

NOTICE OF INTENT

Department of Environmental Quality
Office of Air Quality and Radiation Protection
Air Quality Division

NESHAP for Source Categories
(LAC 33:III.Chapter 51 and 53)(AQ144)

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 Quality Division Regulations, LAC 33:III.Chapter 51, Subchapters B and C and Chapter 53, Subchapter B (AQ144).

This rulemaking proposes to add new requirements to Louisiana's Air Quality regulations by adopting by reference specific parts of 40 CFR Part 63 - NESHAP for Source Categories. In addition, specific parts of 40 CFR Part 61 are being incorporated by reference to replace existing state regulations which are identical or only slightly different from the federal regulation. This will reduce the volume of state regulations and also eliminate duplication and confusion experienced by the regulated community in determining the differences between state and federal regulations. Specific changes are as follows:

LAC 33:III.Chapter 51

Sections 5101, 5103, 5105, 5107, 5109, 5111, and 5113 have been revised to correct text with the new state codification and federal references;

Section 5115 will be repealed in its entirety;

Sections 5117, 5121, 5133, 5137, 5139, 5143, 5161, 5163, and 5171 will be repealed in their entirety as these regulations will be incorporated by reference from 40 CFR Part 61 into section 5116;

Section 5122 will be added to adopt by reference specified subparts from 40 CFR Part 63 as they pertain to major sources.

LAC 33:III.Chapter 53

Section 5301 has been revised as indicated within Chapter 53;

Section 5311 will be added to adopt by reference specified subparts from 40 CFR Part 63 as they pertain to area sources;

Section 5303 will be repealed in its entirety.

This proposed rule meets the exceptions listed in R.S. 30:2019 (D) (3) and R.S.49:953 (G) (3), therefore, no report regarding environmental/health benefits and social/economic costs is required.

A public hearing will be held on October 25, 1996, at 1:30 p.m. in the Maynard Ketcham Building, Room 326, 7290 Bluebonnet Boulevard, Baton Rouge, LA 70810. Interested persons are invited to attend and submit oral comments on the proposed amendments. Should individuals with a disability need an accommodation in order to participate please contact Patsy Deaville at the address given below or at (504) 765-0399.

All interested persons are invited to submit written comments on the proposed regulations. Commentors should reference this proposed regulation as AQ144. Such comments should be submitted no later than November 1, 1996, at 4:30 p.m., to Patsy Deaville, Investigations and Regulation Development Division, Box 82282, Baton Rouge, LA 70810 or to FAX (504) 765-0486. Copies of this proposed regulation can be purchased at the above referenced address. Contact the Investigations and Regulation Development Division at (504) 765-0399 for pricing information. Check or money order is required in advance for each copy of AQ144. Copies can also be obtained from the Office of the State Register, 1051 North Third Street, Room 512, Baton Rouge, LA 70802 or call (504) 342-5015.

This proposed regulation is available for inspection from 8 a.m. until 4:30 p.m. at the following DEQ office locations: 7290 Bluebonnet Boulevard, Fourth Floor, Baton Rouge, LA 70810; 804 Thirty-first Street, Monroe, LA 71203; State Office Building, 1525 Fairfield Avenue, Shreveport, LA 71101; 3519 Patrick Street, Lake Charles, LA 70605; 3501 Chateau Boulevard West Wing, Kenner, LA 70065; 100 Asma Boulevard, Suite 151, Lafayette, LA 70508.

The proposed regulation is also available at the following public libraries: Calcasieu Parish Public Library, Carnegie Memorial Branch, 411 Pujot St., Lake Charles, 70601; East Baton Rouge Parish Library, 7711 Goodwood Blvd., Baton Rouge, 70806; Jefferson Parish Library, 3420 N. Causeway, Metairie, 70002; Lafayette Public Library, 301 W. Congress, Lafayette, 70502; Ouachita Parish Library, 1800 Stubbs Ave., Monroe, 71201; and Shreve Memorial Library, 424 Texas St., Shreveport, 71120.

Bodungen Gus Von
Assistant
Secretary

**FISCAL AND ECONOMIC IMPACT STATEMENT
FOR ADMINISTRATIVE RULES
RULE TITLE: NESHAP for Source Categories**

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS (Summary)
No significant effect of this proposed rule on state or local government expenditures is anticipated. The proposed rule will update state regulations to maintain equivalency with federal regulations.
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)
No significant effect of this proposed rule on state or local governmental revenue collections is anticipated.
- III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS (Summary)
No significant costs and/or economic benefits to directly affected persons or nongovernmental groups is anticipated. The regulatory community is already required to abide by the regulatory requirements of the federal rules promulgated by the Environmental Protection Agency. By incorporation, the state regulations will essentially track the federal rules in order to maintain equivalency with federal regulations.
- IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)
No significant effect of this proposed amendment on competition and employment is anticipated.

Gus Von Bodungen
Assistant Secretary
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Legislative Fiscal Officer

RichardW.England
Assistant to the