

Laura Almond

From: Laura Almond
Sent: Wednesday, October 7, 2026 7:59 AM
To: APA - Senate Environment; APA - House Natural Res; APA - Senate President; APA - House Speaker
Cc: Courtney Burdette (DEQ); Jill Clark; Deidra Johnson; William Little; Nathan Mills
Subject: APA - Summary Report for Proposed Rule AQ406
Attachments: AQ406 Summary Report and Response.pdf; AQ406 NOI.pdf

Tracking:	Recipient	Delivery
	APA - Senate Environment	
	APA - House Natural Res	
	APA - Senate President	
	APA - House Speaker	
	Courtney Burdette (DEQ)	Delivered: 10/7/2026 8:01 AM
	Jill Clark	Delivered: 10/7/2026 8:01 AM
	Deidra Johnson	Delivered: 10/7/2026 8:01 AM
	William Little	Delivered: 10/7/2026 8:01 AM
	Nathan Mills	Delivered: 10/7/2026 8:01 AM

October 7, 2026

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 AQ406
Lead-Based Paint Activities-Recognition, Accreditation, Licensure, and Standards for Conducting
Lead-Based Paint Activities
(LAC 33:III.Chapter 28)
Proposed on July 20, 2026**

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*. 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.

Comment Summary Response

**Rule Title: Lead-Based Paint Activities—Recognition, Accreditation, Licensure,
and Standards for Conducting Lead-Based Paint Activities
(LAC 33:III Chapter 28) (Log #AQ406)**

COMMENT 1: At the time of the writing of the previous revision (2013), the Louisiana Department of Environmental Quality (LDEQ) specifically requested my husband and I, as trainers of the majority of LDEQ personnel doing lead-based paint work, to thoroughly review and comment during an early stage of the drafting process. We did so on a pro bono basis, putting in 40 to 50 hours each and making numerous comments, both substantive and cosmetic. Every single comment was ignored, even those as trivial as corrections of spelling and punctuation. Further, at the inception of the current revision, Michael Algero asked that we participate in the drafting, but nothing came of it for reasons internal to LDEQ, recounting of which is not germane to these comments.

In light of LDEQ's past performance, I will not waste the time required to list each individual defect and a suggested correction, of which there are a multitude.

FOR: No arguments necessary; comment does not suggest a specific amendment or change to the proposed Rule.

AGAINST: No arguments necessary; comment does not suggest a specific amendment or change to the proposed Rule.

RESPONSE 1: The department values stakeholder involvement in its rulemaking. Because the comment does not identify individual defects the commenter believes exist in the proposed Rule or propose specific corrective language, the department is unable to evaluate or act upon them in this rulemaking.

COMMENT 2: Rather, I suggest dispensing with the current draft entirely and merely adopting the November 12, 2024 EPA regulation, with minimal changes solely to reflect LDEQ rather than EPA terminology and regulatory designation and hierarchy; and effective dates.

FOR: Dispense with the current draft and adopt the November 12, 2024, EPA regulation with minimal changes to reflect DEQ terminology, regulatory designation and hierarchy, and effective dates.

AGAINST: The current draft cannot be dispensed with. In addition to

incorporating the revised federal dust-lead action levels and terminology, AQ406 makes state-specific revisions that a minimally conformed adoption of the federal rule would not accomplish: updates to the accreditation and licensure provisions of LAC 33:III.2807 and 2809, the relocation of provisions to LAC 33:III.2811.E to better align Chapter 28, correction of errors and omissions from an earlier update to Chapter 28 relating to the use of interim controls, and additional phrases in certain definitions that reflect department processes and requirements.

RESPONSE 2: The department will adopt AQ406 as proposed. As an EPA-authorized state, the department is required to amend Chapter 28 to reflect the federal dust-lead hazard action levels effective January 13, 2025, and the proposed Rule does mirror the federal requirements. Chapter 28 also is a state program administered through state accreditation, licensure, laboratory, and fee provisions that have no federal counterpart, and the proposed Rule also corrects errors and omissions relating to the use of interim controls that occurred in an earlier update to Chapter 28 (2013). Adopting only the federal regulation with terminology and effective-date changes would leave the errors and omissions in the state-specific provisions uncorrected. No change has been made in response to this comment.

COMMENT 3: Given that the actual, rather than stated, purpose of the Louisiana Environmental Laboratory Accreditation Program (LELAP) has been moot since the closing of the LDEQ laboratory several years ago, I suggest dropping that requirement for laboratories performing analyses subject to the draft regulation and simply requiring, as EPA does, National Lead Laboratory Accreditation Program accreditation, preferably via AIHA rather than A2LA accreditation. LELAP cost and bureaucratic burdens discourage low volume, high quality laboratories from participating in favor of high-volume commodity laboratories which generally do lower quality work.

FOR: The purpose of LELAP has been moot since the closing of the LDEQ laboratory; drop the LELAP requirement for laboratories performing analyses subject to the proposed Rule and instead require National Lead Laboratory Accreditation Program (NLLAP) accreditation, preferably via AIHA, as EPA does. LELAP cost and bureaucratic burdens discourage low-volume, high-quality laboratories from participating.

AGAINST: LELAP and the former department laboratory are separate and distinct programs, and the closure of the department laboratory did not affect LELAP. LELAP is an ongoing accreditation program

administered by the Office of the Secretary under LAC 33:I.Subpart 3, Chapters 45 through 57. LELAP does not foreclose reliance on other accreditations: LAC 33:I.4501.D provides that "accreditation earned from other states or regulatory agencies may be accepted by the department, provided that a review shows that the requirements are no less stringent than those required by these regulations," and further provides that reciprocity with other state accreditation programs will be reviewed by the department. Eliminating the LELAP requirement from Chapter 28 would also require amendment of LAC 33:I.Subpart 3, which is not part of this rulemaking.

