

NOTICE OF INTENT

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Department of Environmental Quality  
Office of the Secretary  
Legal Division

Comprehensive Toxic Air Pollutant Emission Control Program  
(LAC 33:III.5101, 5103, 5107, 5109, 5113 and 5151) (AQ332)

Under the authority of the Environmental Quality Act, R.S. 30:2001 et seq., and in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., the secretary gives notice that rulemaking procedures have been initiated to amend the Air regulations, LAC 33:III.5101, 5103, 5107, 5109, 5113 and 5151 (AQ332).

This rulemaking will modify LAC 33:III.Chapter 51 to reflect the statutory changes enacted by Act 103 (HB 1169) of the 2010 Regular Session. LAC 33:III.5109.A.2 currently specifies that compliance with an applicable federal standard promulgated by the U.S. Environmental Protection Agency (EPA) in 40 CFR Part 63 constitutes compliance with the Maximum Achievable Control Technology (MACT) requirements for toxic air pollutants (TAPs).

Act 103 states that compliance with an applicable federal standard promulgated by EPA in 40 CFR Part 61 or 63 constitutes compliance with the entire Comprehensive Toxic Air Pollutant Emission Control Program under Subchapter A of Chapter 51, except for:

- the annual emissions reporting requirements of LAC 33:III.5107.A;
- the ambient air standard requirements of LAC 33:III.5109.B; and
- applicable air toxics permit application fees and air toxics annual emissions fees provided by LAC 33:III.Chapter 2.

Act 103 also specifies that ambient air standards shall not apply to:

- roads, railroads, or water bodies where activities are transient in nature and long-term exposure to emissions is not reasonably anticipated; or
- industrial properties adjacent to or impacted by emissions from a major source, provided the owner or operator of the major source demonstrates that worker protection standards enacted pursuant to the federal Occupational Safety and Health Act as permissible exposure limits are not exceeded on the impacted property because of TAP emissions from the major source.

Finally, this rulemaking will eliminate the redundant discharge reporting requirements of LAC 33:III.5107.B.2 and 5; delete the definition of "capital expenditure" from LAC 33:III.5103.A, as this term is not used in Chapter 51; and delete the reference to LAC 33:III.5109.E from LAC 33:III.5151.F.1.e, as this subsection was deleted in December 2007 (LR 33:2622).

House Bill No. 1169 (Act 103) of the 2010 Regular Session was signed by Governor Jindal on June 1, 2010. The Act, which became effective on August 15, 2010, enacted R.S. 30:2060(O). R.S. 30:2060(O)(5) directs LDEQ to adopt rules, in accordance with the Administrative Procedures Act, R.S. 49:950 et seq., to implement the requirements of R.S. 30:2060(O). The basis and rationale for this rule are to modify LAC 33:III.Chapter 51 as directed by Act 103 of the 2010 Regular Session. This 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 Rule has no known impact on family formation, stability, and autonomy as described in R.S. 49:972.

A public hearing will be held on August 29, 2012, at 1:30 p.m. in the Galvez Building, Oliver Pollock Conference Room, 602 N. Fifth Street, Baton Rouge, LA 70802. Interested persons are invited to attend and submit oral comments on the proposed amendments. Should individuals with a disability need an accommodation in order to participate, contact Deidra Johnson at the address given below or at (225) 219-3985. Two hours of free parking are allowed in the Galvez Garage with a validated parking ticket.

All interested persons are invited to submit written comments on the proposed regulation. Persons commenting should reference this proposed regulation by AQ332. Such comments must be received no later than September 5, 2012, at 4:30 p.m., and should be sent to Deidra Johnson, Attorney Supervisor, Office of the Secretary, Legal Division, Box 4302, Baton Rouge, LA 70821-4302 or to FAX (225) 219-4068 or by e-mail to [deidra.johnson@la.gov](mailto:deidra.johnson@la.gov). Copies of these proposed regulations 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 AQ332. These proposed regulations are available on the Internet at [www.deq.louisiana.gov/portal/tabid/1669/default.aspx](http://www.deq.louisiana.gov/portal/tabid/1669/default.aspx).

