

Title 33
ENVIRONMENTAL QUALITY
Part III. Air

Chapter 1. General Provisions

§111. Definitions

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

* * *

Criteria Pollutant—any compound for which an ambient air quality standard has been listed in LAC 33:III.Chapter 7; however, *volatile organic compounds*, as defined in this Section, shall be included as a surrogate for ozone.

* * *

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Chapter 2. Rules and Regulations for the Fee System of the Air Quality Control Programs

§211. Methodology

A. - B.13.d.iii. ...

e. Small Source Permit. The small source permit, as defined by LAC 33:III.503.B.2, applies when a permitted source is not a ~~major source~~ Part 70 source as defined in LAC 33:III.502. The permitted source must also emit ~~and/or~~ have the potential to emit less than 25 tons/year of any ~~regulated~~ criteria pollutant, and less than 10 tons per year of any toxic air pollutant. For permit applications with processes specifically listed in the fee schedule that would also qualify for the small source permit fee, the permit fee shall be the lesser of these listed fees

14. - 15.b. ...

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§223. Fee Schedule Listing

Table 1. - Explanatory Notes for Fee Schedule.

Note 1. - Note 14a. ...

Note 15. Applications must be accompanied by a certificate of eligibility authorized by the department's Small Business Technical Assistance Program. Final determination of a facility's eligibility is to be made by the administrative authority or his designee and may be based on (but not limited to) the following factors: risk assessment, proposed action, location, etc. For the purpose of this Chapter a small business is a facility which: has 50 employees or fewer; is independently owned; is a small business concern as defined pursuant to the Small Business Act; emits less than 5 tons/year of any single hazardous air pollutant and less than 15 tons/year of any combination of hazardous air pollutants; emits less than 25 tons/year of any ~~regulated~~ criteria pollutant; has an annual gross revenue that does not exceed \$5,000,000; is not a major stationary source; and does not incinerate, recycle, or recover any off-site hazardous, toxic, industrial, medical, or municipal waste.

Note 16. - Note 20. ...

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Chapter 5. Permit Procedures

§501. Scope and Applicability

A. - B.2.d.i. ...

(a). five tons per year for each of any regulated ~~air~~criteria pollutant as defined by the Clean Air Act,

(b). - B.4.a. ...

i. the source emits and has the potential to emit no more than 5 tons per year of any ~~regulated air~~criteria pollutant;

ii. - 5. ...

Table 1. Insignificant Activities List
A. Based on Size or Emission Rate
Permit applications submitted under Subsection A of this Section for sources that include any of the following emissions units, operations, or activities must either list them as insignificant activities or provide the information for emissions units as specified under LAC 33:III.517:
1. external combustion equipment with a design rate greater than or equal to 1 million Btu per hour, but less than or equal to 10 million Btu per hour, provided that the aggregate <u>criteria pollutant</u> emissions from all such units listed as insignificant do not exceed 5 tons per year;
2. storage tanks less than 250 gallons storing organic liquids having a true vapor pressure less than or equal to 3.5 psia, provided that the aggregate emissions from all such organic liquid storage tanks listed as insignificant do not exceed 5 tons per year of <u>criteria or toxic air pollutants</u> , do not exceed any Minimum Emission Rate listed in LAC 33:III.5112, Table 51.1, and do not exceed any hazardous air pollutant de minimis rate established pursuant to Section 112(g) of the federal Clean Air Act;

Table 1. Insignificant Activities List	
<p>3. storage tanks less than 10,000 gallons storing organic liquids having a true vapor pressure less than 0.5 psia, provided that the aggregate emissions from all such organic liquid storage tanks listed as insignificant do not exceed 5 tons per year <u>of criteria or toxic air pollutants</u>, do not exceed any Minimum Emission Rate listed in LAC 33:III.5112, Table 51.1, and do not exceed any hazardous air pollutant de minimis rate established pursuant to Section 112(g) of the federal Clean Air Act;</p>	
A.4. - A.5. ...	
<p>6. emissions from laboratory equipment/vents used exclusively for routine chemical or physical analysis for quality control or environmental monitoring purposes, provided that the aggregate emissions from all such equipment vents considered insignificant do not exceed 5 tons per year <u>of criteria or toxic air pollutants</u>, do not exceed any minimum emission rate listed in LAC 33:III.5112, Table 51.1, and do not exceed any hazardous air pollutant de minimis rate established in accordance with Section 112(g) of the federal Clean Air Act;</p>	
A.7. ...	
<p>8. portable fuel tanks used on a temporary basis in maintenance and construction activities, provided that the aggregate <u>criteria or toxic air pollutant</u> emissions from all such tanks listed as insignificant do not exceed 5 tons per year;</p>	
<p>9. emissions from process stream or process vent analyzers, provided that the aggregate emissions from all such analyzers listed as insignificant do not exceed 5 tons per year <u>of criteria or toxic air pollutants</u>, do not exceed any minimum emission rate listed in LAC 33:III.5112, Table 51.1, and do not exceed any hazardous air pollutant de minimis rate established in accordance with Section 112(g) of the federal Clean Air Act;</p>	
<p>10. storage tanks containing, exclusively, soaps, detergents, surfactants, waxes, glycerin, vegetable oils, greases, animal fats, sweetener, molasses, corn syrup, aqueous salt solutions, or aqueous caustic solutions, provided an organic solvent has not been mixed with such materials, the tanks are not subject to 40 CFR 60, Subpart Kb or other federal regulation, and the aggregate emissions from all such tanks listed as insignificant do not exceed 5 tons per year <u>of criteria or toxic air pollutants</u>, do not exceed any minimum emission rate listed in LAC 33:III.5112, Table 51.1, and do not exceed any hazardous air pollutant de minimis rate established in accordance with Section 112(g) of the federal Clean Air Act;</p>	
<p>11. catalyst charging operations, provided that the aggregate emissions from all such operations listed as insignificant do not exceed 5 tons per year <u>of criteria or toxic air pollutants</u>, do not exceed any minimum emission rate listed in LAC 33:III.5112, Table 51.1, and do not exceed any hazardous air pollutant de minimis rate established in accordance with Section 112(g) of the federal Clean Air Act; and</p>	
<p>12. portable cooling towers used on a temporary basis in maintenance activities, provided the aggregate emissions from all such cooling towers listed as insignificant do not exceed 5 tons per year <u>of criteria or toxic air pollutants</u>, do not exceed any minimum emission rate listed in LAC 33:III.5112, Table 51.1, and do not exceed any hazardous air pollutant de minimis rate established in accordance with Section 112(g) of the federal Clean Air Act.</p>	
B. - B.46. ...	
C. Based on Type of Pollutant	
Emissions of the following pollutants need not be included in a permit application:	
C.1. - C.2. ...	
<p>3. carbon dioxide;</p>	
<p>43. nitrogen; and</p>	
<p>54. hydrogen.</p>	