RESPONSE 3: LELAP is a separate entity from the now-closed department laboratory and remains an ongoing program under the Office of the Secretary, administered under LAC 33:I.Subpart 3. Within Chapter 28, LELAP accreditation is the basis of the definition of "recognized laboratory" in LAC 33:III.2803 and of the sample-analysis requirement in LAC 33:III.2811, which provide for the use of a laboratory accredited for the media and methods used to determine the concentration of lead in paint, dust, and soil. A laboratory holding accreditation from another state or regulatory agency, including under the NLLAP, may seek acceptance of that accreditation under LAC 33:I.4501.D, which affords flexibility in choosing a recognized laboratory for sample analyses. The laboratory accreditation program itself is established in LAC 33:I.Subpart 3 and is not part of this rulemaking; the department will consider the commenter's concerns regarding LELAP cost and administrative burden in the administration of that program. No change has been made in response to this comment.

COMMENT 4: While not directly related to the current draft regulation, LDEQ's response to Act 893 of the 2026 legislative session warrants comment. The act is, put mildly, terrible. It requires risk assessments not within the scope of either the current or proposed revisions to Chapter 28 of facilities also outside those scopes. Because those activities and the facilities they are to be performed at are outside the scope of Chapter 28 and both state and federal enabling legislation, insurance coverage of the risk assessors performing that work, which is in venues ripe for litigation, is questionable at best.

How that should be addressed is far beyond my knowledge, but it appears it will need to be done at a level above LDEQ, either by revision of the act by the legislature or by the elected executive branch. I will point out that LDEQ's response via the new LEAD RISK ASSESSMENT NOTIFICATION (LRN) form directly conflicts both with itself and Act 893 and should be rescinded, probably

pending resolution of the entire Act 893 matter. Applicability of the form itself is questionable as it was developed in furtherance of the regulatory changes necessitated by Act 893, which changes have not been promulgated. As it stands now, it appears to be regulation by form absent underlying regulations.

FOR: Act 893 of the 2026 Regular Session requires lead hazard risk assessments at facilities that are outside the scope of Chapter 28 as currently written and as proposed, raising questions of enabling authority and of professional liability coverage for the risk assessors performing that work. The LEAD RISK ASSESSMENT NOTIFICATION (LRN) form was developed in furtherance of regulatory changes necessitated by Act 893 that have not been promulgated, and should be rescinded pending resolution of the Act 893 matter.

AGAINST: No arguments necessary since the provisions in question are not part of this rulemaking. Act 893 of the 2026 Regular Session (SB 274, effective August 1, 2026) is not implemented by AQ406, and the LRN form is neither adopted nor amended by this rulemaking. The basis and rationale for this proposed Rule (AQ406) are to update and mirror the federal regulations pertaining to lead-based paint, dust, and soil and to correct errors related to the use of interim controls. The commenter also acknowledges that the concerns raised regarding the act itself must be addressed by the legislature or the executive branch rather than by the department in this rulemaking.

RESPONSE 4: Act 893 of the 2026 Regular Session is not implemented by AQ406, and the LEAD RISK ASSESSMENT NOTIFICATION (LRN) form is not adopted, amended, or incorporated by this rulemaking. The basis and rationale for the proposed Rule are to update and mirror the federal regulations pertaining to lead-based paint, dust, and soil and to correct errors related to the use of interim controls. Any regulatory changes necessary to implement Act 893, including the scope of required risk assessments and the facilities subject to them, will be addressed through a separate rulemaking, and the comments regarding the act and the LRN form have been provided to the Legal Department for consideration. No change has been made to the proposed Rule in response to this comment.

Comment Summary Response

**Rule Title: Lead-Based Paint Activities—Recognition, Accreditation, Licensure,
and Standards for Conducting Lead-Based Paint Activities
(LAC 33:III Chapter 28) (Log #AQ406)**

COMMENT #

SUGGESTED BY

01 – 04

Deborah Brandt, Brandt Instruments, Inc.

Total Commenters:

01

Total Comments:

04

B.10. - C. ...

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 22:1212 (December 1996), amended LR 23:1681 (December 1997), LR 24:1287 (July 1998), LR 24:2238 (December 1998), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 25:1239 (July 1999), LR 25:1797 (October 1999), LR 26:1607 (August 2000), LR 26:2460, 2608 (November 2000), LR 27:2229 (December 2001), LR 28:994 (May 2002), LR 28:2179 (October 2002), LR 29:316 (March 2003), LR 29:698 (May 2003), LR 30:1009 (May 2004), amended by the Office of Environmental Assessment, LR 31:1568 (July 2005), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2446 (October 2005), LR 32:809 (May 2006), LR 32:1596 (September 2006), LR 33:1620 (August 2007), LR 33:2092 (October 2007), LR 33:2626 (December 2007), LR 34:1391 (July 2008), LR 35:1107 (June 2009), LR 36:2273 (October 2010), LR 37:2990 (October 2011), LR 38:1230 (May 2012), amended by the Office of the Secretary, Legal Division, LR 38:2754 (November 2012), LR 39:1039 (April 2013), LR 39:1277 (May 2013), LR 40:1335 (July 2014), LR 40:2540 (December 2014), LR 41:1274 (July 2015), LR 42:1086 (July 2016), amended by the Office of the Secretary, Legal Affairs and Criminal Investigations Division, LR 44:747 (April 2018), LR 46:894 (July 2020), LR 47:356 (March 2021), LR 48:489 (March 2022), amended by the Office of the Secretary, Legal Affairs Division, LR 51:1841 (November 2025), LR 52:

Family Impact Statement

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

Poverty Impact Statement

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

Small Business Analysis

The proposed Rule may have an impact on small business as described in R.S. 49:978.1 - 978.8. Small businesses subject to the proposed Rule are those that own or operate designated facilities in the crude oil and natural gas source category [listed in 40 CFR 60.5386c(a) through (h)] that commenced construction, modification, or reconstruction on or before December 6, 2022. The Small Business Advocacy Review Panel convened by the Environmental Protection Agency estimated that 1095 small businesses would be potentially affected nationwide. It is not known how many small businesses domiciled in Louisiana would be affected. Impacted small businesses will have to expend capital in order to comply with the provisions of 40 CFR Subpart OOOOc.

Provider Impact Statement

The 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 the proposed Rule by AQ407ft. Such comments must be received no later than August 26, 2026, 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. The comment period for the proposed Rule ends on the same date as the public hearing. 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 AQ407ft. The proposed Rule is available on the Internet at

<https://www.deq.louisiana.gov/about-ldeq/monthly-regulation-changes-2026>.