These proposed regulations are available for inspection at the following DEQ office locations from 8 a.m. until 4:30 p.m.: 602 N. Fifth Street, Baton Rouge, LA 70802; 1823 Highway 546, West Monroe, LA 71292; State Office Building, 1525 Fairfield Avenue, Shreveport, LA 71101; 1301 Gadwall Street, Lake Charles, LA 70615; 111 New Center Drive, Lafayette, LA 70508; 110 Barataria Street, Lockport, LA 70374; 201 Evans Road, Bldg. 4, Suite 420, New Orleans, LA 70123.

Herman Robinson, CPM  
Executive Counsel

**Title 33****ENVIRONMENTAL QUALITY****Part III. Air****Chapter 51. Comprehensive Toxic Air Pollutant Emission Control Program****Subchapter A. Applicability, Definitions, and General Provisions****§5101. Applicability**

A. - C. ...

D. Notwithstanding the provisions of Subsections A and B of this Section and except as provided below, the requirements of this Subchapter do not apply to an *affected source*, as defined in LAC 33:III.5103.A, that is subject to a national emission standard for hazardous air pollutants promulgated by the U.S. Environmental Protection Agency in 40 CFR Part 61 or 63.

1. Affected sources shall be subject to:

a. the annual emissions reporting requirements of LAC

33:III.5107.A;

b. the ambient air standard requirements of LAC 33:III.5109.B; and

c. applicable air toxics permit application fees and air toxics annual emissions fees provided by LAC 33:III.Chapter 2.

2. If an affected source emits a toxic air pollutant not listed in section 112(b) of the federal Clean Air Act above the minimum emission rate established for that pollutant by LAC 33:III.5112, Table 51.1, the affected source shall be subject to the requirements of this Subchapter for that pollutant. The department may determine that compliance with an applicable standard meets the requirements of this Subchapter.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 and 2060 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Radiation Protection, Air Quality Division, LR 17:1204 (December 1991), amended LR 18:1362 (December 1992), LR 23:56 (January 1997), LR 24:1276 (July 1998), amended by the Office of the Secretary, Legal Affairs Division, LR 33:2620 (December 2007), LR 38:\*\*.

### §5103. Definitions, Units, and Abbreviations

A. The terms in this Subchapter are used as defined in LAC 33:III.111 except for those terms defined herein as follows.

*Affected Source*—the collection of equipment, activities, or both within a single contiguous area and under common control that is included in a section 112(c) source category or subcategory for which a section 112(d) standard or other relevant standard is established pursuant to section 112 of the federal Clean Air Act. “Affected source” may be further defined by the relevant standard.

\* \* \*

~~*Capital Expenditure*—an expenditure for a physical or operational change to a stationary source that exceeds the product of the applicable annual asset guideline repair allowance percentage specified in the latest edition of the Internal Revenue Service (IRS) Publication 534 and the stationary source's basis, as defined by Section 1012 of the Internal Revenue Code. However, the total expenditure for a physical or operational change to a stationary source must not be reduced by an excluded additions as defined for stationary sources constructed after December 31, 1981, in IRS Publication 534, as would be done for tax purposes. In addition, the annual asset guideline repair allowance may be used even though it is excluded for tax purposes in IRS Publication 534. Repealed.~~

\* \* \*

B. - B.4.std. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 and 2060 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Radiation Protection, Air Quality Division, LR 17:1204 (December 1991), amended LR 18:1362 (December 1992), LR 23:57 (January 1997), LR 24:1276 (July 1998), amended by the Office of the Secretary, Legal Affairs Division, LR 33:2621 (December 2007), LR 38:\*\*.

### §5107. Reporting Requirements, Availability of Information, and Public Notice Provisions

A. - A.2. ...

B. Discharge Reporting Requirements

1. Emergency Conditions. For any discharge of a toxic air pollutant into the atmosphere that results or threatens to result in an *emergency condition* as defined in LAC 33:I.3905.A ~~(a condition which could reasonably be expected to endanger the health and safety of the public, cause significant adverse impact to the land, water or air environment, or cause severe damage to property)~~, the owner or operator of the source shall ~~immediately, but in no case later than~~

~~one hour~~, notify the Department of Public Safety 24-hour Louisiana Emergency Hazardous Materials Hotline at (225) 925-6595 (collect calls accepted 24 hours a day) in accordance with LAC 33:I.3915.A.

