

Laura Almond

From: Laura Almond
Sent: Monday, November 10, 2025 9:29 AM
To: 'apa.h-natr@legis.la.gov'; 'apa.s-envq@legis.la.gov'; 'apa.senatepresident@legis.la.gov'; 'apa.housespeaker@legis.la.gov'
Cc: Courtney Burdette (DEQ); Jill Clark; Deidra Johnson; William Little; Nathan Mills; Robert Shadoin; Jay Love
Subject: Summary Report for Proposed Rule AQ404
Attachments: AQ404 Notice of Intent.pdf

Tracking:	Recipient	Delivery
	'apa.h-natr@legis.la.gov'	
	'apa.s-envq@legis.la.gov'	
	'apa.senatepresident@legis.la.gov'	
	'apa.housespeaker@legis.la.gov'	
	Courtney Burdette (DEQ)	Delivered: 11/10/2025 9:29 AM
	Jill Clark	Delivered: 11/10/2025 9:30 AM
	Deidra Johnson	Delivered: 11/10/2025 9:29 AM
	William Little	Delivered: 11/10/2025 9:29 AM
	Nathan Mills	Delivered: 11/10/2025 9:29 AM
	Robert Shadoin	Delivered: 11/10/2025 9:29 AM
	Jay Love	Delivered: 11/10/2025 9:29 AM

November 10, 2025

The Honorable Eddie J. Lambert, Chairman
c/o Committee Staff
Senate Committee on Environmental Quality

The Honorable Brett F. Geymann, Chairman
House Committee on Natural Resources and Environment
c/o Committee Staff

**RE: Summary Report for Proposed Rule AQ404
Termination of Stage II Program
(LAC 33:III.2132)
Proposed on September 20, 2025**

Pursuant to the Louisiana Administrative Procedure Act, the Louisiana Department of Environmental Quality is submitting a report regarding the above-referenced proposed rule, which was published in the *Louisiana Register*. Neither oral nor written comments were received. No changes have been made to the proposed rule since the report provided for in R.S. 49:966(B) was submitted. Attached is the Notice of Intent for informational purposes. The original proposed rule was previously provided to you and is not being resubmitted with this report.

We would appreciate it if you would acknowledge receipt of this message by return email. Please contact Laura Almond at laura.almond@la.gov or (225) 219-3981 if you have any questions regarding this material.

Sincerely yours,

Jill C. Clark
General Counsel

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This concludes this transmission.

Laura Almond
Environmental Project Specialist
Louisiana Department of Environmental Quality
Legal Affairs Division
(225) 219-3985

Jill C. Clark
General Counsel

**FISCAL AND ECONOMIC IMPACT STATEMENT
FOR ADMINISTRATIVE RULES**

**RULE TITLE: Notification and Permit Transfer
Procedures for Changes to Company/Facility Name and
Ownership/Operator**

**I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO
STATE OR LOCAL GOVERNMENT UNITS (Summary)**

There are no anticipated implementation costs or savings to state or local governmental units. This proposed rule change will allow the department to process name and ownership changes more effectively and efficiently.

The proposed rule change provides clarification for entities requesting name, ownership, and/or operator changes for effective permits subject to the rule and documents procedures. Current regulations do not adequately specify the activities that are exempt from the rule, resulting in a significant number of deficiency notices or the need for amended requests. The proposed rule change seeks to provide greater clarity, thereby allowing the request to proceed more efficiently.

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

There is no estimated increase or decrease in revenues anticipated from this proposed rule change.

**III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO
DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL
GROUPS (Summary)**

There may be a decrease in costs to entities submitting a Notification of Change (NOC-1) Form, as the proposed rule change seeks to provide greater clarification as to the applicability of the rule, thereby reducing notices of deficiency.

**IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT
(Summary)**

There is no estimated effect on competition and employment as a result of the proposed rule change.

Jill C. Clark
General Counsel
2509#060

Patrice Thomas
Deputy Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

**Department of Environmental Quality
Office of the Secretary
Legal Affairs Division**

**Termination of Stage II Program
(LAC 33:III.2132)**

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.2132.J.3 (AQ404).