Public Hearing

A public hearing will be held on August 26, 2026, 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 Microsoft Teams at:

<https://teams.microsoft.com/join/298016667299922?p=utQW3clhzP4YEathO> using Meeting ID: 298 016 667 299 922 and Passcode: sm3u4tJ7 or by phone (877) 239-6160 using phone conference ID: 387 062 273#. 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

2607#024

NOTICE OF INTENT

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

**Lead-Based Paint Activities
Recognition, Accreditation, Licensure, and Standards for
Conducting Lead-Based Paint Activities
(LAC 33:III.Chapter 28)**

Under the authority of the Louisiana 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.Chapter 28 (AQ406).

The Environmental Protection Agency (EPA) adopted new dust-lead hazard action levels for surface dust and window sills in Target Housing and Child Occupied Facilities, effective January 13, 2025. As an EPA-authorized state, the Louisiana Department of Environmental Quality is required to amend Chapter 28, Lead-Based Paint Activities: Recognition, Accreditation, Licensure and Standards for Conducting Lead-Based Paint Activities. The proposed Rule will reflect changes in terminology and the revised lead dust action levels. There will also be revisions to address errors and omissions that occurred in an earlier update to LAC 33:III.Chapter 28. The basis and rationale for the proposed Rule are to update and mirror the federal regulations pertaining to lead-based paint and to correct errors related to

the use of interim controls. The proposed 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 Quality

Chapter 28. Lead-Based Paint

Activities—Recognition, Accreditation, Licensure, and Standards for Conducting Lead-Based Paint Activities

§2801. Scope and Applicability

A. - G. ...

H. Before January 13, 2025, the levels identified in LAC 33:III.2811.E.9.h were referred to as clearance levels. On or after January 13, 2025, the levels identified in LAC 33:III.2811.E.11.h are referred to as action levels.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2054 and 2351 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Radiation Protection, Air Quality Division, LR 23:1662 (December 1997), amended LR 24:1686 (September 1998), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 28:2335 (November 2002), amended by the Office of the Secretary, Legal Division, LR 39:1466 (June 2013), amended by the Office of the Secretary, Legal Affairs Division, LR 52:

§2803. Definitions

A. The terms used in this Chapter are defined in LAC 33:III.111 of these regulations with the exception of those terms specifically defined in this Section.

Abatement—any measure or set of measures designed to permanently eliminate lead-based paint hazards, in the case of dust-lead hazards, to below the action levels. Abatement includes, but is not limited to:

a. the removal of paint and dust (in the case of dust-lead hazards to below the action levels), the permanent enclosure or encapsulation of lead-based paint, the replacement of painted surfaces or fixtures, or the removal or permanent covering of soil when lead-based paint hazards are present in such paint, dust, or soil; and

b. all preparation, cleanup, disposal, and post-abatement testing activities associated with such measures.

Accredited Lead Inspector—a person trained by a recognized training provider and certified by the department to conduct inspections. An accredited inspector also samples for the presence of lead in dust and soil for abatement related testing.

Accredited Lead Risk Assessor—a person trained by a recognized training provider and certified by the department to conduct risk assessments. A risk assessor also samples for the presence of lead in dust and soil for the purposes of abatement related testing.

Action Levels—the values that indicate the amount of lead in dust on a surface after an abatement. To complete an abatement when dust sampling is required, values below the action levels shall be achieved. The Environmental Protection Agency (EPA) previously used the term clearance levels to refer to these levels.

Child-Occupied Facility (COF)—a building or part of a building or common area, other than the child's home, built before 1978, that meets at least one of the following conditions.

a. A building qualifies as a COF when visited regularly by the same child, under age 6, on at least two different days within any week (a Sunday through Saturday period), where each day's visit lasts at least three hours, with the combined weekly visit lasting at least six hours, and the combined annual visits last at least 60 hours. Examples of child-occupied facilities/common areas include, but are not limited to, public and nonpublic schools, day care centers, preschools and kindergarten classrooms, parks, playgrounds, and community centers.

b. A building qualifies as a COF when it has been determined by the department, in conjunction with the state health officer, to be a significant risk because of its contribution to lead poisoning or lead exposure to children under age 6.

c. A building qualifies as a COF when used as a child-occupied unit and common area in a multi-use building.

Clearance Levels—Repealed.

Dust-Lead Hazard—before January 12, 2026, surface dust in a residential dwelling, or child-occupied facility, or their exteriors, that contains a mass-per-area concentration of lead equal to or greater than 10 micrograms per square foot on floors or 100 micrograms per square foot on window sills using wipe samples. On or after January 12, 2026, a dust-lead hazard is surface dust in a residential dwelling or child-occupied facility that contains a mass-per-area concentration of any reportable level of lead for floors or for interior window sills using wipe samples analyzed. The samples shall be analyzed by a National Lead Laboratory Accreditation Program recognized laboratory or an environmental laboratory accredited by the Louisiana Environmental Laboratory Accreditation Program to perform analyses of lead and lead compounds in paint, soil, and dust.

Housing for the Elderly—retirement communities or similar types of housing reserved for households composed of one or more persons 62 years of age or older at the time of initial occupancy.

Lead-Contaminated Dust—surface dust in residential dwellings or child-occupied facilities that contains an area or mass concentration of lead equal to or greater than action levels established by this Chapter.

Lead-Contaminated Soil—bare soil on residential real property and on the property of a child-occupied facility that contains lead equal to or greater than the action levels as established by this Chapter.

Living Area—any area of a residential dwelling used by one or more children under age 6 including, but not limited to, living rooms, kitchen areas, dens, play rooms, and children's bedrooms.

Play Area—an area of repeated soil contact by children under age 6 that can be identified by, but not limited to, the following: the presence of play equipment (e.g. sandboxes,

swing sets, and sliding boards), children's toys, or other children's possessions, observing children's play patterns, or information from parents, residents, care givers, or property owners.

