

Laura Almond

From: Laura Almond
Sent: Monday, December 8, 2025 12:39 PM
To: 'apa.s-envq@legis.la.gov'; 'apa.h-natr@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
Subject: Summary Report for Proposed Rule HW139
Attachments: HW139 NOI.pdf

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	Courtney Burdette (DEQ)	Delivered: 12/8/2025 12:39 PM	
	Jill Clark	Delivered: 12/8/2025 12:39 PM	
	Deidra Johnson	Delivered: 12/8/2025 12:39 PM	Read: 12/8/2025 12:40 PM
	William Little	Delivered: 12/8/2025 12:39 PM	Read: 12/8/2025 12:40 PM
	Nathan Mills	Delivered: 12/8/2025 12:39 PM	

December 8, 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 HW139
Exclusion of Wastes for The Dow Chemical Company, Plaquemine Plant
(LAC 33:V4999.Appendix E)
Proposed on October 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

This concludes this transmission.

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

1. the effect on the staffing level requirements or qualifications required to provide the same level of service;
2. the total direct and indirect effect on the cost to the providers to provide the same level of service; or
3. the overall effect on the ability of the provider to provide the same level of service.

Public Comments

Interested persons may submit written comments, data, opinions and arguments regarding the proposed Rules via U.S. Mail or hand delivery. Written submissions must be directed to Amy L. McInnis, General Counsel, Department of Agriculture & Forestry, 5825 Florida Blvd., Suite 2000, Baton Rouge, LA 70806 or via email to legal@ldaf.state.la.us and must be received no later than 4 p.m. on November 10, 2025. All written comments must be signed and dated.

Public Hearing

No public hearing on this proposed Rule has been scheduled. If a public hearing is needed, all interested parties will be afforded an opportunity to submit data, views, or arguments either orally or in writing. Interested parties may submit a written request to conduct a public hearing to Amy L. McInnis, General Counsel, Department of Agriculture & Forestry, 5825 Florida Blvd., Suite 2000, Baton Rouge, LA 70806 or via email to legal@ldaf.state.la.us and must be received no later than 4 p.m. on November 10, 2025.

Mike Strain, DVM
Commissioner

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES RULE TITLE: Gypsum

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

The proposed rule change is not anticipated to have any costs or savings to the Louisiana Department of Agriculture and Forestry (LDAF), other than the cost of promulgation, which is normally included in the agency's operating budget. There is no anticipated impact on local governmental units.

The proposed rule change provides requirements for the agricultural use of gypsum, including the establishment of analytical tolerances, should an agricultural producer wish to utilize gypsum as a soil amendment in accordance with R.S. 3:1424 (Act 94 of the 2025 RS).

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

The proposed rule change is not anticipated to increase or decrease revenue collections of state or local government units. There is no licensing or permit component, or related fees, for implementation.

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

The proposed rule change will allow the use of gypsum, given at no cost to agricultural producers, as well as provide suppliers an avenue to dispose of the gypsum rather than it being stored on site at such facility. There may be an economic benefit to suppliers who are able to dispose of gypsum instead

of needing a facility to store it, and to agricultural producers who will use the gypsum to fertilize their soil. The magnitude of this benefit is indeterminable at this time.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed rule change is not anticipated to influence competition or employment.

Dane Morgan
Assistant Commissioner
2510#033

Patrice Thomas
Deputy Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

Department of Environmental Quality Office of the Secretary Legal Affairs Division

Exclusion of Wastes for The Dow Chemical Company
Plaquemine Plant (LAC 33:V.4999)

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 Hazardous Waste regulations, LAC 33:V.4999, Appendix E (HW139).

The proposed Rule will delist Solvents/Ethylene Dichloride (EDC) Process Wastewater Effluent and Solvents East Ditch Sediment from certain EPA hazardous waste number categories and establish monitoring conditions to maintain the delisting status. This rulemaking will acknowledge LDEQ's acceptance of The Dow Chemical Company's delisting exclusion petition submitted to fulfill a requirement in a Consent Agreement and Final Order (CAFO) with the Environmental Protection Agency issued per Docket No. RCRA-06-2010-0933.

