

Louisiana Department of Environmental Quality

Updated: March 10, 2025

The following is a summary of actions taken by the Department of Environmental Quality with adoption, amendment, or repeal of proposed rules and of actions taken by the agency with respect to adoptions, increases, or decreases. Included are actions January 1, 2024, to March 31, 2025.

Proposed dates are those on which the notice of intended action was published in the Louisiana Register pursuant to La. R.S. 49:961. Public hearing dates are those on which the agency held public hearings pursuant to La. R.S. 49:961. Oversight hearing dates are those on which oversight hearings were conducted pursuant to La. R.S. 49:966. Final dates are those on which the actions were published in the Louisiana Register pursuant to La. R.S. 49:965.

AQ392 - Repeal of LAC 33:III.506 LAC 33:III.506

On August 8, 2011, the United States Environmental Protection Agency (EPA) issued the Cross-State Air Pollution Rule (CSAPR) to address Clean Air Act requirements concerning interstate transport of air pollution and to replace the previous Clean Air Interstate Rule (CAIR), which the D.C. Circuit remanded to EPA for replacement. Per EPA's "Rulemaking to Amend Dates in Federal Implementation Plans Addressing Interstate Transport of Ozone and Fine Particulate Matter" promulgated on December 3, 2014, when CSAPR was implemented in 2015, CAIR sunset in compliance with the terms of the 2008 remand, effective December 31, 2014. Accordingly, LAC 33:III.506, which prescribes how CAIR annual NO_x and ozone season NO_x allowances are to be allocated and incorporates the federal SO₂ model Rule under 40 CFR 96 by reference, is no longer necessary. This Rule will repeal LAC 33:III.506 (Clean Air Interstate Rule Requirements).

Proposed Date: August 20, 2023
Public Hearing: September 28, 2023
October 26, 2023

Final Date: January 20, 2024

Oversight Hearing:
Withdrawn:

Substantive Changes:

OS102 - Procedures LAC 33:I.2105.B

The proposed changes to LAC 33:I.2105.B are intended to clarify the approval procedure for subscriber agreements as defined in LAC 33:I.2103.A. Previously, the approval procedure for subscriber agreements, as found in LAC 33:I.2105.B, differed from the definition of subscriber agreement, as found in LAC 33:I.2103.A. The proposed changes to LAC 33:I.2105.B are intended to bring such language into conformity.

Proposed Date: October 20, 2023
Public Hearing: November 28, 2023
Final Date: January 20, 2024

Oversight Hearing:
Withdrawn:
Substantive Changes:

HW125 - Delisting Exclusion of Solvents/EDC Process Wastewater Effluent and Solvents East Ditch Sediment from Hazardous Waste for The Dow Chemical Company, Plaquemine
LAC 33:V.4999.Appendix E

The proposed Rule will delist solvents/EDC process wastewater effluent and solvents east ditch sediment from certain EPA hazardous waste number categories and will establish monitoring conditions to maintain the delisting status. The proposed rulemaking will acknowledge LDEQ's acceptance of Dow's delisting exclusion petition submitted to fulfill a requirement in a Consent Agreement and Final Order (CAFO) with EPA issued per Docket No. RCRA-06-2010-0933. Prior to October 5, 2015, The Dow Chemical Company owned and operated the hazardous waste incinerator (F-700) in the solvents/EDC production unit, now owned and operated by Olin Corporation (Blue Cube Operations, LLC). A wet scrubber system treats incinerator combustion gas and generates an aqueous effluent waste that carries the same hazardous waste category numbers as the waste treated in the incinerator. The scrubber effluent waste discharges to a lined ditch and then to an unlined ditch (solvents east ditch) through an LPDES permitted point (Outfall 201). In accordance with the CAFO, Dow chose to pursue a waste delisting option under LDEQ oversight for both the solvents/EDC process wastewater effluent. and solvents east ditch sediment (in situ).