Reportable Level—the lowest analyte concentration, or amount, that does not contain a less than qualifier and is reported with confidence for a specific method by a laboratory recognized by EPA under the Toxic Substances Control Act, Section 405(b) (National Lead Laboratory Accreditation Program requirements) or by an environmental laboratory accredited by the Louisiana Environmental Laboratory Accreditation Program to perform analyses of lead and lead compounds in paint, soil, and dust.

Target Housing—any housing built before 1978, except housing for the elderly, persons with disabilities, or any zero-bedroom dwelling unless any child who is under age 6 lives or is expected to live in such housing.

Visual Inspection for Abatement-Related Testing—the visual examination of a residential dwelling or a child-occupied facility following an abatement conducted by an accredited inspector or accredited risk assessor to determine if the abatement has been successfully completed, as indicated by the absence of visible residue, dust, and debris.

Visual Inspection for Clearance Testing—Repealed.

Wipe Sample—a sample collected by wiping a representative surface of known area, as determined by ASTM E1728/E1728M-20, *Standard Practice for Field Collection of Settled Dust Samples Using Wipe Sampling Methods*, or equivalent method, with an acceptable wipe material as defined in ASTM E1792-20, *Standard Specification for Wipe Sampling Materials for Lead in Surface Dust*, or equivalent method.

Working Day—Monday through Friday, except for federal or state holidays or special leave for office closures declared by the Louisiana Division of Administration that fall on any of the days Monday through Friday.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2054 and 2351 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Radiation Protection, Air Quality Division, LR 23:1663 (December 1997), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 28:2335 (November 2002), amended by the Office of Environmental Assessment, LR 30:2022 (September 2004), amended by the Office of the Secretary, Legal Division, LR 39:1466 (June 2013), amended by the Office of the Secretary, Legal Affairs and Criminal Investigations Division, LR 47:874 (July 2021), amended by the Office of the Secretary, Legal Affairs Division, LR 52:

§2807. Accreditation of Individuals

A. - A.6.a. ...

b. a copy of the initial course completion certificate and any subsequent refresher course completion certificates from recognized training providers in the discipline for which accreditation is sought, or a valid course completion certificate from another EPA-authorized state-recognized training provider;

A.6.c. - D.2. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2054 and 2351 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Radiation Protection, Air Quality Division, LR 23:1669 (December 1997), amended LR 24:2240 (December 1998), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2459 (November 2000), LR 28:2337 (November 2002), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2446 (October 2005), LR 33:643 (April 2007), LR 33:2092 (October 2007), amended by the Office of the Secretary, Legal Division, LR 39:1467 (June 2013), amended by the Office of the Secretary, Legal Affairs Division, LR 52:

§2809. Licensure of Lead Contractors

A. Licensure Requirements

1. To bid and/or perform abatement activities, lead contractors shall obtain a lead-based paint abatement and removal license from the State of Louisiana Licensing Board for Contractors. Before the lead contractor obtains an initial or renewal license, they shall submit an application for approval, with the appropriate fees that can be paid for up to three qualifying parties applying at the same time, to the Office of Environmental Services. They shall also certify that the following conditions have been, or will be, met.

1.a. - 4. ...

5. Lead contractors shall also submit a signed statement to the Office of Environmental Services disclosing any violations of lead-based paint statutes or regulations that they have been cited by the department or another state or federal agency. The statement shall include evidence that any fines and/or fees have been paid in full. If no citations were received since the previous letter of approval was issued, that fact shall be stated. The department shall receive the statement with the application for a letter of approval, and the statement shall be signed by the owner or an officer of the lead contractor's business.

B. - B.2. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2054 and 2351 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Radiation Protection, Air Quality Division, LR 23:1671 (December 1997), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2459 (November 2000), LR 28:2338 (November 2002), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2446 (October 2005), LR 33:643 (April 2007), LR 33:2092 (October 2007), LR 52:

§2811. Work Practice Standards for Conducting Lead-Based Paint Activities: Target Housing and Child-Occupied Facilities

A. - A.3.b.iv. ...

c. Dust-lead hazards and dust-lead action levels listed below are identified for residential dwellings and child occupied facilities as follows.

i. Before January 12, 2026, a dust lead-hazard is present in a residential dwelling or child-occupied facility on floors and interior window sills where the weighted arithmetic mean lead loading for all single surface or composite samples of floors and interior window sills are equal to or greater than 10 micrograms per square foot for floors and equal to or greater than 100 micrograms per square foot for interior window sills, respectively. Where post-abatement dust-lead testing is required or otherwise performed, the levels of lead in dust shall be below 10 micrograms per square foot for

floors, 100 micrograms per square foot for interior window sills, and 400 micrograms per square foot for window troughs to clear the action levels. On or after January 12, 2026, a dust lead-hazard is present in a residential dwelling or child-occupied facility on floors and interior window sills when the lead loading for any single surface or composite sample of floors and interior window sills is equal to or greater than any reportable level of dust-lead for floors and for interior window sills. Where post-abatement dust-lead testing is required or otherwise performed, levels of lead in dust shall be below 5 micrograms per square foot for floors, 40 micrograms per square foot for interior window sills, and 100 micrograms per square foot for window troughs to clear the action levels.

ii. A dust-lead hazard is present on floors or interior window sills in an unsampled residential dwelling in a multi-family dwelling, if a dust-lead hazard is present on floors or interior window sills, respectively, in at least one sampled residential unit on the property. Where post-abatement dust-lead testing is required or otherwise performed, levels of lead in dust shall be below the value that applies from Subparagraph i. of this Paragraph to clear the action levels.

iii. A dust lead-hazard is present on floors or interior window sills in an unsampled common area in a multi-family dwelling, if a dust-lead hazard is present on floors or interior window sills, respectively, in at least one sampled common area in the same common area group on the property. Where post-abatement dust-lead testing is required or otherwise performed, levels of lead in dust shall be below the value that applies from Subparagraph i. of this Paragraph to clear the action levels.

d. - d.ii. ...

