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Executive Orders

EXECUTIVE ORDER DCT 80-12

WHEREAS, it is the policy of this Administration and the State of Louisiana to provide a safe working environment for State employees; and

WHEREAS, the current losses suffered by the State and by state employees in both fiscal resources and personal suffering are unacceptable; and

WHEREAS, it is the function of the Division of Administration to manage the inherent risks of State Government;

NOW, THEREFORE, I, David C. Treen, Governor of Louisiana, by virtue of the authority vested in me under the laws of this State, do hereby direct the following:

1. Effective July 1, 1980, there shall be formed a Loss Control Bureau within the Property and Casualty Insurance Section of the Division of Administration. This Bureau shall actively assist all State Departments in formulating and implementing effective loss control and safety programs and shall report to the Governor annually on the status of such programs.

2. Each Department of State government shall appoint, effective July 1, 1980, a safety committee chaired at the Undersecretary level or above. These committees shall include appointees from all levels of Departmental organization and shall be responsible for the following:

a) Developing a detailed safety manual for issuance to each operational section in the Department.

b) Preparing and scheduling regular safety classes for all personnel, particularly those engaged in hazardous duties.

c) Working with the Loss Control Bureau in evolving and monitoring departmental safety procedures.

IN WITNESS WHEREOF, I have hereunto set my hand officially and caused to be affixed the Great Seal of the State of Louisiana, at the Capitol, in the City of Baton Rouge, on this the 13th day of June, A.D., 1980.

David C. Treen
Governor of Louisiana

EXECUTIVE ORDER DCT 80-13

This Executive Order is issued by virtue of authority vested in me by law, in accordance the provisions of R.S. 39, Chapter 17:1551-1736, with reference to the subject matter covered here-in. Effective as of the date of my signature below, this Order revokes and supersedes Executive Order 77-14 dated September 22, 1977.

R.S. 39:1596: Small Purchases

"Any procurement not exceeding the amount established by Executive Order of the Governor may be made in accordance with Small Purchase Procedures prescribed by such Executive Order, except that procurement requirements shall not be artificially divided so as to constitute a Small Purchase under this section."

Therefore, pursuant to the above authority, in order to discharge my duty and responsibility as directed by the above-quoted Section of the State Statutes, it is hereby ordered that all state of Louisiana agencies shall observe and abide by the following rules and regulations, and provided further that all purchases shall be made through the State Purchasing Office in the Division of Administration except where specific authority to purchase any materials or supplies has been delegated in writing by the Commissioner of Administration.

Therefore, pursuant to the authority vested in me by R.S. 39:1596, all departments, institutions, boards, commissions,

budget units, and any other agencies under the jurisdiction of the Executive Department of the state government shall be required to observe and be guided by the following specific directives.

Small Purchases: Any procurement not exceeding five thousand dollars may be made in accordance with the following small purchase procedures, except that procurement requirements shall not be artificially divided so as to constitute a small purchase.

1. All agencies shall requisition their requirements for all tagable equipment of any kind through the State Purchasing Office of the Division of Administration, with the provision that the only exceptions shall be by written permission of the Commissioner of Administration or those agencies exempted by R.S. 39:1572.

2. All agencies of the state government covered by R.S.39:Chapter 17, wherever the cost is estimated to be above fifty dollars, regardless of whether purchases are made by the State Purchasing Office or agencies to whom purchasing has been delegated, shall observe the following rules and regulations on small purchases, but maximum competitive bidding shall be obtained in all cases in accordance with R.S.39:1655. THIS EXECUTIVE ORDER IN NO WAY AFFECTS OR CHANGES THE PURCHASING AUTHORITY WHICH HAS BEEN DELEGATED TO YOUR AGENCY.

A. Purchases under fifty dollars — No competitive bidding is required.

b. Purchases over fifty dollars but under two hundred dollars shall be made by receiving price quotations wherever time permits, or if time does not permit, telephone and telegraph quotations may be obtained and purchases made on the basis of the lowest quotation received, however, it shall be determined in writing why time did not permit written quotations.

c. Purchases over two hundred dollars but under one thousand dollars shall be made by soliciting written quotations from at least five bona fide prospective bidders using DA 101 and FACS 101 forms.