Proposed Date: January 20, 2024
Public Hearing: February 27, 2024
Final Date:

Oversight Hearing:
Withdrawn: January 20, 2025
Substantive Changes:

OS103 - Open Meetings via Electronic Means Policy
LAC 33:I.Chapter 22

This rule summarizes the LDEQ's obligations and limitations for announcing and holding public meetings and the process by which the LDEQ shall provide eligible requestors with accommodations in order to attend and participate in said meetings in person or remotely (via electronic means). Act 393 of the 2023 Regular Session requires the LDEQ, upon request, to provide accommodations to people with disabilities to enable them to participate in open meetings or open meetings delivered by electronic access.

Proposed Date: January 20, 2024
Public Hearing: February 27, 2024
Final Date: April 20, 2024

Oversight Hearing:
Withdrawn:
Substantive Changes:

**AQ396 - Emission Standard for Asbestos
LAC 33:III.5151**

LAC 33:III.5151 regulates the owners and/or operators of demolition or renovation activities that disturb asbestos at or above stated thresholds, including the removal of regulated asbestos-containing materials (RACM) or the renovation or demolition of asbestos-containing materials. Residential exemptions are not currently addressed in LAC 33:III.5151. In order to address this oversight, we propose the following changes to clarify that isolated individual residences that are demolished are exempt from the requirements in LAC 33:III.5151.

Proposed Date: April 20, 2024
Public Hearing: May 30, 2024
Final Date: July 20, 2024

Oversight Hearing:
Withdrawn:
Substantive Changes:

**SW068S - Disposal of Coal Combustion Residuals
LAC 33:VII.Chapter 10**

This Rule creates a new chapter in the regulations in order to combine existing state and federal requirements for coal combustion residual (CCR) landfills and/or surface impoundments in Louisiana. This new chapter will adopt by reference the federal CCR Rule promulgated by the Environmental Protection Agency (EPA) at 40 CFR 257 Subpart D, and will include existing state requirements for permitting and other existing state requirements for CCR units, including monitoring and financial assurance. Adoption of the federal Rule will allow LDEQ to obtain delegated authority from EPA for implementing the federal requirements and issuing required permits. Once the Rule is adopted and EPA has delegated authority, regulated CCR units will be able to receive a single permit from LDEQ to meet both programs. The Environmental Protection Agency (EPA) promulgated the Federal CCR Rule in April 2015, requiring federal regulations for facilities that operate CCR landfill and surface impoundments. In 2016, Congress passed the WIIN Act allowing states to manage CCR units under state permitting programs. In order to regulate the CCR units in Louisiana, new regulations are required for operating CCR units in the state.

Proposed Date: October 20, 2023
Public Hearing: November 28, 2023
Final Date: October 20, 2024

Oversight Hearing:
Withdrawn:
Substantive Changes: yes

**WQ114 - Freshwater Ammonia Aquatic Life Criteria
LAC 33:IX.1105, 1113, 1115, and 1117**

This rule will revise LAC 33:IX Chapter 11 of the Surface Water Quality Standards regulations to add freshwater ammonia criteria. LDEQ has the regulatory obligation to evaluate and adopt, where appropriate, federally recommended water quality criteria. See La. R.S. 30:2074(B)(1)(a). See also 40 C.F.R. § 131.20 and 40 C.F.R. § 131.22. This revision will adopt and clarify the applicability of freshwater ammonia criteria. This rule will give the agency the necessary amount of time to complete adoption of freshwater ammonia criteria. This rule complies with the statutory law administered by LDEQ. See La. R.S. 30:2074(B)(1)(a).

Proposed Date: May 20, 2024
Public Hearing: June 25, 2024
Final Date: November 20, 2024

Oversight Hearing:
Withdrawn:
Substantive Changes:

**RP071 - Miscellaneous Corrections
LAC 33:XV.430, 455, 493, 763, and 1699 Appendix A**

This Rule updates the regulations pertaining to dosimetry and makes miscellaneous corrections to be compatible with changes in the federal regulations. This Rule was promulgated by the Nuclear Regulatory Commission as RATS IDs 2021-1 and 2021-2.

Proposed Date: September 20, 2024
Public Hearing: October 30, 2024
Final Date: December 20, 2024

Oversight Hearing:
Withdrawn:
Substantive Changes:

**AQ399 - Emissions Inventory
LAC 33:III.919**

This Rule change removes a requirement to receive a written release from reporting in order to discontinue submittal of emissions inventories when a facility is not required by an effective permit and no longer meets the reporting thresholds established by the regulations.