4. Action levels that are appropriate for the purposes of this Section are listed as follows:

a. dust wipes from floors/carpets: less than 5 micrograms per square foot;

b. dust wipes on window sills: less than 40 micrograms per square foot;

c. dust wipes on window troughs: less than 100 micrograms per square foot;

d. dust wipes from exterior surfaces: less than 100 micrograms per square foot;

e. lead-contaminated bare soil and lead-contaminated covered soil in areas expected to be used by children: 400 micrograms per gram; and

f. lead-contaminated covered soil in areas where contact by children seldom occurs: 1200 micrograms per gram.

5. If using X-ray Fluorescence Spectroscopy (XRF) to test for the presence of lead-based paint, XRF shall be used according to the manufacturer's procedures. The XRF shall be licensed according to the department's Radiation Protection Regulations (LAC 33:XV).

B. - C.1. ...

2. If any dust sample collected during the screen contains a lead level greater than half of the action level that applies for the tested component; or any sampled paint that is found to be lead-based paint, then the lead hazard screen cannot be used to determine the extent of the lead-based paint hazard.

3. A lead hazard screen shall be conducted as follows:

a. background information regarding the physical characteristics of the residential dwelling or child-occupied facility and occupant use patterns that may cause lead-based paint exposure to one or more children, under age 6, shall be collected;

b. - c. ...

d. in residential dwellings two composite dust samples shall be collected, one from the floors and the other from the windows, in rooms, hallways, or stairwells where one or more children, under age 6, are most likely to come in contact with dust; and

e. in multi-family dwellings or child-occupied facilities, in addition to the floor and window samples, the risk assessor shall also collect composite dust samples from common areas where one or more children, under age 6, are most likely to come into contact with dust.

C.4. - D.2. ...

3. Background information regarding the physical characteristics of the residential dwelling or child-occupied facility and occupant use patterns that may cause lead-based paint exposure to one or more children, under age 6, shall be collected.

4. ...

5. In residential dwellings dust samples (either composite or single-surface samples) from the window and floor shall be collected and analyzed for lead concentrations in all living areas where one or more children, under age 6, are most likely to come into contact with a dust-lead hazard.

6. - 6.a. ...

b. other common areas in the building where the risk assessor determines that one or more children, under age 6, are likely to come into contact with a dust-lead hazard.

7. For child-occupied facilities, window and floor dust samples (either composite or single-surface samples) shall be collected and analyzed for lead concentrations in each room, hallway, or stairwell used by one or more children, under age 6, and in other common areas in the child-occupied facility where the risk assessor determines one or more children, under age 6, are likely to come into contact with a dust-lead hazard.

8. - 11.q. ...

r. description of interim controls and/or abatement options for each identified lead-based paint hazard and a recommended order of importance to address each hazard. If the use of an encapsulant or enclosure is recommended, the report shall include recommended maintenance and monitoring schedules for the encapsulant or enclosure.

E. Abatement

1. As used in this Section, abatement includes the following projects:

a. any project performed under a written contract or other documentation that provides that an individual or company will conduct activities in or to a residential dwelling or child-occupied facility designed to permanently eliminate lead-based paint hazards in the case of dust-lead hazards, to below the action levels;

b. any project that permanently eliminates lead-based paint hazards, in the case of dust-lead hazards to below the action levels and is conducted by a company or individual accredited by the department and licensed by the Louisiana

State Licensing Board for Contractors under LAC 33:III.2807 and 2809, unless the project is excluded by Paragraph E.2 of this Section;

c. any project that permanently eliminates lead-based paint hazards, in the case of dust-lead hazards to below the action levels, and is conducted by a company or individual that, through its name or promotional materials, represents, advertises, or holds itself out to be in the business of performing lead-based paint activities under this Section, unless the project is excluded by Paragraph E.2 of this Section; and

d. any project that permanently eliminates lead-based paint hazards, in the case of dust-lead hazards to below the action levels, and is conducted in response to a state or local government abatement order.

2. Abatement does not include:

a. renovation, remodeling, landscaping, or similar activities (including Renovation, Repair, and Painting Program projects) when those activities are not designed to permanently eliminate lead-based paint hazards, in the case of dust-lead hazards to below the action levels, but, instead, are designed to repair, restore, or remodel a given structure or dwelling, even if they incidentally reduce or eliminate a hazard; or

b. interim controls, operations and maintenance activities, or other measures designed to temporarily, but not permanently, reduce lead-based paint hazards, in the case of dust-lead hazards to below the action levels.

3. An abatement shall be conducted according to the procedures in this Section only by persons accredited by the department to perform such activities.

4. An accredited lead project supervisor shall be on site at all times for each abatement project while abatement work is being performed, including during all worksite preparation and during post-abatement cleanup of work areas, as described in the lead project notification.

5. The accredited lead project supervisor and the lead contractor employing the supervisor shall ensure that all abatement activities are conducted according to this Section.

6. The lead contractor shall notify the Office of Environmental Services in writing of abatement activities as follows.

a. Regular notification shall be made on a department-approved form and shall be postmarked or hand-delivered at least five working days before any on-site work begins. The notification shall be accompanied by the fee required by LAC 33:III.223.

b. The project shall not start before the start date listed on the lead project notification (LPN) form. The contractor shall notify the Office of Environmental Services and the regional office responsible for inspecting the project site by email or phone if work stops for one or more days during the project window listed on the LPN, or if the project is canceled or postponed. The contractor shall also give notice no later than one working day before completion of the project. Notice of completion shall be submitted in writing to the Office of Environmental Services, with email notification to the regional office responsible for inspecting the project site.

c. A notification submitted less than five working days before the start of work is an emergency notification. For emergencies during normal working hours, the contractor

shall notify the Office of Environmental Services and the regional office responsible for inspecting the project site by phone or email no later than one working day before the project starts. After working hours, the contractor shall notify the Office of Environmental Services and the regional office responsible for inspecting the project site by email or voicemail no later than one working day before the project starts. Within five working days, the contractor shall submit a completed notification form to the Office of Environmental Services with the fee required by LAC 33:III.223.

d. An amended LPN shall be submitted to the Office of Environmental Services and the regional office responsible for inspecting the project site when there is a change in the completion date, the methodology, or the square footage. An amended LPN shall also be submitted when the abatement is canceled or when there is any other significant change, including, but not limited to, a change of more than 20 percent in the square footage or acreage to be abated. The amended LPN must be received on or before the start date, or, if work has already begun, no later than one working day of the change.

e. Failure to submit a complete and accurate notification, or failure to submit the required fee, will cause the notification to be rejected and constitutes a failure to notify.