~~2. Emission Control Bypasses. Except as provided in Paragraph B.6 of this Section, for any unauthorized discharge into the atmosphere of a toxic air pollutant as a result of bypassing an emission control device, when the emission control bypass was not the result of an upset, and the quantity of the unauthorized bypass is greater than or equal to the lower of the Minimum Emission Rate (MER) in LAC 33:III.5112, Table 51.1, or a reportable quantity (RQ) in LAC 33:I.3931, or the quantity of the unauthorized bypass is greater than one pound and there is no MER or RQ for the substance in question, the owner or operator of the source shall provide prompt notification to SPOC of the bypass no later than 24 hours after the beginning of the bypass in the manner provided in LAC 33:I.3923. Where the emission control bypass was the result of an upset, the owner or operator shall comply with Paragraph B.3 of this Section.~~

32. Nonemergency Conditions. Except as provided in Paragraph B.64 of this Section, for any unauthorized discharge of a toxic air pollutant into the atmosphere that does not cause an emergency condition, the rate or quantity of which is in excess of that allowed by permit, compliance schedule, or variance, or for upset events that exceed the reportable quantity in LAC 33:I.3931, the owner or operator of the source shall immediately, but in no case later than 24 hours, provide prompt notification to SPOC in the manner provided in LAC 33:I.3923.

43. Written Reports. For every such discharge or equipment bypass as referred to in Paragraphs B.1, and 2, ~~and 3~~ of this Section, the owner or operator shall submit to SPOC a written report by certified mail within seven calendar days of learning of the discharge.

- a. The report shall contain the following information:
  - i. the identity of the source;
  - ii. the date and time of the discharge;
  - iii. the cause of the discharge;
  - iv. the approximate total loss during the discharge;
  - v. the method used for determining the loss;
  - vi. any action taken to prevent the discharge;
  - vii. the action taken to minimize the discharge; and
  - viii. the measures adopted to prevent future discharges.

b. If written notification of the discharge or bypass is required to be submitted pursuant to LAC 33:I.3925, such notification shall fulfill the obligation to submit a written report under this Paragraph.

~~5. All discharges to the atmosphere of a toxic air pollutant from a safety relief device, a line or vessel rupture, a sudden equipment failure, or a bypass of an emission control device, regardless of quantity, if they can be measured and can be reliably quantified using good engineering practices, must be reported to the department along with the annual emissions report and where otherwise specified in the applicable subchapters. The report shall include the following information:~~

- ~~a. the identity of the source;~~
- ~~b. the date and time of the discharge; and~~
- ~~c. the approximate total loss during the discharge.~~

~~64. Leaks detected pursuant to specific leak detection and elimination requirements of any Subchapter of this Chapter shall be recorded and/or reported as required in that Subchapter and shall not be subject to Paragraphs B.2, and 3, and 4 of this Section.~~

C. - D.2. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 and 2060 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Radiation Protection, Air Quality Division, LR 17:1204 (December 1991), amended LR 18:1363 (December 1992), LR 19:890 (July 1993), amended by the Office of the Secretary, LR 19:1022 (August 1993), repromulgated LR 19:1142 (September 1993), amended by the Office of Air Quality and Radiation Protection, Air Quality Division, LR 23:58 (January 1997), LR 24:1276 (July 1998), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2004 (September 2000), LR 26:2460 (November 2000), LR 29:2778 (December 2003), LR 30:1673 (August 2004), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2447 (October 2005), LR 33:2093 (October 2007), LR 33:2622 (December 2007), LR 37:3232 (November 2011), LR 38:\*\*.

## **§5109. Emission Control and Reduction Requirements and Standards**

A. Maximum Achievable Control Technology (MACT) Requirements

1. ...

~~2. Compliance with an applicable federal standard promulgated by the US EPA in 40 CFR Part 63 shall constitute compliance with this Subsection for emissions of toxic air pollutants.~~

32. MACT determinations for sources not regulated by a federal MACT standard shall be determined by the administrative authority through the permitting process using the existing state MACT determination method or protocol.

B. Ambient Air Standard Requirements. The owner or operator of any major source that emits, or is permitted to emit, any toxic air pollutant at a rate equal to or greater than the minimum emission rate listed for that toxic air pollutant shall determine the status of compliance, beyond the source's property line, with applicable ambient air standards listed in LAC 33:III.5112, Table 51.2. (See LAC 33:III.5105.A.2.)

1. Ambient air standards shall not apply to roads, railroads, water bodies, or other areas where activities are transient in nature and long-term exposure to emissions is not reasonably anticipated.