Proposed Date: October 20, 2024
Public Hearing: November 26, 2024
Final Date: January 20, 2025

Oversight Hearing:
Withdrawn:
Substantive Changes:

**HW127ft - Imports and Exports of Hazardous Waste Multi-Rule and e-Manifest Update
LAC 33:V.105, 109, 110, 1021, 1101, 1107, 1108, 1113, 1123, 1125, 1127, 1301,
1307, 1309, 1516, 1531, 3835, 3855, 3857, 3871, 3877, 3879, 4105,4143, 4145,
and 4911**

The proposed Rule adopts four federal rules under Subtitle C of the Resource Conservation and Recovery Act (RCRA): three rules related to the import and export of hazardous waste, and one rule related to fees associated with the hazardous waste e-Manifest system submitted solely to the U.S. Environmental Protection Agency (EPA). This proposed Rule incorporates the Imports and Exports of Hazardous Waste Rule, the Confidentiality Determinations for Hazardous Waste Export and Import Documents Rule, the Conforming Changes to Canada-Specific Hazardous Waste Import-Export Recovery and Disposal Operation Codes Rule, and the Hazardous Waste Electronic Manifest User Fee Rule. This proposed Rule:

- amends the existing regulations regarding the import and export of hazardous wastes into and from the United States of America, enables electronic submittal to the EPA of all import and export related documents, and enables electronic validation of consent for export shipments subject to consent requirements;
- applies a confidentiality determination such that no person can assert confidential business information claims for documents related to the import, export, transit of hazardous waste, and export of excluded cathode ray tubes;
- makes conforming changes to regulations related to 12 hazardous waste import and export recovery and disposal operations used in notices submitted to the EPA by U.S. importers and exporters, and in movement documents that accompany import and export shipments to solely reflect revisions made in Canadian regulations; and
- establishes the methodology the EPA will use to determine the user fees applicable to the national electronic manifest system.

Proposed Date: July 20, 2024
Public Hearing: August 27, 2024
Final Date: October 20, 2024

Oversight Hearing:
Withdrawn:
Substantive Changes:

**SW070 - Advanced Recycling
LAC 33:VII.115, 301, 401, and 10303**

This Rule provides updates to the solid waste regulations incorporating amendments resulting from Act 460 of the 2021 Regular Legislative Session and Act 43 of the 2023 Regular Legislative Session. These Acts defined advanced recycling and provided exclusions for advanced recycling processes, facilities, and products from solid waste. This Rule will promote the planning and application of recycling and resource recovery systems.

Proposed Date: January 20, 2025
Public Hearing: February 25, 2025
Final Date:

Oversight Hearing:
Withdrawn:
Substantive Changes:

**AQ398 - Repeal of Affirmative Defense Provisions
LAC 33:III.501.B, 502.A, 507.J, and 535.A**

This Rule will remove affirmative defense provisions from LAC 33:III.507.J and from Part 70 General Condition N of LAC 33:III.535.A and relocate the definition of “upset” from LAC 33:III.507.J.1 to LAC 33:III.502.A. On July 21, 2023, EPA removed affirmative defense provisions from its Title V Operating Permit Program regulations (i.e., 40 CFR Parts 70 and 71).^{*} These provisions established an affirmative defense that sources could have asserted in enforcement cases brought for noncompliance with technology-based emission limitations in operating permits, provided that the exceedances occurred due to qualifying emergency circumstances. According to EPA, these provisions have never been required elements of state operating permit programs and were removed because they are inconsistent with the agency’s current interpretation of the enforcement structure of the Clean Air Act in light of prior court decisions from the U.S. Court of Appeals for the D.C. Circuit. State permitting authorities whose Part 70 programs contain impermissible affirmative defense provisions must remove such provisions from their EPA-approved Part 70 programs. EPA expects such states to submit to the agency either a program revision, or a request for an extension of time, by August 21, 2024.