7. A written occupant and worker protection plan shall be developed for each abatement project as follows.

a. The occupant protection plan shall be specific to each residential dwelling or child-occupied facility and shall be developed before the abatement begins. The plan shall describe the measures and management procedures that will be used during the abatement to protect the building occupants from exposure to any lead-based paint hazards.

b. The worker protection plan shall describe the measures used to ensure worker protection and shall be consistent with 29 CFR 1926.62 and any state health officer requirement.

c. An accredited lead project supervisor or accredited project designer shall prepare the occupant and worker protection plans.

8. The following work practices are restricted during an abatement.

a. Open-flame burning or torching of lead-based paint is prohibited.

b. Machine sanding, machine grinding, dry abrasive blasting, and sandblasting of lead-based paint are prohibited unless used with an attached high-efficiency particulate air (HEPA) vacuum-shrouded exhaust control that removes particles of 0.3 microns or larger from the air at 99.97 percent or greater efficiency.

c. A heat gun may be used on lead-based paint only at temperatures below 1100°F.

d. Dry scraping of lead-based paint is permitted only when used with a heat gun, or next to an electrical outlet, or when treating defective paint spots totaling no more than 2 square feet in any one room, hallway, or stairwell or no more than 20 square feet on exterior surfaces.

9. For any exterior abatement of lead-based paint, an accredited inspector or accredited risk assessor shall collect pre-abatement composite soil samples next to the foundation or from the dripline below any exterior surface to be abated, following documented methods that include adequate quality

control procedures, unless this information is available from a current risk assessment. Samples shall be sent for analysis to a recognized laboratory capable of performing the analysis. If the analysis result exceeds 400 micrograms per gram and bare soil is present, the contractor shall furnish a written copy of the result to the owner or operator of the residential dwelling or child-occupied facility before the abatement begins.

10. If conducted, soil abatement shall be performed in one of the following ways.

a. If soil is removed, the lead-contaminated soil shall be replaced with soil that is not lead-contaminated. Lead-contaminated soil that is removed shall not be used as topsoil at another residential property or child-occupied facility.

b. If soil is not removed the lead-contaminated soil shall be permanently covered, as defined in LAC 33:III.2803.

11. Only an accredited inspector or accredited risk assessor shall perform the following post-abatement testing procedures.

a. After the abatement, a visual inspection shall be performed as soon as possible, and no later than one working day after the abatement is completed, to determine whether deteriorated painted surfaces or visible amounts of dust, debris, or residue are still present. If any are present, they shall be eliminated before the post-abatement testing continues.

b. After the visual inspection and any required post-abatement cleanup, post-abatement sampling for lead-contaminated dust shall be conducted. Sampling may be performed using single-surface sampling or composite sampling techniques.

c. Post-abatement dust samples shall be collected using documented methods that include adequate quality control procedures.

d. Post-abatement dust samples shall be collected at least one hour after final post-abatement cleanup is complete.

e. Post-abatement testing shall be conducted based on the extent and manner of the abatement, as follows.

i. After an abatement performed with containment between abated and unabated areas, one dust sample shall be collected from one window, if available, and one dust sample shall be collected from the floor in at least four rooms, hallways, or stairwells within the containment area. In addition, one dust sample shall be collected from the floor outside the containment area. If there are fewer than four rooms, hallways, or stairwells within the containment area, then all rooms, hallways, or stairwells shall be sampled.

ii. After an abatement performed without containment, two dust samples shall be collected from at least four rooms, hallways, or stairwells in the residential dwelling or child-occupied facility. One dust sample shall be collected from one window (if available), and one dust sample shall be collected from the floor of each room, hallway, or stairwell selected. If there are fewer than four rooms, hallways, or stairwells within the containment area, then all rooms, hallways, or stairwells shall be sampled.

iii. After an exterior paint abatement, a visual inspection and sampling shall be performed as follows. All horizontal surfaces in the outdoor living area closest to the abated surface shall be found to be cleaned of visible dust and debris.

(a). A visual inspection shall be conducted to determine whether paint chips are present on the dripline or next to the foundation below any exterior surface that was abated. If paint chips are present, they shall be removed from the site and properly disposed of according to all applicable federal and state requirements.

(b). Sampling shall include at least one sample from an adjacent exterior horizontal surface including but not limited to a patio, deck, porch, stoop, or common area and composite soil samples taken next to the foundation or from the dripline and from any bare soil area adjacent to the exterior abatement that is frequented by children under age 6. If the analysis result shows that the post-abatement soil-lead level exceeds the pre-abatement level, the abatement contractor shall abate the soil according to Paragraph E.10 of this Section.

iv. After a soil abatement, at least two composite soil samples of the replacement soil shall be collected from the abated area according to documented methods. If the analysis result shows that the post-abatement soil-lead level exceeds the pre-abatement level, the abatement contractor shall abate the soil according to Paragraph E.10 of this Section.

f. Rooms, hallways, or stairwells selected for sampling shall be selected according to documented methods.

g. The accredited inspector or accredited risk assessor shall compare the residual lead level (as determined by laboratory analysis) from each single-surface dust sample to the action level that applies for lead in dust on floors, interior window sills, and window troughs, or from each composite dust sample to the action level that applies for lead in dust on floors, interior window sills, and window troughs divided by half the number of subsamples in the composite sample. If the residual lead level in a single-surface dust sample equals or is greater than the action level that applies, or if the residual lead level in a composite dust sample equals or is greater than the action level that applies divided by half the number of subsamples in the composite sample, the components represented by the failed sample shall be recleaned and retested until the action level is met. The area shall not be cleared for reoccupancy until all action levels for lead in dust are met.

h. Before January 12, 2026, the action levels for lead in dust are 10 micrograms per square foot for floors, 100 micrograms per square foot for interior window sills, and 400 micrograms per square foot for window troughs. On or after January 12, 2026, the action levels for lead in dust are 5 micrograms per square foot for floors, 40 micrograms per square foot for interior window sills, and 100 micrograms per square foot for window troughs.