2. Ambient air standards shall not apply to industrial properties adjacent to or impacted by emissions from a major source, provided the owner or operator of the major source demonstrates via dispersion modeling that worker protection standards enacted pursuant to the federal Occupational Safety and Health Act as permissible exposure limits will not be exceeded on the impacted property due to toxic air pollutant emissions from the major source.

13. New major sources shall demonstrate compliance with an ambient air standard in an application for a permit in accordance with LAC 33:III.5111.

24. The owner or operator shall achieve compliance with the ambient air standard unless the owner or operator demonstrates to the satisfaction of the administrative authority:

a. that compliance with an ambient air standard would be economically infeasible;

b. that the source's emissions could not reasonably be expected to pose a threat to public health or the environment; and

c. that the source's emissions would be controlled to a level that is Maximum Achievable Control Technology.

35. The administrative authority shall publish a public notice of and hold a public hearing on any preliminary determination to allow a source to exceed the ambient air standard for any toxic air pollutant listed in LAC 33:III.5112, Table 51.2. Within 90 days after the close of the public hearing on the preliminary determination, the administrative authority shall make a final determination, which is subject to review on a five-year basis or at any other time deemed appropriate by the administrative authority.

46. The administrative authority shall periodically, at least every 36 months, review and update the ambient air standards listed for each toxic air pollutant in LAC 33:III.5112, Table 51.2.

C. Standard Operating Procedure Requirements

1. The requirements of this Subsection do not apply to emissions of any of those pollutants listed in LAC 33:III.5112, Table 51.3, ~~or to sources complying with applicable federal standards in 40 CFR Part 63.~~

C.2. - D.2. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 and 2060 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Radiation Protection, Air Quality Division, LR 17:1204 (December 1991), amended LR 18:1363 (December 1992), LR 19:891 (July 1993), LR 23:59 (January 1997), amended by the Office of the Secretary, Legal Affairs Division, LR 33:2623 (December 2007), LR 38:\*\*.

**§5113. Notification of Start-Up, Testing, and Monitoring**

A. - C.4. ...

5. The administrative authority may require a continuous monitoring system where such systems are deemed feasible and necessary to demonstrate compliance with applicable standards. The owner or operator of a facility that the administrative authority has required to install a continuous monitoring system shall submit to the Office of Environmental ~~Assessment~~Services for approval a plan describing the affected ~~sources~~emission units and the methods for ensuring compliance with the continuous monitoring system. The plan for the continuous monitoring system must be submitted to the department within 90 days after the administrative authority requests either the initial plan or an updated plan.

5.a. - 7. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 and 2060 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Radiation Protection, Air Quality Division, LR 17:1204 (December 1991), amended LR 18:1364 (December 1992), LR 23:59 (January 1997), LR 23:1658 (December 1997), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2461 (November 2000), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2448 (October 2005), LR 33:2094 (October 2007), LR 34:1904 (September 2008), LR 38:\*\*.

**Subchapter M. Asbestos**

**§5151. Emission Standard for Asbestos**

A. - F.1.d.ii. ...



e. Owners or operators of demolition and renovation operations are exempt from the requirements of LAC 33:III.5105.A, ~~5109.E~~, 5111.A<sub>2</sub> and 5113.A.

F.1.f. - P.2.b. ...

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 31:1570 (July 2005), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2449 (October 2005), LR 33:2095 (October 2007), LR 34:1893 (September 2008), LR 38:\*\*.

FISCAL AND ECONOMIC IMPACT STATEMENT  
FOR ADMINISTRATIVE RULES

LOG #: AQ332

|                             |                               |                         |   |
|-----------------------------|-------------------------------|-------------------------|---|
| Person Preparing Statement: | <u>Bryan D. Johnston</u>      | Dept.:                  | <u>Environmental Quality</u>                |
| Phone:                      | <u>(225) 219-3450</u>         | Office:                 | <u>Environmental Services</u>               |
|                             | <u>bryan.johnston@la.gov</u>  |                         |   |
| Return Address:             | <u>602 North Fifth Street</u> | Rule Title:             | <u>Comprehensive Toxic Air Pollutant</u>    |
|                             | <u>Baton Rouge, LA 70802</u>  |                         | <u>Emission Control Program (LAC</u>        |
|                             |                               |                         | <u>33:III.5101, 5103, 5107, 5109, 5113,</u> |
|                             |                               |                         | <u>and 5151)</u>                            |
|                             |                               | Date Rule Takes Effect: | <u>Upon Promulgation</u>                    |