Proposed Date: September 20, 2024
Public Hearing: October 30, 2024
Final Date: January 20, 2025

Oversight Hearing:
Withdrawn:
Substantive Changes:

**AQ400 - Part 70 General Conditions
LAC 33:III.535**

The proposed Rule will revise LAC 33:III.535 to require use of department approved forms for submitting the Title V Semiannual Monitoring Report and the Title V Annual Compliance Certification and limit referencing of previously reported permit deviations. The Air Enforcement Section of the Office of Environmental Compliance currently has Title V Semiannual Monitoring and Title V Annual Compliance Certification forms available for use by Title V/Part 70 permittees. There is currently no Rule or regulation requiring permittees to use the forms. The Air Enforcement Section receives Semiannual Monitoring Reports and Annual Compliance Certifications in multiple formats. The proposed Rule changes would require all permittees to use standard forms in an effort to expedite the compliance review process and require information to be reported in the one report versus referencing multiple reports.

Proposed Date: December 20, 2024
Public Hearing: January 28, 2025
Final Date:

Oversight Hearing:
Withdrawn:
Substantive Changes:

[ft (after log #) = Fast Track: Federal regulations promulgated under expedited procedures in R.S. 49:963.A.(2).]

**WQ115ft - 2024 Annual Incorporation by Reference of Certain Water Quality Regulations
LAC 33:IX.4901 and 4903**

This Rule updates the reference dates for 40 Code of Federal Regulations (CFR) Part 136, Guidelines Establishing Test Procedures for the Analysis of Pollutants, and 40 CFR Chapter I, Subchapter N, Parts 401, 405-471, Effluent Guidelines and Standards in LAC 33:IX.4901 and 4903. This Rule will incorporate the recently updated federal regulations into Louisiana's water quality regulations. This revision increases the enforceability of Louisiana Pollutant Discharge Elimination System (LPDES) permits that include the Environmental Protection Agency approved analytical methods and effluent limitation guidelines. The published edition of the 40 CFR is updated on July 1 of every calendar year; therefore, this Rule will incorporate the date of July 1, 2024.

Proposed Date: December 20, 2024
Public Hearing: January 28, 2025
Final Date: March 20, 2025

Oversight Hearing:
Withdrawn:
Substantive Changes:

**UT021 - Aligning UST Regulations with Statute Changes
LAC 33:XI.301, 403, 509, and 1121**

This proposed Rule makes changes to LAC 33:XI.Underground Storage Tanks in order to align the UST regulations with the statutory changes made in Act 167 of the 2024 Regular Legislative Session. Specifically, the proposed Rule deletes the requirement for underground storage tank owners to have a current registration certificate in order to receive fuel deliveries. It will also delete the requirement mandating the Louisiana Department of Environmental Quality automatically prohibits delivery to underground storage tanks that do not have a current registration certificate. The proposed Rule updates the definition of "eligible participant" in order to add temporarily closed tanks and remove the deductibles in order to make the fund a first-dollar coverage fund. The proposed Rule raises the per release maximum amount of expenditures from \$1,500,000 to \$2,000,000, and allows the MFTF Advisory Board, with secretary approval, to reduce the noncompliance deductible below the previous \$10,000 limit.

Proposed Date: March 20, 2025
Public Hearing: April 29, 2025
Final Date:

Oversight Hearing:
Withdrawn:
Substantive Changes:

Act 192 Report

The following report is being submitted pursuant to Act 192 of the 2024 Regular Legislative Session. In response to Act 192, the Louisiana Department of Environmental Quality (LDEQ) has initiated the process of reviewing rules adopted by the agency. All rules of the LDEQ are promulgated according to the Administrative Procedure Act. The objectives of this internal audit are to identify problematic areas within Title 33 of the Louisiana Administrative Code that can be readily improved to enhance the current level of accessibility.

Value

These rules are necessary to provide service to the people of Louisiana through comprehensive environmental protection in order to promote and protect human health, safety and welfare.

Audit Summaries and Resulting Actions

Summary of Unnecessary, Outdated, and/or Invalid Sections: Sections that have not had any activity in the last ten years or more were evaluated for relevance. Sections deemed unnecessary will be repealed through various housekeeping amendments.

Summary of Readability Analyses: The following Chapters and/or Sections were reviewed for readability. The language used in LAC 33 exceeds the readability level recommended by the Office of the State Register. Regulation Development staff will work with rule writers on future rulemaking to ensure that each new rulemaking project is both necessary and not complex nor burdensome, and will include suggestions for:

- reduction of sentence length;
- use of exact terminology (avoiding business and technical jargon); and
- a uniform readability level.