12. In a multi-family dwelling with similarly built and maintained residential dwellings, random post-abatement sampling may be conducted, provided that:

a. the accredited individual who abates or cleans the residential dwellings does not know which residential dwelling will be selected for the random sample;

b. a sufficient number of residential dwellings is selected for dust sampling to provide a 95 percent level of confidence that no more than 5 percent of the residential dwellings, or 50 of the residential dwellings, whichever is smaller, in the randomly sampled population exceed the applicable action level; and

c. the randomly selected residential dwellings shall be sampled and evaluated for the action level using the post-abatement testing procedures in Paragraph E.11 of this Section.

13. An accredited lead project supervisor or accredited project designer shall prepare an abatement report and submit it to the department within 30 days after the project is completed. The report shall include the following information:

a. the start date and completion date of the abatement;

b. the name and address of each licensed contractor that conducted the abatement, and the name of each supervisor assigned to the project;

c. the occupant and worker protection plan;

d. the name, address, and signature of each accredited risk assessor or accredited inspector who conducted post-abatement sampling, the date of the post-abatement testing, and a map or diagram showing where samples were collected for specific rooms, windows, and containment areas;

e. the results of post-abatement dust-lead testing and any soil analyses, if applicable, and the name of each recognized laboratory that conducted the analyses;

f. on or after January 12, 2026, when the post-abatement dust-lead testing results are below the dust-lead action levels and at or above the dust-lead reportable levels, a dust-lead hazard statement with the following language shall be included:

"Although the completed abatement project achieved dust-lead below action levels, some dust-lead hazards remain, because any reportable level of dust-lead is considered a dust-lead hazard by the U.S. Environmental Protection Agency and the department in a residential dwelling or child-occupied facility. In order for abatement work to be considered complete under EPA and department regulations, dust-lead levels must be below the action levels, which are established based on reliability, effectiveness, and safety.

To continue to reduce lead exposure from dust, the EPA pamphlet 'Protect Your Family from Lead in Your Home' includes recommendations such as: using a vacuum with a high-efficiency particulate air (HEPA) filter on furniture and other items returned to the work area, and regularly cleaning hard surfaces with a damp cloth or sponge and a general all-purpose cleaner. For more information on how to continue to reduce lead exposure, see 'Protect Your Family from Lead in Your Home.'";

g. a detailed written description of the abatement, including the abatement methods used, the location of each room or component where abatement occurred, the reason for selecting particular abatement methods for each component, and any recommended monitoring of an encapsulant or enclosure; and

h. information on the storage, transport, and disposal of any waste generated during the abatement.

14. All lead-contaminated waste and construction debris from an abatement project shall be disposed of according to applicable federal, state, and local requirements.

15. All modifications to a residential dwelling or child-occupied facility, and to its component systems, that occur during an abatement shall be designed and performed according to applicable state and municipal building codes.

F. - F.I. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2054 and 2351 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Radiation Protection, Air Quality Division, LR 23:1672 (December 1997), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2459 (November 2000), repromulgated LR 27:39 (January 2001), amended LR 28:2338 (November 2002), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2446 (October 2005), LR 33:644 (April 2007), LR 33:2092 (October 2007), amended by the Office of the Secretary, Legal Division, LR 39:1467 (June 2013), amended by the Office of the Secretary, Legal Affairs and Criminal Investigations Division, LR 47:875 (July 2021), amended by the Office of the Secretary, Legal Affairs Division LR 52:

Family Impact Statement

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

Poverty Impact Statement

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

Small Business Analysis

This Rule has no probable impact on small business, as described in R.S. 49:974.1 - 974.8. The costs will be the same as those required by the current Rule which has been in effect since 1997.

Provider Impact Statement

This 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 AQ406. Such comments must be received no later than September 2, 2026, 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 AQ406. The proposed regulation is available on the Internet at <https://www.deq.louisiana.gov/about-ldeq/monthly-regulation-changes-2026>.

Public Hearing

A public hearing will be held August 26, 2026, 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 Microsoft Teams: <https://teams.microsoft.com/join/298016667299922?p=utQW3cIhzP4YEathO>, using Meeting ID: 298 016 667 299 922 and passcode: sm3u4tJ7 or by phone at (872) 239-6160 using phone conference ID: 387 062 273#. 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: Lead-Based Paint Activities-Recognition,
Accreditation, Licensure, and Standards for Conducting
Lead-Based Paint Activities**

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

The proposed rule change is not anticipated to impact costs or savings to state or local government units. The proposed rule change is required to adopt changes made by the U.S. Environmental Protection Agency (EPA) to update the action levels for lead hazards in target housing and child-occupied facilities. Specifically, the proposed rule change will reflect changes in terminology and changes to the lead dust action levels, to align with federal regulations.

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

The proposed rule change is not anticipated to impact revenue collections of state or local governmental units. The proposed rule change aligns the administrative code with EPA changes that will lower acceptable lead levels in homes and places where children under age six frequent. As an EPA-authorized state, the Department of Environmental Quality is required to incorporate these changes to continue being at least as stringent as the federal rule.

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

The proposed rule change is not anticipated to cost or provide an economic benefit to any affected persons, small businesses, or non-governmental groups. The proposed rule change will reflect changes in terminology and changes to lead dust action levels, to align with federal regulations.

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

The proposed rule change is not anticipated to impact competition or employment in either the public or private sector.

Jill C. Clark
General Counsel
2607#023

Patrice Thomas
Deputy Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

**Office of the Governor
Board of Architectural Examiners**

**Election of Nominees to Fill Vacancy, if Required
(LAC 46:I.Chapter 5)**

Notice is hereby given that the Board of Architectural Examiners, in accordance with the provisions of R.S. 49:950 et seq., and through the authority granted in R.S. 37:144(C), proposes to amend LAC 46:I.Chapter 5 pertaining to the election of nominees to fill vacancies of the architect members of the board. More specifically, the board gives notice that it proposes to amend LAC 46:I.501 pertaining to vacancies, LAC 46:I.503 pertaining to waiver of election, LAC 46:I.505 pertaining to ballots, LAC 46:I.507 pertaining to voting, LAC 46:I.509 pertaining to tabulation, LAC 46:I.511 pertaining to ties, LAC 46:I.513 pertaining to

vacancy of person elected as nominee, and LAC 46:I.515 pertaining to an election contest.