d. Purchases over one thousand dollars but under five thousand dollars — No purchases where the estimated cost is over one thousand dollars but under five thousand dollars shall be made except by sending out written invitations for bids to at least eight bona fide, qualified bidders. In addition, the agency may advertise at their discretion. Written invitations for bids shall contain complete specifications, the quantity required, and shall stipulate that bids will be publicly opened and read at a specific date and time, as well as such other pertinent information such as the delivery point and other information sufficient for a supplier to make an acceptable bid. Agencies shall follow the requirements of the Purchasing Rules and Regulations established by the Commissioner of Administration in all other aspects of purchasing except as indicated above.

e. Purchases over five thousand dollars — No purchases where the estimated cost is over five thousand dollars shall be made except by advertising in accordance with R.S.39:1594C and sending out written invitations for bids to at least eight bona fide, qualified bidders and where feasible use should be made of State Purchasing's computerized vendor list. In addition, all purchases must be made in accordance with the Purchasing Rules and Regulations established by the Commissioner of Administration.

f. Exceptions to minimum competitive requirements.

(1) Federal Government surplus property.

(2) Livestock for slaughter when purchased at public auction sale.

(3) Purchasing or selling transactions between State budget units.

(4) Textbooks, newspapers, subscriptions, or foreign publications.

g. Telephone or telegraph quotations should be obtained for the following from at least three bona fide, qualified bidders wherever possible.

(1) Farm products which include, but may not be limited to, fresh vegetables, milk, eggs, fish, or other perishable foods.

(2) Food, materials, and supplies needed for the operation of boats in isolated localities where only limited outlets of such supplies are available.

(3) Food purchased and used in Home Economics colleges courses where purchasing, preparing, and serving is part of the regularly prescribed course.

(4) Food purchases and other materials and supplies required by juvenile detention homes where the number of inmates is unstable and unpredictable.

IN WITNESS WHEREOF, I have hereunto set my hand officially and caused to be affixed the Great Seal of the State of Louisiana, at the Capitol, in the City of Baton Rouge, on this the 12th day of June, A.D., 1980.

David C. Treen
Governor of Louisiana

EXECUTIVE ORDER DCT 80-14

WHEREAS, the State of Louisiana recognizes the importance of Charity Hospital at New Orleans in fulfilling the health needs of the people of the state of Louisiana; and

WHEREAS, the Governor of the State of Louisiana seeks to appoint a qualified and responsible individual to the administration of Charity Hospital at New Orleans.

NOW, THEREFORE, I, DAVID C. TREEN, Governor of the State of Louisiana, by virtue of the power vested in me by the Constitution and laws of this state, do hereby create a Search Committee for the purpose of making recommendations to the Governor for the position of Assistant Secretary of Charity Hospital at New Orleans within the Department of Health and Human Resources.

BE IT RESOLVED, that the committee be composed of the following: Dr. Paul Larson, Dean, LSU Medical School, Dr. James T. Hamlin, III, Dean, Tulane Medical School, Mr. William Nungesser, Executive Secretary to the Governor, Mr. George A. Fischer, Secretary, Department of Health and Human Resources, Dr. Harold Heitkamp, Assistant Secretary, Office of Health Services and Environmental Quality, Department of Health and Human Resources, and Dr. Henry E. Braden, III.

BE IT FURTHER RESOLVED, that the purpose of the committee shall be to seek, interview and recommend a minimum of five candidates for the position of Assistant Secretary of Charity Hospital at New Orleans. The committee shall report its recommendations to the Governor within sixty days of its appointment.

IN WITNESS WHEREOF, I have hereunto set my hand officially and caused to be affixed the Great Seal of the State of Louisiana, at the Capitol, in the City of Baton Rouge, on this the 30th day of June, A.D., 1980.

David C. Treen
Governor of Louisiana

EXECUTIVE ORDER DCT 80-15

WHEREAS, the state and local Coastal Resources Management Act of 1978 created the Louisiana Coastal Zone Management Program; and

WHEREAS, Louisiana Revised Statute 49:213.3(7) vests the authority of this Act in the Secretary of Transportation and Development; and

WHEREAS, Louisiana Revised Statute 49:213.21 empowers the Governor to transfer, by executive order, this authority to the Secretary of the Department of Natural Resources or to the Secretary of the Department of Wildlife and Fisheries; and

WHEREAS, there is a need to consolidate the environmental resource responsibilities within the state, thereby increasing the efficiency of management and assure conformity of action between environmental agencies; and

WHEREAS, there is a need to expedite and streamline the permitting process.

