

Title 33

ENVIRONMENTAL QUALITY

Part I. Office of the Secretary

Subpart 1. Departmental Administrative Procedures

Chapter 15. Permit Application and Working Draft Permit Review

§1503. Definitions

A. For all purposes of this regulation, the terms defined in this Chapter shall have the following meanings, unless the context of use clearly indicates otherwise.

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Database—the Tools for Environmental Management and Protection Organizations (TEMPO) information management system or any similar information management system used by the department to generate permits.

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Permit Differences Report—a document generated by TEMPO summarizing the differences between the existing permit for a facility or process unit, and a draft permit renewal or substantial permit modification for the same facility or process unit.

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Technical Review Period—the time during which a permit applicant may review and comment on a *working draft permit*.

Working Draft Permit—the initial draft document prepared by one or more department employees based on the application and supplemental information submitted by the permit applicant. The document is not yet approved for public notice (where required) or for a final permit decision. The document includes supporting material such as statements of basis or fact sheets when required by regulation.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2022(B) and (D).

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Legal Affairs and Enforcement, Enforcement and Regulatory Compliance Division, LR 19:487 (April 1993), amended by the Office of the Secretary, Legal Affairs Division, LR 33:1341 (July 2007), LR 38:**.

§1507. Review of Working Draft Permits**A. Technical Review Period**

1. If requested by the permit applicant, the department shall provide the applicant with a reasonable opportunity to review a working draft permit renewal or a modification to a hazardous waste, solid waste, water discharge, or air quality permit before public notice is provided. If the draft permit includes revisions to an existing permit, the working draft permit, as defined in LAC 33:I.1503, shall clearly identify each change made by the department to the existing permit.

2. When public notice is not required, the department shall provide the applicant with a reasonable opportunity to review the working draft permit or permit modification prior to a final permit decision if:

a. a technical review period, as defined in LAC 33:I.1503, is requested by the applicant; or

b. the department proposes modifications or revisions not associated with the applicant's request. In lieu of a technical review period, the department may reopen the permit in accordance with applicable law.

3. When a technical review period is not requested or required by Subparagraph A.2.b of this Section, an opportunity to review a working draft permit may be provided to the permit applicant upon a determination of need by the department.

B. Permit Differences Report. If requested by the permit applicant, the department shall transmit to the applicant, with the working draft permit, a permit differences report, as defined in LAC 33:I.1503, when such report can be generated by the department's database, as defined in LAC 33:I.1503. Where the database cannot generate a permit differences report, a written summary of specific changes to the existing permit shall be provided whenever the department prepares a draft database permit renewal, extension, or substantial modification.

C. The technical review period shall be no longer than 10 business days. The department may extend the review period upon request of the permit applicant.

D. The permit applicant shall name a designated contact to receive the working draft permit, and provide the appropriate mailing and electronic mail addresses for the contact. Hardcopies of working draft permits shall be provided only when electronic copies are not available.

E. Comments on a working draft permit provided by the permit applicant shall be submitted by the designated contact using the appropriate form provided by the department.

F. When public notice is required, the notice shall indicate that a working draft of the proposed permit was provided to the permit applicant's designated contact and that any remarks

submitted on behalf of the permit applicant, and the department's responses thereto, are included in the permit record that is available for public review.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2022(D).

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of the Secretary, Legal Affairs Division, LR 38:**.