Title 33
ENVIRONMENTAL QUALITY

Part I. Office of the Secretary
Subpart 1. Departmental Administrative Procedures

A readability analysis was performed on LAC 33:Part I. Office of the Secretary to determine if the current regulations meet the readability level recommended by the Office of the State Register. Additionally, the following Sections that have not had any activity in the last ten years or more were evaluated for relevance: Sections 3901, 3907-3911 (Last Revision 1993), 3927, 3929 (Last Revision 1994), and 301-373 (Last Revision 1995).

Chapter 1. Public Notification of Contamination

Chapter Readability: Flesch-Kincaid Grade Level: 12.5, Technical Definitions are defined in layman's terms. Grade level readability has been adjusted accordingly.

Proposed Action: No action required as far as readability.

Chapter 3. Adjudications

Readability: Flesch-Kincaid Grade Level: 12.5, Technical Definitions are defined in layman's terms. Grade level readability has been adjusted accordingly.

Proposed Action: Amendment needed.

Chapter 4. Suspension of Contested Permit Conditions

Readability: Flesch-Kincaid Grade Level: 14.1, Technical Definitions are defined in layman's terms. Grade level readability has been adjusted accordingly.

Proposed Action: Future rulemaking may be necessary in order to address readability.

Chapter 5. Confidential Information Regulations

Readability: Flesch-Kincaid Grade Level: 17, Technical Definitions are defined in layman's terms. Grade level readability has been adjusted accordingly.

Proposed Action: Amendment needed once new program is in effect.

Chapter 6. Security-Sensitive Information

[ft (after log #) = Fast Track: Federal regulations promulgated under expedited procedures in R.S. 49:963.A.(2).]

Readability: Flesch-Kincaid Grade Level: 16.5, Technical Definitions are defined in layman's terms. Grade level readability has been adjusted accordingly.

Proposed Action: No action required. Still valid.

Chapter 7. Penalties

Readability: Flesch-Kincaid Grade Level: 19.8, Technical Definitions are defined in layman's terms. Grade level readability has been adjusted accordingly.

Proposed Action: Future rulemaking may be necessary in order to address readability.

Chapter 8. Expedited Penalty Agreement

Readability: Too many tables are in this Chapter to give an accurate readability level.

Proposed Action: No action needed.

Chapter 9. Petition for Rulemaking

Readability: Flesch-Kincaid Grade Level: 15.2, Technical Definitions are defined in layman's terms. Grade level readability has been adjusted accordingly.

Proposed Action: No action required. Still valid.

Chapter 11. Declaratory Rulings

Readability: Flesch-Kincaid Grade Level: 14, Technical Definitions are defined in layman's terms. Grade level readability has been adjusted accordingly.

Proposed Action: Future rulemaking may be necessary in order to address readability.

Chapter 12. Requests for Review of Environmental Conditions

Readability: Flesch-Kincaid Grade Level: 14.7, Technical Definitions are defined in layman's terms. Grade level readability has been adjusted accordingly.

Proposed Action: Future rulemaking may be necessary in order to address readability.

Chapter 13. Risk Evaluation/Corrective Action Program

Readability: Flesch-Kincaid Grade Level: 16.8, Technical Definitions are defined in layman's terms. Grade level readability has been adjusted accordingly.

Proposed Action: Future rulemaking may be necessary in order to address readability.

Chapter 14. Groundwater Fees

Readability: Flesch-Kincaid Grade Level: 14.3, Technical Definitions are defined in layman's terms. Grade level readability has been adjusted accordingly.

Proposed Action: Future rulemaking may be necessary in order to address readability.

Chapter 15. Permit Application and Working Draft Permit Review

Readability: Flesch-Kincaid Grade Level: 14.9, Technical Definitions are defined in layman's terms. Grade level readability has been adjusted accordingly.

Proposed Action: Future rulemaking may be necessary in order to address readability.

Chapter 17. Permit Qualifications and Requirements

Readability: Flesch-Kincaid Grade Level: 16.9, Technical Definitions are defined in layman's terms. Grade level readability has been adjusted accordingly.