NOW, THEREFORE, I, DAVID C. TREEN, Governor of the State of Louisiana, by virtue of the power vested in me, pursuant to the Constitution and applicable statutes of the State of Louisiana, do hereby transfer The Louisiana Coastal Zone Management Program, as contained in Louisiana Revised Statute 49:213.1 through 49:213.21, from the Office of the Secretary of the Department of Transportation and Development to the Office of the Secretary of the Department of Natural Resources.

IN WITNESS WHEREOF, I have hereunto set my hand officially and caused to be affixed the Great Seal of the State of Louisiana, at the Capitol, in the City of Baton Rouge, on this the 8th day of July, A.D., 1980.

David C. Treen
Governor of Louisiana

Emergency Rules

DECLARATION OF EMERGENCY

Board of Elementary and Secondary Education

The State Board of Elementary and Secondary Education (SBESE) at its meeting on June 26, 1980, exercised those powers conferred by the emergency provisions of the Administrative Procedures Act R.S. 49:953B in order to be in compliance with publication deadlines as requested by the State Department of Education.

The Board adopted a revised policy on school classification categories in order to allow the Department of Education to expedite the forwarding of annual school reports to all the schools in Louisiana in August. The following revisions to be placed in Bulletin 741, *Handbook for School Administrators*, pages 70 and 115.

Classification Categories for School Approval

(A) - Approved - School meets standards of SBESE.
(PA) - Provisional Approval - School has some deficiencies in standards and is being advised and requested to make corrections (such as, some teachers teaching out of their field of certification, library books below the required number per pupil, teachers teaching more pupils per period or week than permitted, not meeting scheduling requirements as prescribed by Bulletin 741, etc.). Improvement is expected prior to the next school year.

(P) - Probational Approval - School has one or more of the following deviations from standards:

- Principal not certified.
- Member (s) of the faculty not holding valid Louisiana teaching certificate (s).
- School does not offer a curriculum to meet graduation requirements or a balanced elementary curriculum as prescribed in Bulletin 741.
- School has an identified special education student who does not have a current written individualized education program.
- School has a student who is currently enrolled in a special education program whose last individual evaluation occurred three or more years ago.
- The school does not adhere to and implement the various sections of the Revised Statutes of Louisiana as they refer to the health and safety of the pupils and staff. These include fire prevention and drills, provisions for a healthful environment, and safety regulations for transportation.

g. The physical facilities do not conform to the current federal, state, and local building, fire, safety and health codes.

The school has been on provisional approval for at least two years.

The State Department of Education shall set the guidelines and fix the period of time for the corrections.

(U) - Unapproved - Any school that has not previously attained an approved classification and fails to comply with SBESE standards. School has not corrected the stated deficiencies within the time fixed by the State Department of Education as defined by R.S. 17:10.

James V. Soileau
Executive Director

Rules

RULE

Board of Elementary and Secondary Education

Rule 3.01.70. v(28)

The Board approved for final adoption Requirements for Certification of Adult Education School Personnel in Louisiana as follows:

In order to be certified as an administrator or instructor in adult education, individuals must meet the following criteria by September 1, 1982.

Instructors

A person who holds a valid standard Louisiana teaching certificate may become certified as an adult education instructor by having five years of adult education experience, as documented by the employing local superintendent to the certification bureau of the State Department of Education, prior to the implementation of certification requirements or by completion of a minimum of twelve semester hours as follows:

1. A minimum of three semester hours in introduction to or Foundations of Adult Education.

2. A minimum of three semester hours of Practicum in Adult Education.

3. A minimum of six semester hours from the following areas of:
a. Materials, Methods and/or Curriculum Development in Adult Education.

b. Reading Instruction in Adult Education.

c. Adult Learning and Development.

d. Utilization of Community Resources.

e. Administration and Supervision of Adult Education.

f. Guidance and Counseling in Adult Education.

g. Competency Based Adult Education.

h. Independent Study, Special Problems or Issues in Adult Education.

4. Adult Education personnel having a minimum of three years of adult education experience prior to the implementation of certification requirements shall receive a waiver of criteria 1 and 2 above.

Administrator and/or Supervisors

A person who holds certification as an adult education instructor and certification as a City or Parish Supervisor of Instruction may become certified as an Administrator and/or Supervisor of Adult Education.

Individuals who meet the above requirements may be certified effective September 1, 1980.

The Board approved for final adoption the following policy: Certification in Adult Education shall be required for a full-time

Adult Education instructor only. Any full-time Adult Education instructor with five years experience would automatically be certified. Part-time Adult Education instructors would not be required to seek certification and certification would be on a voluntary basis.

