POTPOURRI

Department of Environmental Quality

Office of the Secretary

Legal Affairs and Criminal Investigations Division

Request for Stakeholder Input Regarding Adoption and Implementation of the

Numeric Freshwater Ammonia Criteria (2203Pot1)

In the Notices of Intent of this Louisiana Register, 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 has given notice that rulemaking procedures have been initiated to amend the Water Quality regulations, LAC 33:IX.1113.C.Table 1A, designated by the log number WQ110, to rescind the freshwater numeric ammonia criteria so that the department can reconsider the costs to directly affected persons, in the aggregate, to implement the freshwater ammonia criteria, together with the environmental and/or human health risks and benefits. (2203Pot1)

Numeric freshwater ammonia criteria were adopted into the Water Quality Standards, LAC 33:IX. Chapter 11, on November 20, 2020. As noted in the WQ110 Notice of Intent, after promulgation, the Louisiana Department of Environmental Quality (the Department) discovered additional information pertaining to the cost of the implementation of the criteria, which will potentially cost affected facilities, in the aggregate, between 157 million and one billion dollars, to implement. Therefore, the Department anticipates potential additional rulemaking after having reconsidered the numeric freshwater ammonia criteria and associated costs together with the environmental and/or human health risks and benefits.

To inform the Department’s reconsideration and in anticipation of potential future rulemaking, at this time the Department requests participation from stakeholders. Specifically, the Department requests potentially affected and interested persons to provide information and comments concerning costs to directly affected persons, together with the environmental and/or human health risks and benefits, including information regarding treatment options and costs, as well as implementation criteria and potential revisions to the Water Quality Management Plan. Comments and information should be emailed to DEQ-NH3Workgroup@la.gov on or before May 31, 2022, to allow for consideration by the Department.

Courtney J. Burdette

General Counsel