The proposed Rule modifies the wording of LAC 33:III.2132.J.3 for existing facilities that have Stage II vapor recovery equipment. It further clarifies that failure to properly decommission Stage II vapor recovery systems may subject affected facilities to enforcement action. The proposed Rule also replaces the stated enforcement actions of "requiring decommissioning of the stage II vapor recovery system" and "prohibition of the sale/dispensing of

gasoline" with a reference to the penalties listed in LAC 33:III.2132.H.1. The basis and rationale for this proposed Rule are to reduce the financial impact on the regulated community by providing more time to comply ahead of enforcement actions. This Rule meets an exception listed in R.S. 30:2019(D)(2) and R.S. 49:963.B(3); therefore, no report regarding environmental/health benefits and social/economic costs is required.

Title 33

ENVIRONMENTAL QUALITY

Part III. Air

**Chapter 21. Control of Emission of Organic
Compounds**

Subchapter F. Gasoline Handling

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

A. - J.2. ...

3. An existing facility with stage II vapor recovery equipment may complete decommissioning of the stage II equipment at any time after EPA approval of the SIP revision in Paragraph 1 of this Subsection. The failure to properly and timely decommission a stage II vapor recovery system in accordance with this Subsection is a violation of the Act and these regulations and may be subject to an enforcement action, which may include penalties as indicated in LAC 33:III.2132.H.1. Once the decommissioning of the stage II vapor recovery system has been completed in accordance with this Subsection, the facility is no longer subject to the requirements of this Section, except to comply with notifications, procedures, and recordkeeping associated with decommissioning.

J.4. - J.4.e.ii. ...

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 18:1254 (November 1992), repromulgated LR 19:46 (January 1993), amended LR 23:1682 (December 1997), LR 24:25 (January 1998), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2453 (November 2000), LR 29:558 (April 2003), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2440 (October 2005), LR 33:2086 (October 2007), LR 34:1890 (September 2008), LR 34:2397 (November 2008), LR 37:1147 (April 2011), amended by the Office of the Secretary, Legal Division, LR 38:2752 (November 2012), amended by the Office of the Secretary, Legal Affairs and Criminal Investigations Division, LR 43:2138 (November 2017), LR 44:1242 (July 2018), amended by the Office of the Secretary, Legal Affairs Division, LR 51:

Family Impact Statement

This proposed Rule has no known impact on family formation, stability, and autonomy as described in R.S. 49:972.

Poverty Impact Statement

This proposed Rule has no known impact on poverty as described in R.S. 49:973.

Small Business Analysis

This proposed Rule has no known adverse impact on small business as described in R.S. 49:974.1 - 974.8. This Rule reduces the number of small businesses that will be subject to costly enforcement actions.

Provider Impact Statement

This proposed Rule has no known impact on providers as described in HCR 170 of 2014.

Public Comments

All interested persons are invited to submit written comments on the proposed Rule. Persons commenting should reference this proposed Rule by AQ404. Such comments must be received no later than November 6, 2025, at 4:30 p.m., and should be sent to William Little, Attorney Supervisor, Office of the Secretary, Legal Affairs Division, P.O. Box 4302, Baton Rouge, LA 70821-4302, by fax (225) 219-4068, or by E-mail to DEQ.Reg.Dev.Comments@la.gov. Copies of the proposed Rule can be purchased by contacting the LDEQ Public Records Center at (225) 219-3168. Check or money order is required in advance for each copy of AQ404. The proposed Rule is available on the Internet at <https://deq.louisiana.gov/page/monthly-regulation-changes-2025%20>.

Public Hearing

A public hearing will be held on October 30, 2025, 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 in person or online via Zoom at <https://deqlouisiana.zoom.us/j/6836133613?omn=96029909881> or by phone at (646) 255-1997 Meeting ID 683 613 3613. Should individuals with a disability need an accommodation in order to participate, contact Doug Bordelon at the address given below or at (225) 219-1325.

The proposed Rule is available for inspection at the following LDEQ office locations from 8 a.m. until 4:30 p.m.: 602 N. Fifth Street, Baton Rouge, LA 70802; 508 Downing Pines Road, 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.

