methylene chloride   |
| <b>EPA Hazardous Waste Number K159</b>   | Benzene; butylate; EPTC; molinate; pebulate; vernolate  |
| <b>EPA Hazardous Waste Number K161</b>   | Antimony; arsenic; metam-sodium; ziram  |
| <b>EPA Hazardous Waste Number K169</b>   | Benzene   |
| <b>EPA Hazardous Waste Number K170</b>   | Benzo(a)pyrene; dibenz(a,h)anthracene; benzo(a)anthracene; benzo(b)fluoranthene; benzo(k)fluoranthene; 3-methylcholanthrene; 7,12-dimethylbenz(a)anthracene   |
| <b>EPA Hazardous Waste Number K171</b>   | Benzene; arsenic  |
| <b>EPA Hazardous Waste Number K172</b>   | Benzene; arsenic  |
| <b>EPA Hazardous Waste Number K174</b>   | 1,2,3,4,6,7,8-heptachlorodibenzo-p-dioxin (1,2,3,4,6,7,8-HpCDD); 1,2,3,4,6,7,8-heptachlorodibenzofuran (1,2,3,4,6,7,8-HpCDF); 1,2,3,4,7,8,9-heptachlorodibenzofuran (1,2,3,4,7,8,9-HpCDF); HxCDDs (all hexachlorodibenzo-p-dioxins); HxCDFs (all hexachlorodibenzofurans); PeCDDs (all pentachlorodibenzo-p-dioxins); OCDD (1,2,3,4,6,7,8,9-octachlorodibenzo-p-dioxin); OCDF (1,2,3,4,6,7,8,9-octachlorodibenzofuran); PeCDFs (all pentachlorodibenzofurans); TCDDs (all tetrachlorodibenzo-p-dioxins); TCDFs (all tetrachlorodibenzofurans) |
| <b>EPA Hazardous Waste Number K175</b>   | Mercury   |
| <b>EPA Hazardous Waste Number K176</b>   | Arsenic; lead   |
| <b>EPA Hazardous Waste Number K177</b>   | Antimony  |
| <b>EPA Hazardous Waste Number K178</b>   | Thallium  |

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 30:2180 et seq.

**HISTORICAL NOTE:** Promulgated by the Department of Environmental Quality, LR 10:200 (March 1984), amended LR 10:496 (July 1984), LR 11:1139 (December 1985), LR 12:319 (May 1986), LR 13:84 (February 1987), LR 13:433 (August 1987), LR 14:426 (July 1988), LR 14:791 (November 1988), LR 15:182 (March 1989), LR 16:220 (March 1990), LR 16:614 (July 1990), LR 16:1057 (December 1990), LR 17:369 (April 1991), LR 17:478 (May 1991), LR 17:658 (July 1991), LR 18:723 (July 1992), LR 18:1256 (November 1992), LR 18:1375 (December 1992), LR 20:1000 (September 1994), LR 21:266 (March 1995), LR 21:944 (September 1995), LR 22:829, 840 (September 1996), amended by the Office of Waste Services, Hazardous Waste Division, LR 23:1522 (November 1997), LR 24:321 (February 1998), LR 24:686 (April 1998), LR 24:1754 (September 1998), LR 25:487 (March 1999), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 27:304 (March 2001), LR 27:715 (May 2001), LR 28:1009 (May 2002), LR 29:324 (March 2003), amended by the Office of Environmental Assessment, LR 31:\*\*.

**Part VII. Solid Waste**

**Subpart 1. Solid Waste Regulations**

**Chapter 1. General Provisions and Definitions**

**§115. Definitions**

A. For all purposes of these rules and regulations, the terms defined in this Section shall have the following meanings, unless the context of use clearly indicates otherwise.

\* \* \*

*Construction/Demolition Debris*—nonhazardous waste generally considered not water-soluble, including but not limited to metal, concrete, brick, asphalt, roofing materials (shingles, sheet rock, plaster), or lumber from a construction or demolition project, but excluding asbestos-contaminated waste, white goods, furniture, trash, or treated lumber. The admixture of construction and demolition debris with more than five percent by volume of paper associated with such debris or any other type of solid waste (excluding woodwaste or yard trashwaste) will cause it to be classified as other than construction/demolition debris.