Prior to October 5, 2015, The Dow Chemical Company (Dow) owned and operated the hazardous waste incinerator (F-700) in the Solvents/EDC production unit, now owned and operated by Blue Cube Operations, LLC. In accordance with the CAFO, Dow chose to pursue a waste exclusion delisting option under LDEQ oversight for both the Solvents/EDC Process Wastewater Effluent and Solvents East Ditch Sediment (in situ). The basis and rationale for this proposed Rule are based on an evaluation of the information provided by the petitioner, including the analytical data, and the department's analysis of the information, including results of the Delisting Risk Assessment Software assessment. LDEQ found this initial petition to be deficient for determining delisting eligibility for all requested waste codes affecting the solvents east ditch sediment. After further sampling and analysis, Dow submitted a petition addendum on February 21, 2018, which satisfactorily demonstrated that both waste streams were eligible for delisting. This 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 V. Hazardous Waste and Hazardous Materials
Subpart 1. Department of Environmental Quality—
Hazardous Waste

Chapter 49. Lists of Hazardous Wastes

[Editor's Note: Chapter 49 is divided into two Sections: category I hazardous wastes, which consist of hazardous wastes from nonspecific and specific sources (F and K wastes), acute hazardous wastes (P wastes), and toxic wastes (U wastes) (LAC 33:V.4901); and category II hazardous wastes, which consist of wastes that are ignitable, corrosive, reactive, or toxic (LAC 33:V.4903).]

§4999. Appendices—Appendix A, B, C, D, and E

Appendix A. - Appendix D. ...

Appendix E. Wastes Excluded under LAC 33:V.105.M
A. - B.3.b. ...

Table 1—Wastes Excluded
BFI Waste Systems of Louisiana LLC, Colonial Landfill, Sorrento, LA

Table 1—Wastes Excluded
Denka Performance Elastomer LLC, LaPlace, LA

Table 1—Wastes Excluded
Lyondell Chemical Company, Lake Charles, LA

Table 1—Wastes Excluded
Marathon Oil Co., Garyville, LA

Table 1—Wastes Excluded
Motiva Enterprises LLC, Norco, LA

Table 1—Wastes Excluded
Syngenta Crop Protection, Inc., St. Gabriel, LA

Table 1—Wastes Excluded
The Dow Chemical Company, Plaquemine, LA
The solvents/EDC production unit, formerly owned and operated by The Dow Chemical Company, but currently owned and operated by Blue Cube Operations LLC since October 5, 2015, generates process wastewater effluent from an air pollution control system (wet scrubbing) that treats combustion gas produced from RCRA-permitted F-700 thermal treatment unit (incinerator), which combusts chlorinated organic waste feed streams carrying EPA listed hazardous waste numbers K016, K019, U044, U077, U080, U083, U210, U211, and U227. The specific hazardous waste streams combusted and their related EPA hazardous waste numbers are: Solvent Heavies (Tank D-700) – D001, D019, D022, D028, D032, D033, D034, D035, D039, and D040; EDC Heavies (Tank T-107) – D001, D018, D019, D022, D028, D032, D033, D035, D039, D040, K019, U077, and U227; Hexes (Tanks D-13/D-15) – D019, D032, D033, D034, D039, K016, U210, and U211; Chlorine Taffy (from chlorine unit) – D019, D022, D032, D033, D034, and D039; General Waste (Tank D-42) – D001, D019, D022, D028, D032, D033, D034, D039, K016, K019, U044, U077, U080, U083, U210, and U211; VRU Waste (Tank D-930) – D001, D019, D022, D028, D033, D039, U044, U077, U080, U210, and U211; Glycol Ethers/PDC (from Dow's glycol unit) – D001, D019, D022, D028, D032, D035, and D039. The solvents/EDC process wastewater effluent is discharged through LPDES-permitted Internal Outfall 201 into the Solvents East Ditch. The Dow Chemical Company shall implement a sampling and analysis monitoring program that meets the following conditions for this hazardous waste number delisting exclusion to remain in effect.