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)

The proposed rule change will have no impact on state or local governmental expenditures and implements the provisions of Act 103 of the 2010 Regular Legislative Session. Act 103 states compliance with federal Maximum Achievable Control Technology (MACT) standards promulgated by the EPA will constitute compliance with similar standards established by the Department of Environmental Quality. The Act also states that affected sources are subject to ambient air standards outside the source's property boundaries, except on roads, railroads, or water bodies. The Act codified current practice into law.

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 as a result of the proposed rule change.

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

There will be no costs to directly affected persons or non-governmental groups as a result of the proposed rule change.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

There is no estimated effect on competition or employment in the public or private sector because of the proposed rule change.

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

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

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

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

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

FISCAL AND ECONOMIC IMPACT STATEMENT  
FOR ADMINISTRATIVE RULES

The following information is requested in order to assist the Legislative Fiscal Office in its review of the fiscal and economic impact statement and to assist the appropriate legislative oversight subcommittee in its deliberation on the proposed rule.

- A. Provide a brief summary of the content of the rule (if proposed for adoption, or repeal) or a brief summary of the change in the rule (if proposed for amendment). Attach a copy of the notice of intent and a copy of the rule proposed for initial adoption or repeal (or, in the case of a rule change, copies of both the current and proposed rules with amended portions indicated).

This rulemaking will modify LAC 33:III.Chapter 51 to reflect the statutory changes enacted by Act 103 (HB 1169) of the 2010 Regular Session.

LAC 33:III.5109.A.2 currently specifies that compliance with an applicable federal standard promulgated by the U.S. Environmental Protection Agency (EPA) in 40 CFR Part 63 constitutes compliance with the Maximum Achievable Control Technology (MACT) requirements for toxic air pollutants (TAPs).

Act 103 states that compliance with an applicable federal standard promulgated by EPA in 40 CFR Part 61 or 63 constitutes compliance with the entire Comprehensive Toxic Air Pollutant Emission Control Program under Subchapter A of Chapter 51, except for:

- the annual emissions reporting requirements of LAC 33:III.5107.A;
- the ambient air standard requirements of LAC 33:III.5109.B; and
- applicable air toxics permit application fees and air toxics annual emissions fees provided by LAC 33:III.Chapter 2.

Act 103 also specifies that ambient air standards shall not apply to:

- roads, railroads, or water bodies where activities are transient in nature and long-term exposure to emissions is not reasonably anticipated; or
- industrial properties adjacent to or impacted by emissions from a major source, provided the owner or operator of the major source demonstrates that worker protection standards enacted pursuant to the federal Occupational Safety and Health Act as permissible exposure limits are not exceeded on the impacted property because of Toxic Air Pollutants (TAP) emissions from the major source.

Finally, this rulemaking will eliminate the redundant discharge reporting requirements of LAC 33:III.5107.B.2 and 5; delete the definition of "capital expenditure" from LAC 33:III.5103.A, as this term is not used in Chapter 51; and delete the reference to LAC 33:III.5109.E from LAC 33:III.5151.F.1.e, as this Subsection was deleted in December 2007 (LR 33:2622).

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

House Bill No. 1169 (Act 103) of the 2010 Regular Session was signed by Governor Jindal on June 1, 2010. The Act, which became effective on August 15, 2010, enacted R.S. 30:2060(O). R.S. 30:2060(O)(5) directs LDEQ to adopt rules, in accordance with the Administrative Procedures Act, R.S. 49:950 et seq., to implement the requirements of R.S. 30:2060(O).

- C. Compliance with Act 11 of the 1986 First Extraordinary Session  
(1) Will the proposed rule change result in any increase in the expenditure of funds? If so, specify amount and source of funding.

The proposed rule will not result in any increase in the expenditure of funds.

- (2) If the answer to (1) above is yes, has the Legislature specifically appropriated the funds necessary for the associated expenditure increase?
- (a)  Yes. If yes, attach documentation.
- (b)  No. If no, provide justification as to why this rule change should be published at this time.

This question is not applicable.