Rule 3.01.70.v(29)

The Board approved for final adoption Certification Requirements of School Administrative Personnel.

Rule 3.01.70.v(30)

The Board approved for final adoption Generic Certification Requirements and Certification of Special Education Personnel, with the implementation date being for entering freshmen in the 1981 fall semester, with the Interim requirements to go into effect upon publication and continue through 1985. The requirements for gifted and talented being graduate level become mandatory September 1, 1981.

Rule 4.00.72c

(Addition to present policy) The Board approved for final adoption amendments to Bulletin 1196, *Louisiana Food and Nutrition Programs of Operation*, as submitted by the Department of Education.

James V. Soileau
Executive Director

RULE

Board of Trustees for State Colleges and Universities

The Policies and Procedures Manual of the Board of Trustees for State Colleges and Universities, Part VI, Section 6.6B1 is changed to read as follows:

B. Activity, Registration, and Tuition Fees.

1. Schedule of Registration Fees for Undergraduate and Graduate Students

*Louisiana Resident Fees (Effective Fall 1980)

Hours	
1-3	\$75
4	90
5	105
6	120
7	135
8	150
9	165
10	180
11	195
12 and above (full time)	210

*Includes a \$10/semester Activity Fee, but does not include a \$10/semester Building Use Fee. Ten per cent of the increase over 1977 rates is dedicated to Intercollegiate Athletics.

Effective Summer 1977: Based on a nine-week session, registration fees will be one-half those charged in the preceding term.

Out of State Resident Fees

Full-time - In addition to Louisiana resident fees: \$315/semester

Part-time - In addition to Louisiana resident fees: \$26.26 per credit hour.

Note: Total fees paid may vary from institution to institution because of additional administrative, or student self-assessed fees, and room and board charges.

Bill Junkin
Executive Director

RULE

Board of Trustees for State Colleges and Universities

The Policies and Procedures Manual of the Board of Trustees for State Colleges and Universities, Part VII, Section 7.2B is changed to read as follows:

B. Conversions of Basis - Nine to Twelve Months.

Unclassified personnel whose employment is being changed from a nine-month to a twelve-month basis, without change in duties and responsibilities or a promotion, shall be increased in salary by one-third of their nine-month salary. Any such employee whose status changes from a twelve-month to a nine-month salary basis without change in duties and responsibilities or a promotion shall be decreased in salary by one-fourth of his previous twelve-month salary. Unclassified personnel whose employment is being changed either from a nine-month to a twelve-month basis or from a twelve-month to a nine-month basis, with a change in duties and responsibilities or a promotion shall be paid a salary appropriate for the new duties and responsibilities.

Bill Junkin
Executive Director

RULE

Louisiana State University and Agricultural and Mechanical College Board of Supervisors

The Board of Supervisors of Louisiana State University and Agricultural and Mechanical College has amended the *University Regulations*, revising the definition of "Quorum" as it pertains to faculties of colleges and schools.

Section 1-2.3.d. Quorum. Not less than twenty-five per cent of the membership of the faculty of a college or school not within a college shall be necessary to constitute a quorum, provided, however, that such faculty (at a meeting at which a quorum of twenty-five per cent of the members of such faculty is present) may, by majority vote, establish a higher percentage of the membership as a quorum for future meetings.

M.D. Woodin
Secretary to the Board

RULE

Department of Health and Human Resources Office of Family Security

The Department of Health and Human Resources, Office of Family Security, has revised and expanded policy regarding sanctioning of provider of services in the Medical Assistance Program. The original rule was previously published in the October 20, 1978 issue of the *Louisiana Register*, and notice for this change appeared in the June 20, 1980 issue of the *Louisiana Register*. The particular sections have been revised as outlined below:

II. Levels of administrative sanctions.

E. Suspend or withhold payments.

1. The agency may suspend or withhold payment to any provider who fails to meet the requirements for participation in the Medical Assistance Program.

2. The Agency may withhold payments to any provider for the duration of any administrative proceeding and/or hearing under these provisions except that if a final administrative decision has not been issued within one hundred eighty days of the initiation of such proceedings, unless delay has been caused by the provider, payments can no longer be withheld, provided, however, that the one hundred eighty day limit may be extended if said extension is mutually agreed to by the agency and

the provider. Payments may be denied for bills submitted with service dates occurring during the duration of a proceeding where the final administrative decision is to terminate eligibility to participate in the Medical Assistance Program.