Table 1—Wastes Excluded
The Dow Chemical Company, Plaquemine, LA
(1). Testing Sample collections and analyses, including quality control procedures, shall be performed according to methodologies described in <i>Test Methods for Evaluating Solid Waste, Physical/Chemical Methods</i> , EPA Publication SW-846, as incorporated by reference in LAC 33:V.110. All samples shall be taken while the F-700 thermal treatment unit is operating between 2,000 - 4,800 lb/hr. All sampling and analytical results including quality control information shall be reported to the Office of Environmental Services, Waste Permits Division.
(1)(A). Initial Organic Verification Testing of Solvents/EDC Process Wastewater Effluent During the first six months after promulgation of this delisting exclusion, The Dow Chemical Company shall collect and analyze a monthly grab sample of solvents/EDC process wastewater effluent for Condition (3)(A) – (organic constituents). If the analytical results obtained during the six monthly test events are significantly below Condition (3)(A) – (delisting exclusion levels), as determined by the department in writing, then The Dow Chemical Company may replace Condition (1)(A) – (organic testing) with Condition (1)(B). Condition (1)(A) shall remain in effect indefinitely until the department makes this determination.
(1)(B). Subsequent Organic Verification Testing of Solvents/EDC Process Wastewater Effluent Following satisfactory completion of Condition (1)(A) and written concurrence by the department, The Dow Chemical Company shall continue to collect and analyze grab samples annually thereafter for Condition (3)(A) – (organic constituents) on a randomly chosen operating day during the same operating month as the previous year's sampling event. If the department determines, in writing, that the analytical results obtained during the annual test events are significantly below delisting exclusion levels in Condition (3)(A), then The Dow Chemical Company may discontinue further organic testing of solvents/EDC process wastewater effluent. Condition (1)(B) shall remain in effect indefinitely until the department makes this determination.
(1)(C). Polychlorinated Dibenzodioxins and Polychlorinated Dibenzofurans (Dioxins and Furans) Testing During the first 30 days after promulgation of this delisting exclusion, The Dow Chemical Company shall collect and analyze a grab sample of Solvents/EDC process wastewater effluent for Condition (3)(B) – (dioxins and furans). The Dow Chemical Company shall sample and analyze for Condition (3)(B) – (dioxins and furans) once every three years beginning three years after the initial sampling event and during the same operating month as the previous year's sampling event. If the department determines, in writing, that analytical results are insignificant, then The Dow Chemical Company may discontinue dioxins and furans testing. Condition (1)(C) shall remain in effect indefinitely, until the department makes this determination.
(2). Waste Holding and Handling Subject to conditions of this delisting exclusion, the solvents/EDC process wastewater effluent becomes nonhazardous industrial solid waste. This newly delisted waste shall always be managed and/or disposed in accordance with all applicable solid waste regulations. If constituent levels in any representative sample equal or exceed any Condition (3) - Delisting Exclusion Levels, the solvents/EDC process water effluent shall be immediately resampled and reanalyzed for constituents that exceeded delisting exclusion levels. If the repeat analysis is less than delisting exclusion levels, then The Dow Chemical Company shall resume Condition (1) – (sampling and analysis). If reanalysis results equal or exceed any delisting exclusion levels, then within 45 days The Dow Chemical Company shall submit a report to the department describing probable causes for exceeding the constituent level and proposing corrective action measures. The department shall determine the necessary corrective action and shall notify The Dow Chemical Company, in writing, of the corrective action needed. The Dow Chemical Company shall implement the corrective action and reinitiate sampling and analysis for the constituent(s) per Condition (1). Within 30 days after receiving written notification, The Dow Chemical Company may appeal the corrective action determined by the department. During the full period of corrective action determination and implementation this delisting exclusion of solvents/EDC process wastewater effluent shall remain in effect unless the department notifies The Dow Chemical Company, in writing, of a suspension or rescission of all or part of this delisting exclusion. Sampling and analysis shall continue through this period as long as this delisting exclusion remains in effect.