Jill C. Clark
General Counsel

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES RULE TITLE: Termination of Stage II Program

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

The Louisiana Department of Environmental Quality (LDEQ) does not anticipate any costs or savings resulting from the proposed rule change. The department reports that the tasks necessary to accomplish this rulemaking can be undertaken within the LDEQ employees' normal scope of work and during regular working hours.

Under current law, a gasoline dispensing facility must decommission its stage II vapor recovery equipment no later than 18 months after Environmental Protection Agency (EPA) approval of the State Implementation Plan (SIP) revision that terminated the stage II program. The proposed rule change will remove the 18-month timeframe requirement, which will allow facilities to decommission the equipment at any time after EPA's approval of the SIP revision. Additionally, the proposed

rule change replaces the consequences of non-compliance, which currently is a prohibition on selling or dispensing gasoline, with the enforcement actions listed in LAC 33:III.2132.H.1.

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

Current rules allow LDEQ to prohibit the sale or dispensing of gasoline for violations. The proposed rule change will allow LDEQ to issue cease and desist orders, suspend or revoke licensure, or issue monetary fines. LDEQ is unable to quantify the amount of monetary fines that will be issued, making the revenue increase indeterminable.

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

Decommissioning activities have far exceeded the 18 months from EPA's approval of the SIP revision that allowed for termination of the Stage II program. The proposed rule change will reduce the financial impact on the regulated community by providing more time to comply ahead of enforcement actions.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

There are no anticipated effects on competition and employment as a result of this proposed rule change.

Jill C. Clark
General Counsel
2509#057

Patrice Thomas
Deputy Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

Office of the Governor Board of Pardons and Committee on Parole

Clemency (LAC 22:V.211)

In accordance with the provisions of the Administrative Procedure ACT (R.S. 49:950) and pursuant to R.S. 15:573.1, the Board of Pardons hereby gives notice of its intent to amend LAC V.211. The amendment to §211 adds that victim testimony shall be allowed in an executive session during the hearing upon their request.

Title 22

CORRECTIONS, CRIMINAL JUSTICE AND LAW ENFORCEMENT

Part V. Board of Pardons

Chapter 2. Clemency

§211. Hearings before the Pardon Board

A. - E.2. ...

a. The victim, spouse, witness, guardian of the victim, or a close relative of the deceased victim shall be allowed to present such testimony in executive session at their request.

E.3. - J.1. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 15:572.54, 15:574.12, and 44:1 et seq.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Board of Pardons, LR 39:2256 (August 2013), amended LR 42:1088 (July 2016), amended by the Office of the Governor, Board of Pardons and Committee on Parole, LR 43:46 (January 2017), LR 44:574 (March 2018), LR 44:2140 (December 2018), LR 47:359 (March 2021), LR 47:1107 (August 2021), LR 50:1266 (September 2024), LR 51:295 (February 2025), LR 51:

Laura Almond

From: APA - Senate President <APA.senatepresident@legis.la.gov>
Sent: Monday, November 10, 2025 9:30 AM
To: Laura Almond
Subject: Request received

EXTERNAL EMAIL: Please do not click on links or attachments unless you know the content is safe.

ELECTRONIC RECEIPT FROM THE OFFICE OF THE PRESIDENT

Your Administrative Procedure Act (APA) submission has been received by the Office of the President, Louisiana Senate.

(Please do not respond to this automatically generated response.)

If your communication is unrelated to an APA required submission, it has been deleted.

If you would like to contact your state legislator, click here <https://www.legis.la.gov/legis/HowDoI2.aspx?p=3#11> to determine the name of your state representative and state senator and to find their contact information.

If you would like to contact members of a particular committee, click here for House Committees

<https://www.legis.la.gov/legis/Committees.aspx?c=H> and here for Senate Committees

<https://www.legis.la.gov/legis/Committees.aspx?c=S>. The name and contact information of all committee members is available at these sites.

Laura Almond

From: APA - Senate Environment <apa.s-envq@legis.la.gov>
Sent: Monday, November 10, 2025 9:30 AM
To: Laura Almond
Cc: APA - Senate Environment
Subject: Request received

EXTERNAL EMAIL: Please do not click on links or attachments unless you know the content is safe.