Proposed Action: Future rulemaking may be necessary in order to address readability.

Chapter 18. Expedited Permit Processing Program

Readability: Flesch-Kincaid Grade Level: 15.3, Technical Definitions are defined in layman's terms. Grade level readability has been adjusted accordingly.

Proposed Action: Future rulemaking may be necessary in order to address readability.

Chapter 19. Facility Name and Ownership/Operator Changes Process

Readability: Flesch-Kincaid Grade Level: 14.3, Technical Definitions are defined in layman's terms. Grade level readability has been adjusted accordingly.

Proposed Action: Future rulemaking may be necessary in order to address readability.

Chapter 20. Records of Decision for Judicial Review

Readability: Flesch-Kincaid Grade Level: 11.7, Technical Definitions are defined in layman's terms. Grade level readability has been adjusted accordingly.

Proposed Action: No action required as far as readability.

Chapter 21. Electronic Submittals and Electronic Signatures

[ft (after log #) = Fast Track: Federal regulations promulgated under expedited procedures in R.S. 49:963.A.(2).]

Readability: Flesch-Kincaid Grade Level: 15, Technical Definitions are defined in layman's terms. Grade level readability has been adjusted accordingly.

Proposed Action: Future rulemaking may be necessary in order to address readability.

Chapter 22. Open Meetings

Readability: Flesch-Kincaid Grade Level: 13.2, Technical Definitions are defined in layman's terms. Grade level readability has been adjusted accordingly.

Proposed Action: No action required. Still valid.

Chapter 23. Procedures for Public Record Requests

Readability: Flesch-Kincaid Grade Level: 13.2, Technical Definitions are defined in layman's terms. Grade level readability has been adjusted accordingly.

Proposed Action: Future rulemaking may be necessary in order to address readability.

Chapter 25. Beneficial Environmental Projects

Readability: Flesch-Kincaid Grade Level: 14.6, Technical Definitions are defined in layman's terms. Grade level readability has been adjusted accordingly.

Proposed Action: Future rulemaking may be necessary in order to address readability.

Chapter 27. Mercury Risk Reduction

Readability: Flesch-Kincaid Grade Level: 14.6, Technical Definitions are defined in layman's terms. Grade level readability has been adjusted accordingly.

Proposed Action: Future rulemaking may be necessary in order to address readability.

Chapter 37. Regulatory Innovations Programs

Readability: Flesch-Kincaid Grade Level: 15.3, Technical Definitions are defined in layman's terms. Grade level readability has been adjusted accordingly.

Proposed Action: Future rulemaking may be necessary in order to address readability.

Chapter 39. Notification Regulations and Procedures for Unauthorized Discharges

[ft (after log #) = Fast Track: Federal regulations promulgated under expedited procedures in R.S. 49:963.A.(2).]

Readability: Flesch-Kincaid Grade Level: 18, Technical Definitions are defined in layman's terms. Grade level readability has been adjusted accordingly.

Proposed Action: Future rulemaking may be necessary in order to address readability.

Chapter 41. Hazardous Waste Site Cleanup Fund Site Prioritization

Readability: Flesch-Kincaid Grade Level: 13, Technical Definitions are defined in layman's terms. Grade level readability has been adjusted accordingly.

Proposed Action: Future rulemaking may be necessary in order to address readability.

Chapter 45. Policy and Intent

Readability: Flesch-Kincaid Grade Level: 15.3, Technical Definitions are defined in layman's terms. Grade level readability has been adjusted accordingly.

Proposed Action: Future rulemaking may be necessary in order to address readability.

Chapter 47. Louisiana Environmental Laboratory Accreditation Program (LELAP) State

Accreditation Requirements

Readability: Flesch-Kincaid Grade Level: 15.5, Technical Definitions are defined in layman's terms. Grade level readability has been adjusted accordingly.

Proposed Action: Future rulemaking may be necessary in order to address readability.

Chapter 49. Organization and Personnel Requirements

Readability: Flesch-Kincaid Grade Level: 11.5, Technical Definitions are defined in layman's terms. Grade level readability has been adjusted accordingly.

Proposed Action: No action required as far as readability.