Table 1 – Wastes Excluded
The Dow Chemical Company, Plaquemine, LA
(3). Delisting Exclusion Levels The following delisting exclusion levels have been determined safe by taking into account health-based criteria and analytical method detection limits. Condition (3) concentrations shall be measured in the extract from samples by the appropriate method(s) specified in LAC 33:V. 4903.E, and shall be less than the following levels:
(3)(A). Organic Constituents in Solvents/EDC Process Wastewater Effluent Carbon Tetrachloride—0.057 mg/L; Methylene Chloride—0.089 mg/L.
(3)(B). Dioxins and Furans in Solvents/EDC Process Wastewater Effluent The 15 congeners listed in Section I.1 of EPA Publication SW-846 Method 8290—(monitor only).
(4). Changes in F-700 Thermal Treatment Unit Operating Conditions or Waste Feed Streams If Blue Cube Operations LLC significantly changes operating conditions of the solvents/EDC production unit F-700 thermal treatment unit (incinerator) specified in the RCRA permit or delisting exclusion petition submitted by The Dow Chemical Company, adds any previously unpermitted waste feed streams to the incinerator, or significantly changes any waste feed profile described in the delisting exclusion petition, and any of these actions would justify a Class 3 modification to Blue Cube Operations LLC's RCRA permit pertaining to this combustion unit, Blue Cube Operations, LLC shall notify the department, in writing. Following receipt of written acknowledgement by the department and after Blue Cube Operations LLC has implemented the changes, Blue Cube Operations, LLC shall collect and analyze a grab sample of solvents/EDC process wastewater effluent for the full listing of constituents found in 40 CFR part 264, appendix IX—Groundwater Monitoring List (LAC 33:V.3325). If appendix IX analysis results identify any hazardous constituent above delisting exclusion levels, or above universal treatment standards at 40 CFR 268.48, then Blue Cube Operations, LLC shall reinstitute Condition (1) testing for a minimum of six months, or until the department determines, in writing, that no more monitoring is required. This conditional delisting exclusion of solvents/EDC process wastewater effluent shall remain in effect until the department deems circumstances warrant suspending, amending, or terminating this delisting exclusion. Blue Cube Operations LLC may eliminate feeding any waste stream to the incinerator at any time without affecting this delisting exclusion of the solvents/EDC process wastewater effluent or any monitoring schedule.

Table 1 – Wastes Excluded
The Dow Chemical Company, Plaquemine, LA
The Solvents East Ditch (owned by The Dow Chemical Company) historically receives process wastewater effluent from the solvents/EDC production unit, formerly owned and operated by The Dow Chemical Company, but currently owned and operated by Blue Cube Operations LLC since October 5, 2015. Blue Cube Operations LLC generates solvents/EDC process wastewater effluent from an air pollution control system (wet scrubbing) that treats combustion gas produced from RCRA-permitted F-700 thermal treatment unit (incinerator), which burns chlorinated organic wastes carrying EPA listed hazardous waste numbers K016, K019, U044, U045, U077, U080, U083, U210, U227, and F024. The specific hazardous wastes combusted and their EPA hazardous waste numbers are: Solvent Heavies (Tank D-700) – D001, D019, D022, D028, D032, D033, D034, D035, D039, and D040; EDC Heavies (Tank T-107) – D001, D018, D019, D022, D028, D032, D033, D035, D039, D040, K019, U077, and U227; Hexes (Tanks D-13/D-15) – D019, D032, D033, D034, D039, K016, U210, and U211; Chlorine Taffy (from chlorine unit) – D019, D022, D032, D033, D034, and D039; General Waste (Tank D-42) – D001, D019, D022, D028, D032, D033, D034, D039, K016, K019, U044, U077, U080, U083, U210, and U211; VRU Waste (Tank D-930) – D001, D019, D022, D028, D033, D039, U044, U077, U080, U210, and U211; Glycol Ethers/PDC (from Dow's glycol unit) – D001, D019, D022, D028, D032, D035, and D039. The Solvents East Ditch sediment also carries the same aforementioned waste numbers (including U045 and F024, associated with past operations only). The Dow Chemical Company shall implement a sampling and analysis monitoring program that meets the following conditions for this hazardous waste number delisting exclusion to remain in effect.