J. Suspend participation in the Medicaid Program.

The Assistant Secretary, Office of Family Security, Louisiana Department of Health and Human Resources, shall specify in his suspension order, the time of the suspension during which the provider shall not be eligible to participate in the program, or receive reimbursement for services rendered during this period of suspension, except that the period of suspension must be at least as long as the Medicare suspension if such suspension was ordered by the Secretary, United States Department of Health, Education, and Welfare pursuant of Public Law 94-142, Section 7. The Assistant Secretary may require the provider to correct any deficiencies which served as the basis for suspension as a condition of reinstatement.

K. Refuse to allow participation in the Medicaid Program.

The Assistant Secretary, Office of Family Security, Louisiana Department of Health and Human Resources, may refuse to allow initial participation in the Medical Assistance Program.

IV. Grounds for sanctioning providers.

F. Such provider has been excluded from participation in Medicare because of fraudulent or abusive practices pursuant to Public Law 95-142, or such provider has been convicted of Medicaid fraud (R.S. 14:70.1).

R. The provider, a person with management responsibility for a provider, an officer or person owning, either directly or indirectly, five per cent or more of the shares of stock or other evidences of ownership in a corporate provider, an owner of a sole proprietorship which is a provider, or a partner in a partnership which is a provider, either:

1. Has been convicted of Medicaid fraud under Federal or State law, or regulation; or
2. Was a person with management responsibility for a provider at the time such provider was convicted of Medicaid fraud under Federal or State law or regulation; or
3. Was an officer, or person owning, either directly or indirectly, five per cent or more of the shares of stock or other evidences of ownership in a provider at the time such provider was convicted of Medicaid fraud under Federal or State law, or regulation; or
4. Was an owner of a sole proprietorship or partner of a partnership which was a provider at the time such provider was convicted of Medicaid fraud under Federal or State law, or regulation.

George A. Fischer, Secretary
Department of Health and Human Resources

RULE

Department of Natural Resources Office of Conservation

Amendment to Statewide Order No. 29-B
Off-site Disposal of Drilling Mud and Salt Water
Generated from Drilling and Production of Oil and Gas Wells

13.1 DEFINITIONS.

Water-Based Drilling Muds: Any water-based fluid composed of fresh water or salt water, naturally occurring clays, drilled solids and additives for fluid loss control, viscosity, thinning, PH control, weight control, etc., for downhole rheology and stability.

Oil-Based Drilling Muds: Any oil-based drilling fluid composed of a water in oil emulsion organophillic clays, drilled solids and additives for downhole rheology and stability such as fluid loss control materials, thinners, weighting agents, etc.

Waste Drilling Muds: Any colloidal slurry composed of water-based or oil-based drilling muds, together with drilled solids, cut-

tings, and commingled water that will not be reused or reconditioned for sale.

Pit: An uncovered area constructed to retain waste drilling mud or salt water, often referred to as a pond or lagoon.

Commercial Facility: A waste treatment, storage or disposal facility which receives, treats, reclaims, stores, or disposes of waste drilling muds or salt water for a fee or other consideration.

Generator: The operator of record or producer of an oil or gas well who contracts with an approved commercial disposal facility for off lease disposal of his salt water and drilling mud.

Community Salt Water Disposal System: A salt water disposal system within an oil and/or gas field which is used by adjacent lease operators for disposal of their produced brine.

Salt Water (Produced Brine): Produced water from an oil and/or gas well with a chloride content greater than 500ppm.

Turnkey Operator: An agent and/or corporation that enters into an agreement with the operator of record to perform a specific task.

Closed Salt Water Disposal System: A system in which the salt water or produced brine is stored in tanks prior to being pumped through a series of flow lines to an injection well to be injected into subsurface strata approved for disposal of said fluid.

Commissioner: The Commissioner of Conservation of the State of Louisiana.

13.2 DISPOSAL OF SALT WATER.

A. Generator — The operator of record or producer of an oil or gas well who contracts with an approved commercial disposal facility for off lease disposal is considered the generator of any salt water produced by the well and is responsible for its proper handling, transportation and necessary documentation, as required by this Amendment to Section XV, until delivered to the approved commercial disposal facility.

B. Disposal of salt water by commercial facility must be approved by the Commissioner. Subsurface disposal is required and regulated by Section XV of Statewide Order No. 29-B. The requirements of this amendment do not apply to the community salt water disposal systems.

