

**Title 33**  
**ENVIRONMENTAL QUALITY**  
**Part III. Air**

**Chapter 11. Control of Emissions of Smoke**

**§1101. Control of Air Pollution from Smoke**

A. ...

B. Control of Smoke. Except as specified in ~~Subsection C of this Section and LAC 33:III.1105, (The emission of smoke from any combustion unit (other than a flare, as described in LAC 33:III.1105 below) generated by the burning of fuel or combustion of waste material or from any type of burning~~ in a combustion unit (other than a flare), including the incineration of industrial, commercial, institutional and municipal wastes, shall be controlled so that the shade or appearance of the emission is not darker than 20 percent average opacity, ~~as to obscure vision to a degree equivalent to the above (see LAC 33:III.1503.D.2, Table 4) except that emitted during the cleaning of a fire box or building of a new fire, soot blowing or lancing, charging of an incinerator, equipment changes, ash removal and rapping of precipitators which~~ such emissions may have an average opacity in excess of 20 percent for not more than one six-minute period in any 60 consecutive minutes.

~~C. During periods of *start up* and *shutdown* as defined in LAC 33:III.111, emissions from any combustion unit subject to the opacity standard set forth in Subsection B of this Section may have an average opacity in excess of 20 percent for not more than one sixty minute period in any twenty four hour period.~~

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2054.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Nuclear Energy, Air Quality Division, LR 13:741 (December 1987), amended by the Office of Air Quality and Radiation Protection, Air Quality Division, LR 21:1081 (October 1995), amended by the Office of the Secretary, Legal Affairs Division, LR 37:\*\*

**§1106. Test Methods and Procedures**

A. Opacity shall be determined using the procedures found in Section 2 of Method 9 of 40 CFR Part 60, Appendix A. Opacity shall be read by any observer certified to perform Method 9 by a recognized smoke school or training program, following the requirements found in Section 3 of Method 9, except that the observer does not have to repeat training every 6 months as prescribed by Method 9 as long as the observer performs at least four readings in each calendar year. If an observer does not perform four readings in any calendar year, repeat training shall be required before that observer may resume opacity readings. In no case shall an observer go more than 2 years without repeat training.

B. As an alternative to the method set forth in Subsection A of this Section, an owner or operator may elect to use the analytical procedures of Method 22 of 40 CFR Part 60, Appendix A and assume that any smoke observed is greater than 20 percent opacity for purposes of demonstrating compliance with LAC 33:III.1101.B or C, or with LAC 33:III.1105a continuous opacity monitoring system (COMS) meeting the requirements outlined in 40 CFR 60.13(c) and (d).

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2054.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of the Secretary, Legal Affairs Division, LR 37:\*\*.

**§1107. Exemptions**

A. ...

B. The opacity standards set forth in LAC 33:III.1101 do not apply to the following:

1. combustion units that when combusting only natural gas, carbon monoxide, hydrogen, and/or other gaseous fuels with a carbon to hydrogen molecular ratio of less than 0.34 (e.g., CH<sub>4</sub> equals 0.25, H<sub>2</sub> and CO equal zero). For mixtures of gaseous fuels, the molecular ratio shall be computed based on the volume percent (at standard conditions) of carbon monoxide, hydrogen, and each organic compound in the fuel gas stream;

2. combustion units subject to a federal standard promulgated pursuant to Section 111 or 112 of the Clean Air Act that limits average opacity to less than or equal to 20 percent, except for one six-minute period or less per hour;

3. recovery furnaces subject to LAC 33:III.2301.D.4;

4. biomedical waste incinerators subject to LAC 33:III.2511.E.2.f;

5. refuse incinerators subject to LAC 33:III.2521.F.8.e; and

**6. crematories subject to LAC 33:III.2531.F.1.**

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2054.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Nuclear Energy, Air Quality Division, LR 13:741 (December 1987), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2451 (November 2000), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2438 (October 2005), LR 33:2084 (October 2007), LR 37:\*\*.

**§1111. Exclusion**

Any person claiming exclusion from the application of this ~~Section~~Chapter under this provision shall apply to the administrative authority for exclusion in accordance with R.S. 30:2056 of the act. The applicant shall furnish such information as the administrative authority may reasonably require to enable it to make a determination. The administrative authority may make such determination and apply such conditions as may be appropriate to the activity in question. A person granted an exclusion under this provision may be required to furnish the administrative authority with plans satisfactory to the administrative authority for implementing any reasonable control measures which may be developed or which otherwise become available.

A. - 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 Nuclear Energy, Air Quality Division, LR 13:741 (December 1987), amended by the Office of the Secretary, Legal Affairs Division, LR 37:\*\*