Table 1 – Wastes Excluded
The Dow Chemical Company, Plaquemine, LA
(1). Testing For monitoring purposes, Solvents East Ditch sediment samples for analysis shall either be: a) in-situ ditch sediment collected according to an LDEQ-approved sampling and analysis plan; or b) solids filtered from solvents/EDC process wastewater effluent before it comes into contact with any other waste stream or process area stormwater runoff. Sample collections and analyses, including quality control procedures, shall be performed according to methodologies described in <i>Test Methods for Evaluating Solid Waste, Physical/Chemical Methods</i> , EPA Publication SW-846, as incorporated by reference in LAC 33:V.110. All samples shall be taken while the F-700 thermal treatment unit is operating between 2,000 – 4,800 lb/hr. All results, including quality control information, shall be reported to the department.
(1)(A). Initial Organic Verification Testing of Solvents East Ditch Sediment During the first six months after promulgation of this delisting exclusion, The Dow Chemical Company shall collect and analyze a sample of Solvents East Ditch sediment for Condition (3)(A) – (organic constituents). After completing this initial test event, The Dow Chemical Company shall sample and analyze for Condition (3)(A) – (organic constituents) annually for up to three years afterward during the same operating period as the previous year's sampling event. If the analytical results are significantly below Condition (3)(A) – (delisting exclusion levels), as determined by the department in writing, then The Dow Chemical Company may discontinue further organic monitoring of Solvents East Ditch sediment. Condition (1)(A) shall remain in effect on an annual basis indefinitely until the department makes this determination.
(1)(B). Polychlorinated Dibenzodioxins and Polychlorinated Dibenzofurans (Dioxins and Furans) Monitoring During the first 30 days after promulgation of this delisting exclusion, The Dow Chemical Company shall collect and analyze a Solvents East Ditch sediment sample for Condition (3)(B) – (dioxins and furans). The Dow Chemical Company shall sample and analyze for Condition (3)(B) – (dioxins and furans) once every three years beginning three years after the initial sampling event and during the same operating month as the previous year's sampling event. If the department determines, in writing, that analytical results are significantly below universal treatment standards, then The Dow Chemical Company may discontinue further monitoring of Solvents East Ditch sediment for dioxins and furans. Condition (1)(B) shall remain in effect indefinitely, until the department makes this determination.
(2). Waste Holding and Handling Subject to conditions of this delisting exclusion, Solvents East Ditch sediment becomes nonhazardous industrial solid waste. This newly delisted waste shall always be managed and/or disposed in accordance with all applicable solid waste regulations. If constituent levels in any representative sample equal or exceed any Condition (3) – Delisting Exclusion Levels, the Solvents East Ditch sediment shall be immediately resampled and reanalyzed for constituents that exceed delisting exclusion levels. If the repeat analysis is less than delisting exclusion levels, then The Dow Chemical Company shall resume Condition (1) – (sampling and analysis). If reanalysis results equal or exceed any delisting exclusion levels, then within 45 days The Dow Chemical Company shall submit a report to the department describing probable cause(s) for exceeding the constituent level and proposing corrective action measures. The department shall determine the necessary corrective action and shall notify The Dow Chemical Company of the corrective action needed. The Dow Chemical Company shall implement the corrective action and reinstate sampling and analysis for the constituent(s) per Condition (1). Within 30 days after receiving written notification, The Dow Chemical Company may appeal the corrective action determined by the department. During the full period of corrective action determination and implementation, this delisting exclusion of Solvents East Ditch sediment shall remain in effect unless the department notifies The Dow Chemical Company, in writing, of a suspension or rescission of all or part of this delisting exclusion. Sampling and analysis shall continue through this period, as long as this delisting exclusion remains in effect.

