

FISCAL AND ECONOMIC IMPACT STATEMENT
FOR ADMINISTRATIVE RULES

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Phone:	<u>(225) 219-3231</u>	Office:	<u>Environmental Services</u>
Return Address:	<u>602 North Fifth Street</u>	Rule Title:	<u>Exclusion of Wastes for The</u>
	<u>Baton Rouge, LA 70802</u>		<u>Dow Chemical Company,</u>
			<u>Plaquemine Plant (LAC</u>
			<u>33:V.4999.Appendix E)</u>
		Date Rule Takes Effect:	<u>Upon Promulgation</u>

SUMMARY
(Use complete sentences)

In accordance with Section 961 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)

There are no anticipated implementation costs or savings to state or local governmental units as a result of the proposed rule change.

The proposed rule change seeks to exclude (delist) Solvents/EDC Process Wastewater Effluent and Solvents East Ditch Sediment from certain Environmental Protection Agency (EPA) hazardous waste number categories and establish monitoring conditions to maintain the delisting status.

The Dow Chemical Company is requesting a petition to exclude (delist) from the hazardous waste regulations the Solvents/EDC process wastewater effluent and Solvents East Ditch sediment that is generated from an air pollution control system (wet scrubbing) that treats combustion gas produced from F-700 TTU, which burns chlorinated organic wastes carrying EPA-listed hazardous waste. The delisting was requested to comply with the Consent Agreement and Final Order (CAFO) requirements directed by the EPA.

LAC 33:V.105.M allows a hazardous waste generator to petition the department for this kind of rulemaking when a listed hazardous waste does not meet any of the criteria that cause the material to be classified as a hazardous waste. Based on extensive testing, the department has determined that the nature of this material does not warrant retaining it as a hazardous waste.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

There is no anticipated 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, SMALL BUSINESSES, OR NON-GOVERNMENTAL GROUPS (Summary)

Assuming the delisting petition is granted, the Dow Chemical Company benefits from the delisting of the solvents/EDC process wastewater effluent and Solvents East Ditch sediment. The delisting will not relieve the company from any liability for these wastes under federal or state law. This option may produce an economic benefit for the facility. The delisting of the solvents/EDC process wastewater effluent and Solvents East Ditch sediment will enable the facility to avoid managing the effluent and sediment in accordance with Resource Conservation and Recovery Act (RCRA) disposal standards. If the delisting is approved, the facility does not have to remove, haul, or transport the effluent and sediment to a hazardous waste facility, reducing the impact of traffic and stress on the roadways.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

There are no anticipated effects on competition or employment in the public or private sectors as a result of the proposed rule change.

Jill C. Clark
Signature of Head or Designee

Jill C. Clark, General Counsel
Typed Name & Title of Agency Head or Designee

10-1-2025
Date of Signature

Patrice Thomas, Deputy Fiscal Officer
Legislative Fiscal Officer or Designee

10/02/2025
Date of Signature

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The following information is required 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).

The Dow Chemical Company is requesting a petition to exclude (delist) from the hazardous waste regulations the Solvents/EDC process wastewater effluent and Solvents East Ditch sediment that is generated from an air pollution control system (wet scrubbing) that treats combustion gas produced from F-700 TTU, which burns chlorinated organic wastes carrying EPA-listed hazardous waste. The delisting was requested to comply with the CAFO requirements directed by the EPA.

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

The delisting was requested to meet compliance with the CAFO directed by EPA, Docket No. RCRA-06-2010-0933. In accordance with the CAFO, Dow chose to pursue a waste exclusion delisting option under LDEQ oversight.

LAC 33:V.105.M allows a hazardous waste generator to petition the department for this kind of rulemaking when a listed hazardous waste does not meet any of the criteria that cause the material to be classified as a hazardous waste. Based on extensive testing, the department has determined that the nature of this material does not warrant retaining it as a hazardous waste.

- 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.

No, the proposed rule change 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

Not applicable.

- D. Compliance with Act 98 of the 2025 Regular Session

- (1) Will the proposed rule change result in either the expenditure of state funds or an economic impact involving costs to regulated entities estimated at \$200,000 or more per year or \$600,000 or more over three years?

(a) _____ YES. (proceed to question D.2 on this page)

(b) _____x_____ NO.

- (2) If the answer to (1) above is yes, was there a fiscal note for the enacted legislation that required this action (attach documentation)?

(a) _____ YES, and all cost impacts were contemplated in the Fiscal Note.

(b) _____ YES, but cost impacts exceed those contemplated in the Fiscal Note.

(c) _____ NO.

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?

COSTS	FY 26	FY 27	FY 28
PERSONAL SERVICES	\$0	\$0	\$0
OPERATING EXPENSES	\$0	\$0	\$0
PROFESSIONAL SERVICES	\$0	\$0	\$0
OTHER CHARGES	\$0	\$0	\$0
EQUIPMENT	\$0	\$0	\$0
MAJOR REPAIR & CONSTR.	\$0	\$0	\$0
TOTAL	\$0	\$0	\$0
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 are no anticipated costs or savings to state agencies associated with the implementation of the proposed rule change.

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

SOURCE	FY 26	FY 27	FY 28
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?

There are no anticipated costs to implement the proposed rule change.

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.

There is no anticipated impact of the proposed rule change on local governmental units.

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

Not applicable.

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?

REVENUE INCREASE/DECREASE	FY 26	FY 27	FY 28
STATE GENERAL FUND	\$0	\$0	\$0
AGENCY SELF-GENERATED	\$0	\$0	\$0
DEDICATED	\$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.

There is no anticipated effect on revenue collections of state or local governmental units as a result of the proposed rule change.

FISCAL AND ECONOMIC IMPACT STATEMENT
WORKSHEET

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

- A. What persons, small businesses, 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.

Assuming the delisting petition is granted, The Dow Chemical Company benefits from the delisting of the solvents/EDC process wastewater effluent and Solvents East Ditch sediment. The delisting will not relieve the company from any liability for these wastes under federal or state law. This option may produce an economic benefit for the facility. The delisting of the solvents/EDC process wastewater effluent and Solvents East Ditch sediment will enable the facility to avoid managing the effluent and sediment in accordance with RCRA disposal standards. If the delisting is approved, the facility does not have to remove, haul, and transport the effluent and sediment to a hazardous waste facility, reducing the impact of traffic and stress on the roadways.

- 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.

Approval of this delisting will result in significant cost savings for the Dow Chemical Company by eliminating the expenses associated with managing the solvents/EDC process wastewater effluent and Solvents East Ditch sediment as hazardous waste. The facility will reduce long-term compliance and operational costs through the efficient management of the waste, either at a permitted off-site facility appropriate for this type of waste or through in-place management using alternate methods approved by the Louisiana Department of Environmental Quality (LDEQ).

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 are no anticipated effects on competition or employment in the public or private sectors as a result of the proposed rule change.