Chapter 51. On-Site Inspection/Evaluation

Readability: Flesch-Kincaid Grade Level: 13.7, Technical Definitions are defined in layman's terms. Grade level readability has been adjusted accordingly.

Proposed Action: Future rulemaking may be necessary in order to address readability.

Chapter 53. Quality System Requirements

Readability: Flesch-Kincaid Grade Level: 12.1, Technical Definitions are defined in layman's terms. Grade level readability has been adjusted accordingly.

Proposed Action: No action required as far as readability.

Chapter 55. Sample Protocol/Sample Integrity

Readability: Flesch-Kincaid Grade Level: 11.8, Technical Definitions are defined in layman's terms. Grade level readability has been adjusted accordingly.

Proposed Action: No action required as far as readability.

Chapter 57. Maintenance of Accreditation

Readability: Flesch-Kincaid Grade Level: 15.8, Technical Definitions are defined in layman's terms. Grade level readability has been adjusted accordingly.

Proposed Action: Future rulemaking may be necessary in order to address readability.

Chapter 59. Accreditation for Laboratories Participating in the NELAP Certification Program

Readability: Flesch-Kincaid Grade Level: 14.9, Technical Definitions are defined in layman's terms. Grade level readability has been adjusted accordingly.

Proposed Action: Future rulemaking may be necessary in order to address readability.

Chapter 69. Emergency Response Regulations

Readability: Flesch-Kincaid Grade Level: 14.8, Technical Definitions are defined in layman's terms. Grade level readability has been adjusted accordingly.

Proposed Action: Future rulemaking may be necessary in order to address readability.

Chapter 70. Voluntary Environmental Self-Audit Regulations

Readability: Flesch-Kincaid Grade Level: 12.8, Technical Definitions are defined in layman's terms. Grade level readability has been adjusted accordingly.

Proposed Action: No action required as far as readability.

Part VI. Inactive and Abandoned Hazardous Waste and Hazardous Substance Site Remediation

[ft (after log #) = Fast Track: Federal regulations promulgated under expedited procedures in R.S. 49:963.A.(2).]

A readability analysis was performed on LAC 33:Part VI. Inactive and Abandoned Hazardous Waste and Hazardous Substance Site Remediation to determine if the current regulations meet the readability level recommended by the Office of the State Register. Additionally, the following Sections that have not had any activity in the last ten years or more were evaluated for relevance: 101, 105-115, 203-301, 305, 401, 405, 503, 511, 513, 517, 519, 523, 601-605, 701, 703, 707, 713 (Last Revision 1999) and 901-909, 915, 919 (Last Revision 2001). All of the Sections listed are in current use and do not need to be updated at this time.

Chapter 1. General Provisions and Definitions

Chapter Readability: Flesch-Kincaid Grade Level: 13.6, Technical Definitions are defined in layman's terms. Grade level readability has been adjusted accordingly.

Proposed Action: Future rulemaking may be necessary in order to address readability.

Chapter 2. Site Discovery and Evaluation

Readability: Flesch-Kincaid Grade Level: 12.5, Technical Definitions are defined in layman's terms. Grade level readability has been adjusted accordingly.

Proposed Action: No action required as far as readability.

Chapter 3. Administrative Processes

Readability: Flesch-Kincaid Grade Level: 14.4, Technical Definitions are defined in layman's terms. Grade level readability has been adjusted accordingly.

Proposed Action: Future rulemaking may be necessary in order to address readability.

Chapter 4. PRP Search, Notification, and Demand for Remediation

Readability: Flesch-Kincaid Grade Level: 16.4, Technical Definitions are defined in layman's terms. Grade level readability has been adjusted accordingly.

Proposed Action: Future rulemaking may be necessary in order to address readability.

Chapter 5. Site Remediation

Readability: Flesch-Kincaid Grade Level: 13.3, Technical Definitions are defined in layman's terms. Grade level readability has been adjusted accordingly.

[ft (after log #) = Fast Track: Federal regulations promulgated under expedited procedures in R.S. 49:963.A.(2).]

Proposed Action: Future rulemaking may be necessary in order to address readability.