Table 1 – Wastes Excluded
The Dow Chemical Company, Plaquemine, LA
(3). Delisting Exclusion Levels The following delisting exclusion levels have been determined safe by taking into account health-based criteria and analytical method detection limits. Condition (3) concentrations shall be measured in the extract from samples by the appropriate method(s) specified in LAC 33:V. 4903.E. Concentrations in the extract shall be less than the following levels:
(3)(A). Organic Constituents in Solvents East Ditch Sediment Methylene Chloride—30.0 mg/kg.
(3)(B). Dioxins and Furans in Solvents East Ditch Sediment The 15 congeners listed in Section 1.1 of EPA Publication Number SW-846 Method 8290—monitor only, ug/kg.
(4). Changes in F-700 Thermal Treatment Unit Operating Conditions or Waste Feed Streams If Blue Cube Operations LLC significantly changes operating conditions of the solvents/EDC production unit F-700 thermal treatment unit (incinerator) specified in the delisting exclusion petition submitted by The Dow Chemical Company, adds any previously unpermitted waste feed streams to the incinerator, or significantly changes any waste feed profile described in the delisting exclusion petition, and any of these actions would justify a Class 3 modification to Blue Cube Operations LLC's RCRA permit, Blue Cube Operations, LLC shall notify the department, in writing. Following receipt of written acknowledgement by the department and after Blue Cube Operations LLC has implemented the changes, Blue Cube Operations, LLC shall collect and analyze a Solvents East Ditch sediment sample for the full listing of constituents found in 40 CFR part 264, appendix IX—Groundwater Monitoring List (LAC 33:V.3325). If appendix IX analysis results identify any hazardous constituent above delisting exclusion levels, or above universal treatment standards at 40 CFR 268.48, then Blue Cube Operations, LLC shall reinstitute Condition (1) testing for a minimum of two six-month operating periods, or until the department determines, in writing, that no more monitoring is required. This conditional delisting exclusion of Solvents East Ditch sediment shall remain in effect until the department deems circumstances warrant suspending, amending, or terminating this delisting exclusion. Blue Cube Operations LLC may eliminate feeding any waste stream to the incinerator at any time without affecting the delisting exclusion of Solvents East Ditch sediment or any monitoring schedule.
(5). Changes in Analytical Profile of Solvents East Ditch Sediment. Solvents East Ditch sediment in-situ is excluded from certain EPA waste number categories presumptive upon the initial analysis for hazardous constituents in solids filtered from continuously generated solvents/EDC process wastewater effluent, as presented in the delisting exclusion petition submitted to LDEQ. This delisting exclusion does not extend to any additional hazardous waste numbers determined applicable subsequent to actual analysis of Solvents East Ditch sediment in-situ, nor absolve Blue Cube Operations, LLC from any management or corrective action that might be required.

Table 2 – One-Time Wastes Excluded
Murphy Exploration and Production Company, Amelia, LA

Table 2 – One-Time Wastes Excluded
Conrad Industries, Inc. (Conrad), Morgan City, LA

Table 2 – One-Time Wastes Excluded
Marine Shale Processors, Inc., Amelia LA

Table 2 – One-Time Wastes Excluded
Chevron Oronite Company LLC – Oak Point Plant, Belle Chasse, LA

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2180 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, LR 20:1000 (September 1994), amended by the Office of Solid and Hazardous Waste, Hazardous Waste Division, LR 21:944 (September 1995), LR 22:830 (September 1996), amended by the Office of Waste Services, Hazardous Waste Division, LR 23:952 (August 1997), amended by the Office of