Pursuant to R.S. 37:142, the board consists of seven members, five of whom shall be architects selected by the governor from a list of eligible architects submitted by the board. If the number of architects desiring appointment to the board is more than the number of nominees statutorily allowed on the list of nominees, the board is mandated by R.S. 37:142(B)(1) to conduct an election. Act 484 of 2026 allows the election, previously done by mail ballot, to be done by either mail ballot or online voting. Act 484 increased the number of architects who might be included on the list of nominees from three to five. Amending LAC 46:I.Chapter 5 is necessary to align such rule with Act 484 of 2026.

In addition, Act 192 of 2024 mandated that all state agencies which make rules systematically review in accordance with stated criteria a sufficient number of rules each year so that all rules have been reviewed within a five-year period. Executive Order JML 25-038 issued April 1, 2025, mandated that by December 31, 2025, state agencies review at least 50 percent of the rules listed in the order or a minimum of 100 rules, whichever is greater, in accordance with stated criteria. The rules to be reviewed under the executive order included LAC 46:I.501 and LAC 46:I.503-515.

Applying the criteria required by Act 192 and EO JML 25-035, the board reviewed Chapter 5 of its rules (LAC 46:I.Chapter 5) and decided that Chapter 5 should be modernized, clarified, and aligned with Act 484 of 2026. The amendments proposed herein amend the title of Chapter 5; increase from three to five the number of nominees of the architect members of the board which can be submitted to the governor; allow for email transmissions to submit nominations, provide notice of vacancies, distribute and return ballots, and provide notice of the election results to the candidates; permit online voting; provide for the electronic tabulation of ballots; allow for the extension of the period of voting by the president; and provide for related matters.

Title 46

**PROFESSIONAL AND OCCUPATIONAL
STANDARDS**

Part I. Architects

**Chapter 5. Election of Nominees to Fill Vacancy, if
Required**

§501. Vacancy

A. This Chapter concerns the election of the five nominees to be submitted to the governor for the filling of a vacancy on the board of one or more of the five architectural members to be appointed by the governor pursuant to R.S. 37:142(B). This rule shall be applicable whether the vacancy occurs as a result of withdrawal, disability, death, completion of the term of appointment, or any other reason. This rule shall not be applicable to the board members appointed by the governor pursuant to R.S. 37:142(C) or (D).

B. If a vacancy occurs, or is about to occur, the executive director shall publish notice thereof in the official journal of the state for a period of not less than 10 calendar days. The published notice need not appear more than three times during the 10 day period. The published notice shall identify the district where the vacancy has occurred and state that any licensed architect domiciled in that district desiring to fill that

Laura Almond

From: APA - House Natural Res <apa.h-natr@legis.la.gov>
Sent: Wednesday, October 7, 2026 8:00 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 - Senate Environment <apa.s-envq@legis.la.gov>
Sent: Wednesday, October 7, 2026 8:00 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 Speaker <apa.housespeaker@legis.la.gov>
Sent: Wednesday, October 7, 2026 8:00 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: APA - Senate President <APA.senatepresident@legis.la.gov>
Sent: Wednesday, October 7, 2026 8:00 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: Microsoft Outlook
To: APA - Senate Environment; APA - House Natural Res; APA - Senate President; APA - House Speaker
Sent: Wednesday, October 7, 2026 8:00 AM
Subject: Relayed: APA - Summary Report for Proposed Rule AQ406

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

[APA - Senate Environment \(apa.s-envq@legis.la.gov\)](mailto:apa.s-envq@legis.la.gov)

[APA - House Natural Res \(apa.h-natr@legis.la.gov\)](mailto:apa.h-natr@legis.la.gov)

[APA - Senate President \(apa.senatepresident@legis.la.gov\)](mailto:apa.senatepresident@legis.la.gov)

[APA - House Speaker \(apa.housespeaker@legis.la.gov\)](mailto:apa.housespeaker@legis.la.gov)

Subject: APA - Summary Report for Proposed Rule AQ406



APA - Summary
Report for Prop...

Laura Almond

From: Microsoft Outlook
To: William Little
Sent: Wednesday, October 7, 2026 8:00 AM
Subject: Delivered: APA - Summary Report for Proposed Rule AQ406

Your message has been delivered to the following recipients:

William Little (William.Little@la.gov)

Subject: APA - Summary Report for Proposed Rule AQ406



APA - Summary
Report for Prop...

Laura Almond

From: Microsoft Outlook
To: Jill Clark
Sent: Wednesday, October 7, 2026 8:00 AM
Subject: Delivered: APA - Summary Report for Proposed Rule AQ406

Your message has been delivered to the following recipients:

Jill Clark (Jill.Clark@la.gov)

Subject: APA - Summary Report for Proposed Rule AQ406



APA - Summary
Report for Prop...

Laura Almond

From: Microsoft Outlook
To: Nathan Mills
Sent: Wednesday, October 7, 2026 8:00 AM
Subject: Delivered: APA - Summary Report for Proposed Rule AQ406

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Nathan Mills (Nathan.Mills@LA.GOV)

Subject: APA - Summary Report for Proposed Rule AQ406



APA - Summary
Report for Prop...

Laura Almond

From: Microsoft Outlook
To: Courtney Burdette (DEQ)
Sent: Wednesday, October 7, 2026 8:00 AM
Subject: Delivered: APA - Summary Report for Proposed Rule AQ406

Your message has been delivered to the following recipients:

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

Subject: APA - Summary Report for Proposed Rule AQ406



APA - Summary
Report for Prop...

Laura Almond

From: Microsoft Outlook
To: Deidra Johnson
Sent: Wednesday, October 7, 2026 8:00 AM
Subject: Delivered: APA - Summary Report for Proposed Rule AQ406

Your message has been delivered to the following recipients:

Deidra Johnson (Deidra.Johnson@LA.GOV)

Subject: APA - Summary Report for Proposed Rule AQ406



APA - Summary
Report for Prop...