Chapter 6. Cost Recovery

Readability: Flesch-Kincaid Grade Level: 13.5, Technical Definitions are defined in layman's terms. Grade level readability has been adjusted accordingly.

Proposed Action: Future rulemaking may be necessary in order to address readability.

Chapter 7. Settlement and Negotiations

Readability: Flesch-Kincaid Grade Level: 14.2, Technical Definitions are defined in layman's terms. Grade level readability has been adjusted accordingly.

Proposed Action: Future rulemaking may be necessary in order to address readability.

Chapter 8. Public Information and Participation

Readability: Flesch-Kincaid Grade Level: 15.1, Technical Definitions are defined in layman's terms. Grade level readability has been adjusted accordingly.

Proposed Action: Future rulemaking may be necessary in order to address readability.

Chapter 9. Voluntary Remediation

Readability: Flesch-Kincaid Grade Level: 14.7, Technical Definitions are defined in layman's terms. Grade level readability has been adjusted accordingly.

Proposed Action: Future rulemaking may be necessary in order to address readability.

Chapter 11. Brownfields Cleanup Revolving Loan Fund Program

Readability: Flesch-Kincaid Grade Level: 12.9, Technical Definitions are defined in layman's terms. Grade level readability has been adjusted accordingly.

Proposed Action: No action required as far as readability.

Part VII. Solid Waste Subpart 2. Recycling

A readability analysis was performed on LAC 33:Part VII. Solid Waste, Chapters 103 and 105 to determine if the current regulations meet the readability level recommended by the Office of the

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State Register. Additionally, the following Sections that have not had any activity in the last ten years or more were evaluated for relevance: 10301, 10305, 10309, 10311 (Last Revision 1992), 10501 (Last Revision 1994), and 10503 (Last Revision 2000). Section 10309 requires an amendment to match the language found in La. R.S. 30:2413.A.(9). The remaining Sections are valid and no changes are needed at this time.

Chapter 103. Recycling and Waste Reduction Rules

Readability: Flesch-Kincaid Grade Level: 13.2, Technical Definitions are defined in layman's terms. Grade level readability has been adjusted accordingly.

Proposed Action: Amendment needed in Section 10309 to match La. R.S. 30:2413.A.(9).

Chapter 105. Waste Tires

Readability: Flesch-Kincaid Grade Level: 13.5, Technical Definitions are defined in layman's terms. Grade level readability has been adjusted accordingly.

Proposed Action: Future rulemaking may be necessary in order to address readability.

Part XI. Underground Storage Tanks

A readability analysis was performed on LAC 33:Part XI. Underground Storage Tanks, Chapters 11, 12, and 15 to determine if the current regulations meet the readability level recommended by the Office of the State Register. Additionally, the following Sections that have not had any activity in the last ten years or more were evaluated for relevance: 1109, 1127, 1141, 1501-1505 (Last Revision 1990) and 1207 (Last Revision 1990). A review of Section 1207 was done and a recommendation to add language to provide copies of engineer registration or geologist (license, if PG) during the annual renewal period was made. All other Sections reviewed are valid and require no changes at this time.

Chapter 11. Financial Responsibility

Readability: Flesch-Kincaid Grade Level: 15.4, Technical Definitions are defined in layman's terms. Grade level readability has been adjusted accordingly.

Proposed Action: Future rulemaking may be necessary in order to address readability.

Chapter 12. Requirements for Response Action Contractors Who Assess and Remediate Motor Fuel Contaminated Sites Eligible for Cost Reimbursement in Accordance with the Motor Fuels Underground Storage Tank Trust Fund (MFUSTTF)

Readability: Flesch-Kincaid Grade Level: 13.7, Technical Definitions are defined in layman's terms. Grade level readability has been adjusted accordingly.

[ft (after log #) = Fast Track: Federal regulations promulgated under expedited procedures in R.S. 49:963.A.(2).]

Proposed Action: A suggested amendment to Section 1207 is a recommendation to add language to provide copies of engineer registration or geologist (license, if PG) during the annual renewal period.

Chapter 15. Enforcement

Readability: Flesch-Kincaid Grade Level: 13.2, Technical Definitions are defined in layman's terms. Grade level readability has been adjusted accordingly.

Proposed Action: Future rulemaking may be necessary in order to address readability.