Environmental Assessment, Environmental Planning Division, LR 25:2397 (December 1999), LR 26:2509 (November 2000), LR 29:1084 (July 2003), promulgated LR 29:1475 (August 2003), amended by the Office of Environmental Assessment, LR 30:2464 (November 2004), amended by the Office of the Secretary, Legal Affairs Division, LR 33:445 (March 2007), LR 33:825 (May 2007), LR 33:1016 (June 2007), LR 34:73 (January 2008), LR 34:1021 (June 2008), LR 34:1613 (August 2008), amended by the Office of the Secretary, Legal Division, LR 38:2757 (November 2012), LR 40:1692 (September 2014), LR 42:2179 (December 2016), LR 43:1149 (June 2017), amended by the Office of the Secretary, Legal Affairs and Criminal Investigations Division, LR 43:2139 (November 2017), amended by the Office of the Secretary, Legal Affairs Division, LR 49:59 (January 2023), LR 51:1134 (August 2025), LR 52:

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 impact on small business as described in R.S. 49:974.1 - 974.8.

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 HW139. Such comments must be received no later than December 2, 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 HW139. 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 via Zoom on November 25, 2025, at 1:30 p.m. Interested persons are invited to attend and submit oral comments via PC, Mac, Linux, iOS or Android at <https://deqlouisiana.zoom.us/j/6836133613?omn=98072542430> or by telephone by dialing (646) 255-1997 using the meeting code 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: Exclusion of Wastes for The Dow
Chemical Company, Plaquemine Plant**

**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 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
NONGOVERNMENTAL 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
General Counsel
2510#023

Patrice Thomas
Deputy Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

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

Architects Selection Board (LAC 46:I.Chapter 21)

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 many of the Sections in LAC 46:I.Chapter 21 pertaining to the election of members of the Architects Selection Board. More specifically, the board gives notice that it proposes to amend LAC 46:I.2103 pertaining to nominations, LAC 46:I.2107 pertaining to ballots, LAC 46:I.2109 pertaining to voting, LAC 46:I.2113 pertaining to tabulation, LAC 46:I.2115 pertaining to tie, LAC 46:I.2117 pertaining to vacancies, and LAC 46:I.2119 pertaining to election contest.

Act 192 of 2024 mandated that all state agencies which make rules (i) 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 and (ii) submit a report of their review to the appropriate legislative oversight committee. 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. Each rule should be evaluated to determine if it is necessary, consistent with the law, aligned with the agency's mission, and otherwise complies with the legislation described therein. The list of rules to be reviewed under the executive order included LAC 46:I.2101-2115 and LAC 46:I.2119.

Applying the criteria required by Act 192 and EO JML 25-035, the board reviewed Chapter 21 of its rules (LAC 46:I.Chapter 21) and determined that a number of the rules in Chapter 21 should be modernized, simplified, and clarified. The amendments proposed herein allow for email transmissions to submit nominations (LAC 46:I.2103), distribute and return ballots (LAC 46:I.2107 and LAC 46:I.2109), and provide notice of election results to the candidates (LAC 46:I.2113 and LAC 46:I.2119); provide for online voting (LAC 46:I.2109); provide for the electronic tabulation of votes (LAC 46:I.2113); clarify that only properly licensed architects residing in Louisiana are eligible to vote (LAC 46:I.2107, LAC 46:I.2109, and LAC 46:I.2115); provide that an architect previously nominated but not elected will receive notice of any vacancy of the person elected (LAC 46:I.2117); and provide for related matters.