The Commissioner will approve an open commercial salt water disposal system providing the applicant meets the following requirements:

1. Permit Application Requirements.

a. Working and/or storage pits must not be located in a "V" or A-8 to A-30 zone as determined by maps and information published by the Department of Housing and Urban Development, Federal Insurance Administration. As conditions change and new data are made available by the Federal Government, owners of approved commercial disposal facilities will be required to update their installations. Said maps and data are on file and may be viewed by interested parties at the Office of Conservation's main office in Baton Rouge.

b. Documentation must be presented which shows that an impermeable barrier exists at least twenty feet below the base of the pit to prevent vertical movement of fluid contained therein plus sufficient impermeable material to prevent horizontal fluid movement from the pit. This can be analyzed borings within 100 feet of the pit(s) levee(s) by an independent and qualified laboratory to be evaluated by the Office of Conservation's Geological Division. This data should include (1) two borings per acre, (2) borings must be at least twenty feet below base of pit, (3) there must be at least twenty feet of clay or impermeable material below the base of the pit, and (4) clay or impermeable material must be at least 10^{-7} md permeability.

c. A copy of the title to the disposal property shall be submitted. If a lease or other agreement is in effect on this property, a copy of this instrument shall be forwarded to the Baton Rouge office.

d. A location plat of the disposal area in question shall be submitted.

e. Schematic diagrams of the pits shall be submitted with design capacity.

f. A complete statement of the proposed method, from receiving, storing and treating, will be required.

g. A system for witnessing the receiving and sampling of waste waters at the disposal facility shall be outlined.

h. A monitor well will be required down dip to insure that any seepage into water sands beneath the pit(s) will be detected prior to leaving the disposal site's perimeter. Monthly samples will be run and a record of the results maintained at the disposal site for inspection by Conservation field personnel.

2. Operations for Pits.

a. The pit area shall have limited access. This requirement shall be interpreted as the only possible way to the disposal pit area will be through a lockable gate system.

b. Working and/or storage pits should have levees to a height above the one hundred-year high water mark and the liquid shall not exceed two feet of freeboard on the levee. The maximum amount of oil which will be allowed at any time on a pit's surface will be a six-inch layer and unless removed, the disposal system will be shut down.

c. A sign prominently displayed at the entry of the disposal facility is required. This sign shall state, "This non-hazardous waste disposal system has been approved for salt water disposal only and is regulated by the Office of Conservation." The sign shall also state the owner's name and current address. Any violation shall be reported to the Office of Conservation at (504) 342-5595, day or night, plus weekends and holidays.

d. Disposal systems shall be operated in compliance with existing sections of Statewide Order No. 29-B which pertain to "good housekeeping" operations on oil and gas leases.

e. Commercial disposal will be accomplished during daylight hours only. During periods when an emergency exists, clearance for nighttime disposal shall be first requested and second granted by calling (504) 342-5595 prior to dumping.

f. Discharges from disposal pits will be allowed only after the necessary discharge permit has been obtained from the Office of Environmental Affairs (OEA). Valves and drain lines used during said discharges will remain sealed at all times except when approved discharges are being made and the number of the "on-seal" and "off-seal" shall be recorded and maintained for inspection at the facility.

g. All existing pits presently in use at disposal facilities with interim authority to operate have ninety days from the effective date of this amendment to comply with the above. Any pits under construction and not in use at said facilities at the time this amendment goes into effect cannot be put into use until they comply with the above.

3. Permit Notice Requirements.

a. All operators of commercial facilities shall, at all time of application for a permit, publish a "Notice of Application for Permit" in the official state journal and the official journal of the locality in which the proposed facility is to be located, affording the public thirty days in which to submit comments to the Commissioner.

b. Copies of permit applications shall be sent to local governing authorities of any municipality and parish within whose territorial jurisdiction the facility or activity is located.

c. The permit application, together with written comments from the public and involved local, parish and state agencies, shall be reviewed by the Commissioner, who shall determine the necessity for a public hearing on the permit application.

d. Notice of a public hearing on the permit application, when determined necessary by the Commissioner, shall be published in the official state journal and the official journal of the locality affected, stating: (1) the name of the applicant; (2) the nature and location of the activity, and a description and estimated quantities of waste to be handled; (3) the date and location of the public hearing, and the latest date on which written comments will be received; and (4) the name and telephone number of the person to contact for additional information.