\* \* \*

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Solid Waste Division, LR 19:187 (February 1993), amended LR 22:279 (April 1996), amended by the Office of Waste Services, Solid Waste Division, LR 23:1145 (September 1997), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2514, 2609 (November 2000), amended by the Office of Environmental Assessment, LR 31:\*\*.

**Chapter 7. Solid Waste Standards**

**Subchapter D. Minor Processing and Disposal Facilities**

**§721. Construction and Demolition Debris and Woodwaste Landfills and Processing Facilities (Type III)**

A. - C.1.e.ii. ...

iii. *yard trash waste* as defined in LAC 33:VII.115.

C.1.f. - E.3. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Solid Waste Division, LR 19:187 (February 1993), amended LR 20:1001 (September 1994), amended by the Office of the Secretary, LR 24:2252 (December 1998), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2527 (November 2000), repromulgated LR 27:705 (May 2001), amended by the Office of Environmental Assessment, LR 30:2025 (September 2004), LR 31:\*\*.

**Part IX. Water Quality**

**Subpart 2. The Louisiana Pollutant Discharge Elimination System (LPDES) Program**

**Chapter 25. Permit Application and Special LPDES Program Requirements**

**§2505. Concentrated Animal Feeding Operations**

A. – G.6. ...

H. Duty to Maintain Permit Coverage. No later than 180 days before the expiration of a permit, the permittee must submit an application to renew its permit, in accordance with LAC 33:IX.2501. ~~I.G.~~ However, the permittee need not continue to seek continued permit coverage or reapply for a permit if:

1. – 2. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq., and in particular Section 2074(B)(3) and (B)(4).

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Water Resources, LR 21:945 (September 1995), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 28:467 (March 2002), LR 29:1463 (August 2003), repromulgated LR 30:230 (February 2004), amended by the Office of Environmental Assessment, LR 31:\*\*.

**Part XI. Underground Storage Tanks**

**Chapter 1. Program Applicability and Definitions**

**§103. Definitions**

A. For all purposes of these rules and regulations, the terms defined in this Section shall have the following meanings, unless specifically defined otherwise in LAC 33:XI.1105 or 1303.

\* \* \*

*Response Action Contractor*—a person who has been approved by the department and is carrying out any response action, including a person retained or hired by such person to provide specialized services relating to a response action, and who shall provide no more than 40 percent of all response actions, based on costs, relating to a particular underground storage tank site. This 40 percent does not include those costs associated with reimbursement application preparation or laboratory analyses. When emergency conditions exist as a result of a release from a motor fuels underground storage tank, this term shall also include any person performing department-approved emergency response actions during the first 72 hours following the release.

\* \* \*

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Underground Storage Tank Division, LR 16:614 (July 1990), amended LR 17:658 (July 1991), LR 18:727 (July 1992), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2558 (November 2000), LR 27:520 (April 2001), amended by the Office of Environmental Assessment, LR 31:\*\*.

**Chapter 11. Financial Responsibility**

**§1121. Use of the Motor Fuels Underground Storage Tank Trust Fund**

The administrative authority was authorized by R.S. 30:2194-2195.10 to receive and administer the Motor Fuels Underground Storage Tank Trust Fund (MFUSTTF) to provide financial responsibility for owners or operators of underground motor fuel storage tanks. Under the conditions described in this Section, an owner or operator who is eligible for participation in the MFUSTTF may use this mechanism to partially fulfill the financial responsibility requirements for eligible USTs. To use the MFUSTTF as a mechanism for meeting the requirements of LAC 33:XI.1107, the owner or operator must be an *eligible participant* as defined in Subsection A of this Section. In addition, the owner or operator must use one of the other mechanisms described in LAC 33:XI.1111-1119 or 1123-1125 to demonstrate financial responsibility for the amounts specified in Subsection C of this Section, which are the responsibility of the participant and not covered by the MFUSTTF.

A. Definitions. The following terms shall have the meanings ascribed to them as used in this Section.

*Advisory Board*—the ~~Underground~~ Motor Fuels Underground Storage Tank Trust Fund Advisory Board (established under R.S. 30:2195.8), whose ~~six~~eight members consist of the following:

- a. the secretary of the Department of Environmental Quality or his designee;
- b. ~~four~~two members appointed by the president of the Louisiana Oil Marketers and Convenience Store Association;
- c. one member appointed by the Mid-Continent Oil and Gas Association~~Bayou State Gasoline Retail Dealers Association~~; and
- d. two members appointed by the secretary who represent the response action contractor community~~the secretary of the Department of Public Safety and Corrections or his or her designated representative~~.