ELECTRONIC RECEIPT BY COMMITTEE

Your Administrative Procedure Act (APA) submission has been received by the Committee on Environment, Louisiana Senate.

(Please do not respond to this automatically generated response.)

If your communication is unrelated to an APA required submission, it has been deleted.

If you would like to contact your state legislator, click here <https://www.legis.la.gov/legis/HowDoI2.aspx?p=3#11> to determine the name of your state representative and state senator and to find their contact information.

If you would like to contact members of a particular committee, click here for House Committees

<https://www.legis.la.gov/legis/Committees.aspx?c=H> and here for Senate Committees

<https://www.legis.la.gov/legis/Committees.aspx?c=S>. The name and contact information of all committee members is available at these sites.

Laura Almond

From: APA - House Natural Res <apa.h-natr@legis.la.gov>
Sent: Monday, November 10, 2025 9:30 AM
To: Laura Almond
Subject: Request received

EXTERNAL EMAIL: Please do not click on links or attachments unless you know the content is safe.

ELECTRONIC RECEIPT BY COMMITTEE

Your Administrative Procedure Act (APA) submission has been received by the Committee on Natural Resources, Louisiana House.

(Please do not respond to this automatically generated response.)

If your communication is unrelated to an APA required submission, it has been deleted.

If you would like to contact your state legislator, click here <https://www.legis.la.gov/legis/HowDoI2.aspx?p=3#11> to determine the name of your state representative and state senator and to find their contact information.

If you would like to contact members of a particular committee, click here for House Committees <https://www.legis.la.gov/legis/Committees.aspx?c=H> and here for Senate Committees <https://www.legis.la.gov/legis/Committees.aspx?c=S>. The name and contact information of all committee members is available at these sites.

Laura Almond

From: APA - House Speaker <apa.housespeaker@legis.la.gov>
Sent: Monday, November 10, 2025 9:30 AM
To: Laura Almond
Subject: Request received

EXTERNAL EMAIL: Please do not click on links or attachments unless you know the content is safe.

ELECTRONIC RECEIPT FROM THE OFFICE OF THE SPEAKER

Your Administrative Procedure Act (APA) submission has been received by the Office of the Speaker, Louisiana House of Representatives.

(Please do not respond to this automatically generated response.)

If your communication is unrelated to an APA required submission, it has been deleted.

If you would like to contact your state legislator, click here <https://www.legis.la.gov/legis/HowDoI2.aspx?p=3#11> to determine the name of your state representative and state senator and to find their contact information.

If you would like to contact members of a particular committee, click here for House Committees

<https://www.legis.la.gov/legis/Committees.aspx?c=H> and here for Senate Committees

<https://www.legis.la.gov/legis/Committees.aspx?c=S>. The name and contact information of all committee members is available at these sites.

Laura Almond

From: Microsoft Outlook
To: 'apa.h-natr@legis.la.gov'; 'apa.s-envq@legis.la.gov'; 'apa.senatepresident@legis.la.gov'; 'apa.housespeaker@legis.la.gov'
Sent: Monday, November 10, 2025 9:29 AM
Subject: Relayed: Summary Report for Proposed Rule AQ404

Delivery to these recipients or groups is complete, but no delivery notification was sent by the destination server:

'apa.h-natr@legis.la.gov' (apa.h-natr@legis.la.gov)

'apa.s-envq@legis.la.gov' (apa.s-envq@legis.la.gov)

'apa.senatepresident@legis.la.gov' (apa.senatepresident@legis.la.gov)

'apa.housespeaker@legis.la.gov' (apa.housespeaker@legis.la.gov)

Subject: Summary Report for Proposed Rule AQ404



Summary Report
for Proposed Ru...

Laura Almond

From: Poynter Library <drplib@legis.la.gov>
To: Laura Almond
Sent: Monday, November 10, 2025 9:40 AM
Subject: Read: Summary Report for Proposed Rule AQ404

Your message

To: Poynter Library
Subject: Summary Report for Proposed Rule AQ404
Sent: Monday, November 10, 2025 9:29:22 AM (UTC-06:00) Central Time (US & Canada)

was read on Monday, November 10, 2025 9:40:21 AM (UTC-06:00) Central Time (US & Canada).

