

## Title 33

## ENVIRONMENTAL QUALITY

## Part III. Air

## Chapter 3. Regulatory Permits

**§319. Regulatory Permit for Flaring of Materials Other than Natural Gas**A. Applicability

1. This regulatory permit authorizes the flaring of gaseous materials other than natural gas (e.g., propane, ethylene, propylene, ammonia) resulting from metering, purging, and maintenance operations, subject to the requirements established herein, upon notification that the department has determined the application (i.e., notification form) submitted in accordance with Subsection G of this Section to be complete. The material to be flared may be supplemented with natural gas.

2. The material to be flared must have a higher heating value greater than or equal to 300 Btu per standard cubic foot.

B. The flare must be capable of accommodating the maximum amount of material to be combusted at any point during the flaring event.

C. Opacity

1. Smoke. The emission of smoke shall be controlled so that the shade or appearance of the emission is not darker than 20 percent average opacity, except that the emissions may have an average opacity in excess of 20 percent for not more than one 6-minute period in any 60 consecutive minutes.

2. Particulate Matter. The emission of particulate matter shall be controlled so that the shade or appearance of the emission is not denser than 20 percent average opacity, except that the emissions may have an average opacity in excess of 20 percent for not more than one 6-minute period in any 60 consecutive minutes.

3. Emissions of smoke or suspended particulate matter that pass onto or across a public road and create a traffic hazard by *impairment of visibility*, as defined in LAC 33:III.111, or intensify an existing traffic hazard condition are prohibited.

4. The owner or operator of the flare shall conduct a 6-minute opacity reading in accordance with Method 9 of 40 CFR 60, Appendix A, upon request of the department. Results shall be kept on-site and available for inspection by the Office of Environmental Compliance.

D. The authorization for the flaring event associated with the specific metering, purging, or maintenance operation addressed by the application submitted in accordance with Subsection G of this Section shall remain effective for 60 days following the date on which the department determines that the application is complete.

E. Flaring events with a duration of more than 10 calendar days shall not be authorized by this regulatory permit and must be approved separately by the department.

F. When an Ozone Action Day has been declared by the department, flaring of ethylene or propylene shall be restricted to between the hours of 4:00 p.m. and 10:00 a.m.

G. Notification Requirements

1. The following information shall be submitted to the Office of Environmental Services using the appropriate form provided by the department:

- a. name of the owner or operator;
- b. material to be flared;
- c. estimated volume of the material to be flared;
- d. reason for the flaring event;
- e. physical location;
- f. date(s) and expected duration of the flaring event; and
- g. estimated emissions of criteria pollutants and toxic air pollutants (TAPs) associated with the flaring event. TAPs are listed in LAC 33:III.5112, Tables 51.1 and 51.3.

2. A copy of the notification required by Paragraph G.1 of this Section shall be submitted to the appropriate DEQ Regional Office.

3. A separate notification shall be submitted for each flaring event.

H. Monitoring, Recordkeeping, and Reporting

1. The volume of material combusted during the flaring event shall be monitored using a flow meter. Alternatively, the volume may be determined using engineering calculations.

2. The following information shall be recorded and submitted to the Office of Environmental Services no later than 30 calendar days after completion of the flaring event:

- a. date(s) and duration of the flaring event;

b. actual volume of material flared, including calculations if the volume was not monitored using a flow meter; and

c. actual criteria pollutant and TAP emissions associated with the flaring event.

I. In accordance with LAC 33:III.223, Table 1, the fee for this regulatory permit shall be \$300 (fee number 1710). There shall be no annual maintenance fee associated with this regulatory permit.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2054.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of the Secretary, Legal Division, LR 39:\*\*.