\* \* \*

*Motor Fuels Underground Storage Tank*—a UST used only to contain an accumulation of motor fuels.

\* \* \*

B. – D.2. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Underground Storage Tank Division, LR 16:614 (July 1990), amended LR 17:658 (July 1991), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2561 (November 2000), LR 27:521 (April 2001), amended by the Office of Environmental Assessment, LR 31:\*\*.

**§1139. Bankruptcy or Other Incapacity of Owner or Operator or Provider of Financial Assurance**

A. – C. ...

D. Within 30 days after receipt of notification that the ~~Underground~~ Motor Fuels Underground Storage Tank Trust Fund (UMFUSTTE) has become incapable of paying for assured corrective action or third-party compensation costs, the owner or operator must obtain alternate financial assurance.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Underground Storage Tank Division, LR 16:614 (July 1990), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2562 (November 2000), amended by the Office of Environmental Assessment, LR 31:\*\*.

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

LOG #:OS063

Person

Preparing

Statement: Nicole HanoDept.: Environmental QualityPhone: (225) 219-3562Office: Environmental AssessmentReturn DEQRule Clean-up PackageAddress: P.O. Box 4314  
Baton Rouge, LA 70821-4314Title: (LAC 33:1.4503, 4705; III.5151;  
V.529, 1109, 1115, 1117, 1705,  
1907, 1917, 3023, 3711, 3719,  
4037, 4901; VII.115, 721; IX.2505;  
XI.103, 1121, 1139)

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 expected implementation costs or savings to state or local governmental units by the proposed 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 by the proposed rule.

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

There are no estimated costs and/or economic benefits to directly affected persons or non-governmental groups by the proposed rule.

**IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)**

There is no estimated effect on competition and employment by the proposed rule.

\_\_\_\_\_  
Signature of Agency Head or Designee

\_\_\_\_\_  
Legislative Fiscal Officer or Designee

Karen K. Gautreaux, Deputy Secretary  
Typed Name and Title of Agency Head or Designee

\_\_\_\_\_  
Date of Signature

\_\_\_\_\_  
Date of Signature

LFO 03/09/2001

**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 will correct typographical errors, edit references that are incorrect, and update regulations to show consistency with other rules.

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

The rulemaking is necessary due to inconsistent wording of regulations, typographical errors, and incorrect references.

- 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.

No increase in expenditure of funds is expected by the proposed rule.

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?

| COSTS                             | FY 04-05 | FY 05-06 | FY 06-07 |
|-----------------------------------|----------|----------|----------|
| PERSONAL SERVICES _____           |          |          |          |
| OPERATING EXPENSES _____          |          |          |          |
| PROFESSIONAL SERVICES _____       |          |          |          |
| OTHER CHARGES _____               |          |          |          |
| EQUIPMENT _____                   |          |          |          |
| <b>TOTAL</b>                      | -0-      | -0-      | -0-      |
| <b>MAJOR REPAIR &amp; CONSTR.</b> |          |          |          |
| <b>POSITIONS (#)</b>              | -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.

The proposed rule should not result in any increase or decrease in costs to implement the proposed action.

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

| SOURCE                      | FY 04-05 | FY 05-06 | FY 06-07 |
|-----------------------------|----------|----------|----------|
| STATE GENERAL FUND _____    |          |          |          |
| AGENCY SELF-GENERATED _____ |          |          |          |
| DEDICATED _____             |          |          |          |
| FEDERAL FUNDS _____         |          |          |          |
| OTHER (Specify) _____       |          |          |          |
| <b>TOTAL</b>                | -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 agency has sufficient funds to implement the proposed rule.

**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 will be no impact on local governmental units.

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

This does not apply.

**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?

| REVENUE INCREASE/DECREASE   | FY 04-05 | FY 05-06 | FY 06-07 |
|-----------------------------|----------|----------|----------|
| STATE GENERAL FUND _____    |          |          |          |
| AGENCY SELF-GENERATED _____ |          |          |          |
| RESTRICTED FUNDS* _____     |          |          |          |
| FEDERAL FUNDS _____         |          |          |          |
| LOCAL FUNDS _____           |          |          |          |
| <b>TOTAL</b>                | -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 does not apply.

**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.

There will be no costs and/or economic benefits to directly affected persons or non-governmental groups.

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.

This does not apply.

**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 action.