Laura Almond

From: Microsoft Outlook
To: Jill Clark
Sent: Monday, November 10, 2025 9:29 AM
Subject: Delivered: Summary Report for Proposed Rule AQ404

Your message has been delivered to the following recipients:

Jill Clark (Jill.Clark@la.gov)

Subject: Summary Report for Proposed Rule AQ404



Summary Report
for Proposed Ru...

Laura Almond

From: Microsoft Outlook
To: Nathan Mills
Sent: Monday, November 10, 2025 9:29 AM
Subject: Delivered: Summary Report for Proposed Rule AQ404

Your message has been delivered to the following recipients:

Nathan Mills (Nathan.Mills@LA.GOV)

Subject: Summary Report for Proposed Rule AQ404



Summary Report
for Proposed Ru...

Laura Almond

From: Microsoft Outlook
To: Deidra Johnson
Sent: Monday, November 10, 2025 9:29 AM
Subject: Delivered: Summary Report for Proposed Rule AQ404

Your message has been delivered to the following recipients:

Deidra Johnson (Deidra.Johnson@LA.GOV)

Subject: Summary Report for Proposed Rule AQ404



Summary Report
for Proposed Ru...

Laura Almond

From: Microsoft Outlook
To: Jay Love
Sent: Monday, November 10, 2025 9:29 AM
Subject: Delivered: Summary Report for Proposed Rule AQ404

Your message has been delivered to the following recipients:

Jay Love (Jay.Love2@la.gov)

Subject: Summary Report for Proposed Rule AQ404



Summary Report
for Proposed Ru...

Laura Almond

From: Microsoft Outlook
To: Robert Shadoin
Sent: Monday, November 10, 2025 9:29 AM
Subject: Delivered: Summary Report for Proposed Rule AQ404

Your message has been delivered to the following recipients:

Robert Shadoin (Robert.Shadoin2@LA.GOV)

Subject: Summary Report for Proposed Rule AQ404



Summary Report
for Proposed Ru...

Laura Almond

From: Microsoft Outlook
To: Courtney Burdette (DEQ)
Sent: Monday, November 10, 2025 9:29 AM
Subject: Delivered: Summary Report for Proposed Rule AQ404

Your message has been delivered to the following recipients:

Courtney Burdette (DEQ) (Courtney.Burdette@LA.GOV)

Subject: Summary Report for Proposed Rule AQ404



Summary Report
for Proposed Ru...

Laura Almond

From: Microsoft Outlook
To: William Little
Sent: Monday, November 10, 2025 9:29 AM
Subject: Delivered: Summary Report for Proposed Rule AQ404

Your message has been delivered to the following recipients:

William Little (William.Little@la.gov)

Subject: Summary Report for Proposed Rule AQ404



Summary Report
for Proposed Ru...

Laura Almond

From: Morris, Luke <morrisl@legis.la.gov>
To: Laura Almond
Sent: Monday, November 10, 2025 9:32 AM
Subject: Read: Summary Report for Proposed Rule AQ404

Your message

To: Morris, Luke
Subject: Summary Report for Proposed Rule AQ404
Sent: Monday, November 10, 2025 9:29:22 AM (UTC-06:00) Central America

was read on Monday, November 10, 2025 9:32:19 AM (UTC-06:00) Central America.

Laura Almond

From: Ladmiraault, Brandy <ladmiraultb@legis.la.gov>
To: Laura Almond
Sent: Monday, November 10, 2025 9:37 AM
Subject: Read: Summary Report for Proposed Rule AQ404

Your message

To: Ladmiraault, Brandy
Subject: Summary Report for Proposed Rule AQ404
Sent: Monday, November 10, 2025 9:29:22 AM (UTC-06:00) Central Time (US & Canada)

was read on Monday, November 10, 2025 9:36:55 AM (UTC-06:00) Central Time (US & Canada).