FISCAL AND ECONOMIC IMPACT STATEMENT

WORKSHEET

I. A. COSTS OR SAVINGS TO STATE AGENCIES RESULTING FROM THE ACTION PROPOSED

1. What is the anticipated increase (decrease) in costs to implement the proposed action?

There is no anticipated increase or decrease in costs to state agencies as a result of this proposed rule.

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| COSTS                                   | FY 12-13 | FY 13-14 | FY 14-15 |
|---|----------|----------|----------|
| PERSONAL SERVICES                       | -0-      | -0-      | -0-      |
| OPERATING EXPENSES                      | -0-      | -0-      | -0-      |
| PROFESSIONAL SERVICES                   | -0-      | -0-      | -0-      |
| OTHER CHARGES                           | -0-      | -0-      | -0-      |
| EQUIPMENT                               | -0-      | -0-      | -0-      |
| TOTAL                                   | -0-      | -0-      | -0-      |
| MAJOR REPAIR & CONSTR.<br>POSITIONS (#) | -0-      | -0-      | -0-      |

2. Provide a narrative explanation of the costs or savings shown in "A.1.", including the increase or reduction in workload or additional paperwork (number of new forms, additional documentation, etc.) anticipated as a result of the implementation of the proposed action. Describe all data, assumptions, and methods used in calculating these costs.

There is no anticipated increase or decrease in costs associated with the proposed rule. No increase or reduction in workload or additional paperwork is anticipated.

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

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| SOURCE                | FY 12-13 | FY 13-14 | FY 14-15 |
|-----------------------|----------|----------|----------|
| STATE GENERAL FUND    | -0-      | -0-      | -0-      |
| AGENCY SELF-GENERATED | -0-      | -0-      | -0-      |
| DEDICATED             | -0-      | -0-      | -0-      |
| FEDERAL FUNDS         | -0-      | -0-      | -0-      |
| OTHER (Specify)       | -0-      | -0-      | -0-      |
| TOTAL                 | -0-      | -0-      | -0-      |

4. Does your agency currently have sufficient funds to implement the proposed action? If not, how and when do you anticipate obtaining such funds?

No funds are required to implement the proposed action.

B. COST OR SAVINGS TO LOCAL GOVERNMENTAL UNITS RESULTING FROM THE ACTION PROPOSED.

1. Provide an estimate of the anticipated impact of the proposed action on local governmental units, including adjustments in workload and paperwork requirements. Describe all data, assumptions and methods used in calculating this impact.

No impact on local governmental units is anticipated, including adjustments in workload and paperwork requirements.

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

There are no costs or savings to local governmental units; therefore, no funding is needed.

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?

There will be no effect on revenue collections of state or local governmental units from the proposed rule.

| REVENUE INCREASE/DECREASE | FY 12-13 | FY 13-14 | FY 14-15 |
|---------------------------|----------|----------|----------|
| STATE GENERAL FUND        | -0-      | -0-      | -0-      |
| AGENCY SELF-GENERATED     | -0-      | -0-      | -0-      |
| RESTRICTED FUNDS*         | -0-      | -0-      | -0-      |
| FEDERAL FUNDS             | -0-      | -0-      | -0-      |
| LOCAL FUNDS               | -0-      | -0-      | -0-      |
| TOTAL                     | -0-      | -0-      | -0-      |

\*Specify the particular fund being impacted.

B. Provide a narrative explanation of each increase or decrease in revenues shown in "A." Describe all data, assumptions, and methods used in calculating these increases or decreases.

No increase or decrease in revenues will be realized.

III. COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS

A. What persons or non-governmental groups would be directly affected by the proposed action? For each, provide an estimate and a narrative description of any effect on costs, including workload adjustments and additional paperwork (number of new forms, additional documentation, etc.), they may have to incur as a result of the proposed action.

The proposed rule applies to owners or operators of major sources of TAPs, as well as to owners or operators of stationary sources that were major sources of TAPs as of December 20, 1991, but subsequently achieved minor source status through the reduction of emissions and potential to emit. There will be no effect on costs, including workload adjustments and additional paperwork, as a result of the proposed action.

B. Also provide an estimate and a narrative description of any impact on receipts and/or income resulting from this rule or rule change to these groups.

There will be no impact on receipts or income resulting from the proposed rule.

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 effect on competition or employment in the public or private sectors resulting from the proposed rule.