**Title 46
PROFESSIONAL AND OCCUPATIONAL
STANDARDS**

Part I. Architects

**Chapter 21 Architects Selection Board
§2101. Districts**

A. Only one architect may be elected from each of the districts set forth in R.S. 38:2311(A)(1)(a).

Laura Almond

From: APA - House Natural Res <apa.h-natr@legis.la.gov>
Sent: Monday, December 8, 2025 12:39 PM
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, December 8, 2025 12:39 PM
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/HowDol2.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, December 8, 2025 12:39 PM
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 - Senate President <APA.senatepresident@legis.la.gov>
Sent: Monday, December 8, 2025 12:39 PM
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: Deidra Johnson
To: Laura Almond
Sent: Monday, December 8, 2025 12:40 PM
Subject: Read: Summary Report for Proposed Rule HW139

Your message

To: Deidra Johnson
Subject: Summary Report for Proposed Rule HW139
Sent: Monday, December 8, 2025 12:38:45 PM (UTC-06:00) Central Time (US & Canada)

was read on Monday, December 8, 2025 12:40:09 PM (UTC-06:00) Central Time (US & Canada).

Laura Almond

From: William Little
To: Laura Almond
Sent: Monday, December 8, 2025 12:40 PM
Subject: Read: Summary Report for Proposed Rule HW139

Your message

To: William Little
Subject: Summary Report for Proposed Rule HW139
Sent: Monday, December 8, 2025 12:38:45 PM (UTC-06:00) Central Time (US & Canada)

was read on Monday, December 8, 2025 12:39:34 PM (UTC-06:00) Central Time (US & Canada).

Laura Almond

From: Morris, Luke <morrisl@legis.la.gov>
To: Laura Almond
Sent: Monday, December 8, 2025 12:39 PM
Subject: Read: Summary Report for Proposed Rule HW139

Your message

To: Morris, Luke
Subject: Summary Report for Proposed Rule HW139
Sent: Monday, December 8, 2025 12:38:45 PM (UTC-06:00) Central America

was read on Monday, December 8, 2025 12:39:26 PM (UTC-06:00) Central America.

Laura Almond

From: Microsoft Outlook
To: 'apa.s-envq@legis.la.gov'; 'apa.h-natr@legis.la.gov'; 'apa.senatepresident@legis.la.gov'; 'apa.housespeaker@legis.la.gov'
Sent: Monday, December 8, 2025 12:39 PM
Subject: Relayed: Summary Report for Proposed Rule HW139

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

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

'apa.h-natr@legis.la.gov' (apa.h-natr@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 HW139



Summary Report
for Proposed Ru...

Laura Almond

From: Microsoft Outlook
To: Nathan Mills
Sent: Monday, December 8, 2025 12:39 PM
Subject: Delivered: Summary Report for Proposed Rule HW139

Your message has been delivered to the following recipients:

Nathan Mills (Nathan.Mills@LA.GOV)

Subject: Summary Report for Proposed Rule HW139



Summary Report
for Proposed Ru...

Laura Almond

From: Microsoft Outlook
To: Deidra Johnson
Sent: Monday, December 8, 2025 12:39 PM
Subject: Delivered: Summary Report for Proposed Rule HW139

Your message has been delivered to the following recipients:

Deidra Johnson (Deidra.Johnson@LA.GOV)

Subject: Summary Report for Proposed Rule HW139



Summary Report
for Proposed Ru...

Laura Almond

From: Microsoft Outlook
To: William Little
Sent: Monday, December 8, 2025 12:39 PM
Subject: Delivered: Summary Report for Proposed Rule HW139

Your message has been delivered to the following recipients:

William Little (William.Little@la.gov)

Subject: Summary Report for Proposed Rule HW139



Summary Report
for Proposed Ru...

Laura Almond

From: Microsoft Outlook
To: Jill Clark
Sent: Monday, December 8, 2025 12:39 PM
Subject: Delivered: Summary Report for Proposed Rule HW139

Your message has been delivered to the following recipients:

Jill Clark (Jill.Clark@la.gov)

Subject: Summary Report for Proposed Rule HW139



Summary Report
for Proposed Ru...

Laura Almond

From: Microsoft Outlook
To: Courtney Burdette (DEQ)
Sent: Monday, December 8, 2025 12:39 PM
Subject: Delivered: Summary Report for Proposed Rule HW139

Your message has been delivered to the following recipients:

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

Subject: Summary Report for Proposed Rule HW139



Summary Report
for Proposed Ru...