

POTPOURRI
Department of Environmental Quality
Office of the Secretary
Legal Division

Notice of Public Hearing
Substantive Changes to Proposed Rule AQ329
Asbestos-Containing Materials in Schools and State Buildings
(LAC 33:III.2701, 2703, 2705, 2707, 2711, 2713, 2717, 2719, 2721, 2723, 2725,
2735, 2739, 2741 and 2799) (Log #AQ329S)
(1310Pot1)

Under the authority of the 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 the department is seeking to incorporate both technical and substantive changes to the proposed amendments to various regulations, LAC 33: III.2701, 2703, 2705, 2707, 2711, 2713, 2717, 2719, 2721, 2723, 2725, 2735, 2739, 2741 and 2799 (Log #AQ329S), which were originally noticed as AQ329 in the April 20, 2013 issue of the *Louisiana Register*. (1310Pot1)

The department has made both technical and substantive changes to address comments received during the public comment period of proposed rule AQ329. The changes: provide for work performed in and on public and commercial buildings pursuant to the federal Asbestos Hazard Emergency Response Act (AHERA) and Asbestos School Hazard Abatement Reauthorization Act (ASHARA); make Chapter 27 and Section 5151 of Title 33, Part III of the Louisiana Administrative Code, both dealing with asbestos, more compatible; update references to standards provided by the federal Occupational Safety and Health Administration (OSHA) incorporated into the regulations; address training care providers and accredited personnel; and to provide greater clarity of the regulations. In the interest of clarity and transparency, the department is providing public notice and opportunity to comment on the proposed changes to the amendments of the regulations in question. The department is also providing an Interim Response to Comments received on the initial regulation proposal.

A ~~strikeout~~/underline/~~shaded~~ version of the proposed rule that distinguishes original proposed language from language changed by this proposal and the Interim Response to Comments are available on the Internet at www.deq.louisiana.gov under Rules and Regulations.

A public hearing on the substantive changes will be held on November 25, 2013, at 1:30 p.m. in the Galvez Building, Oliver Pollock Conference Room, 602 N. Fifth Street, Baton Rouge, LA 70802. 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, contact Deidra Johnson at the address given below or at (225) 219-3985. Two hours of free parking are allowed in the Galvez Garage with a validated parking ticket.

All interested persons are invited to submit written comments on the substantive changes. Persons commenting should reference this proposed regulation by AQ329S. Such comments must be received no later than November 25, 2013, at 4:30 p.m., and should be sent to Deidra Johnson, Attorney Supervisor, Office of the Secretary, Legal Division, Box 4302, Baton Rouge, LA 70821-4302 or to FAX (225) 219-4068 or by e-mail to deidra.johnson@la.gov. The comment period for the substantive changes ends on the same date as the public hearing. Copies of these

substantive changes can be purchased by contacting the DEQ Public Records Center at (225) 219-3168. Check or money order is required in advance for each copy of AQ329S. These proposed regulations are available on the Internet at www.deq.louisiana.gov/portal/tabid/1669/default.aspx.

These substantive changes are available for inspection at the following DEQ office locations from 8 a.m. until 4:30 p.m.: 602 N. Fifth Street, Baton Rouge, LA 70802; 1823 Highway 546, 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.

Herman Robinson, CPM
Executive Counsel