Table 1. Insignificant Activities List**D. Exemptions Based on Emissions Levels**

The owner or operator of any source may apply for an exemption from the permitting requirements of this Chapter for any emissions unit provided each of the following criteria are met. Activities or emissions units exempt as insignificant based on these criteria shall be included in the permit at the next renewal or permit modification, as appropriate.

- a. The emissions unit emits and has the potential to emit no more than 5 tons per year of any ~~regulated~~ criteria or toxic air pollutant.
- b. The emissions unit emits and has the potential to emit less than the minimum emission rate listed in LAC 33:III.5112, Table 51.1, for each Louisiana toxic air pollutant.
- c. The emissions unit emits and has the potential to emit less than the de minimis rate established pursuant to Section 112(g) of the federal Clean Air Act for each hazardous air pollutant.
- d. No new federally enforceable limitations or permit conditions are necessary to ensure compliance with any applicable requirement.

¹ State or federal regulations may apply.

6. - C.13. ...

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§503. Minor Source Permit Requirements

A. - B.1. ...

2. Small Source Permit. The owner or operator of a stationary source which is not a ~~major source~~ Part 70 source as defined in LAC 33:III.502 may apply for a small source permit provided the source emits and has the potential to emit less than 25 tons per year of any ~~regulated~~ criteria pollutant and 10 tons per year of any toxic air pollutant.

3. ...

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§523. Procedures for Incorporating Test Results

A. - A.1.a. ...

b. increases in permitted emissions will not exceed 5 tons per year for any regulated criteria or toxic air pollutant;

c. - B.5. ...

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 19:1420 (November 1993), amended by the Office of the Secretary, Legal Affairs Division, LR 34:1903 (September 2008), LR 37:**.

§537. Louisiana General Conditions

A. ...

Table 1. Louisiana Air Emission Permit General Conditions
* * *
<p>XVII. Very small emissions to the air, resulting from routine operations, that are predictable, expected, periodic, and quantifiable and that are submitted by the permitted facility to, and approved by, the Office of Environmental Services are considered authorized discharges. Approved activities are noted in the Louisiana General Condition XVII Activities List of the permit. To be approved as an authorized discharge, such very small releases must:</p> <ol style="list-style-type: none"> 1. generally be less than 5 TPY <u>of criteria and toxic air pollutants</u>; 2. be less than the minimum emission rate (MER); 3. be regularly scheduled (e.g., daily, weekly, monthly, etc.); or 4. be necessary prior to plant start-up or after shutdown (line or compressor pressuring/depressuring, for example). <p>This Condition does not authorize the maintenance of a nuisance, or a danger to public health and safety. The permitted facility must comply with all applicable requirements, including release reporting requirements in LAC 33:I.Chapter 39.</p>
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AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2011, 2023, 2024, and 2054.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of the Secretary, Legal Affairs Division, LR 35:660 (April 2009), LR 37:**.

Chapter 21. Control of Emission of Organic Compounds

§2132. Stage II Vapor Recovery Systems for Control of Vehicle Refueling Emissions at Gasoline Dispensing Facilities

A. Definitions. Terms used in this Section are defined in LAC 33:III.111 of these regulations with the exception of those terms specifically defined as follows.

* * *

Independent Small Marketer of Gasoline (ISBM)—a person engaged in the marketing of gasoline who would be required to pay for procurement and installation of vapor recovery equipment under this Section, unless such person:

1a. is a refiner; or

2b. controls, is controlled by, or is under common control with, a refiner;
or

3c. is otherwise directly or indirectly affiliated with a refiner or with a person who controls, is controlled by, or is under a common control with, a refiner (unless the sole affiliation referred to herein is by means of a supply contract or an agreement or contract to use a trademark, trade name, service mark, or other identifying symbol or name owned by such refiner or any such person); or

4d. receives less than 50 percent of his annual income from refining or marketing of gasoline. The term *refiner* shall not include any refiner whose total refinery capacity (including the refinery capacity of any person who controls, is controlled by, or is under common control with, such refiner) does not exceed 65,000 barrels per day. Control of a corporation means ownership of more than 50 percent of its stock.

* * *

Small Business Stationary Source—a stationary source that:

1a. is owned or operated by a person that employs 100 or fewer individuals;

2b. is a small business concern as defined in the Small Business Act;

3c. is not a major stationary source;

4d. does not emit 50 tons or more per year of any ~~regulated~~criteria or toxic air pollutant; and

5e. emits less than 75 tons per year of all ~~regulated~~criteria or toxic air pollutants.

* * *

B. - I. ...

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