

# Potpourri

## POTPOURRI

Department of Environmental Quality  
Office of the Secretary  
Legal Affairs Division

### Grant Parish Ozone Maintenance Plan

Under the authority of the Louisiana Environmental Quality Act, R. S. 30:2001 et seq., the secretary gives notice that the Office of Environmental Assessment, Plan Development Section, will submit a proposed revision to the ozone maintenance plan for Grant Parish. This revision to the State Implementation Plan (SIP) is mandated under Section 110(a)(1) requirements of the 1990 Clean Air Act Amendments (CAAA).

A final maintenance plan was published in March 2006. Since that time, plan revisions have made it necessary to repropose the plan and have a public comment period. Plan revisions include changes to the contingency plan and updates to the nonpoint stationary and nonroad mobile emission inventories.

A public hearing will be held at 1:30 pm on July 25, 2006, in the Galvez Building, Oliver Pollock Conference Room, 602 N. Fifth Street, Baton Rouge, LA. Should individuals with a disability need an accommodation in order to participate, please contact Vivian H. Aucoin at (225) 219-3575 or at the address listed below. Interested persons are invited to attend and submit oral comments on the proposal.

All interested persons are invited to submit written comments concerning the SIP revision no later than 4:30 p.m., August 1, 2006, to Vivian H. Aucoin, Office of Environmental Assessment, Box 4314, Baton Rouge, LA 70821-4314 or to fax (225) 219-3582 or by e-mail to [vivian.aucoin@la.gov](mailto:vivian.aucoin@la.gov).

A copy of the SIP revision for Grant Parish may be viewed from 8 a.m. to 4:30 p.m. in the DEQ Public Records Center, Room 127, 602 N. Fifth Street, Baton Rouge, LA or at the Northeast Regional Office located at 1823 Hwy. 546, West Monroe, LA.

Herman Robinson, CPM  
Executive Counsel

0606#033

## POTPOURRI

Department of Environmental Quality  
Office of the Secretary  
Legal Affairs Division

### Proposed Rulemaking and Solicitation of Comments on Toxic Air Pollutant Program Revisions (LAC 33:III.211, 223, 551, 5101, 5105, 5107, 5109, 5111, 5112)

The Louisiana Department of Environmental Quality is developing revisions to the Air Toxic Rule and to the corresponding portions of the fee rule in LAC 33:III.211, 223, 551, and Chapter 51, Subchapter A (AQ256). This is a preliminary step in the rulemaking process. Official rulemaking will be initiated after review and consideration of the comments received on this advanced notice. The concurrent review of the ambient air standards that was announced in the previous potpourri notice published in the *Louisiana Register* on September 20, 2005, will be proposed as a separate rulemaking at a later date. The major draft revisions include (in no particular order):

- elimination of obsolete rule language and most rule language concerning compliance plans and certifications of compliance;
- removal of obsolete LDEQ requirements;
- clarification of area and major source requirements;
- utilization of applicable federal MACT rules (40 CFR Part 63) for state MACT (however LAC 33:III.905 will apply);
- elimination of the exemption for electric steam generating units;
- application of ambient air standards to all sources of toxic air pollutants (TAPs);
- addition made to exempt virgin fossil fuels gas streams not containing TAPs at chemical plants;
- advancing the submittal of the Toxic Emissions Data Inventory (TEDI) to not later than March 31 of each year;
- exemption of area sources from submitting TEDI; and
- revision of public notice requirements.

All interested persons are encouraged to submit written comments on the draft proposal. Comments are due no later than 4:30 p.m., August 4, 2006, and should be submitted to James Orgeron, Office of Environmental Assessment, Plan

**POTPOURRI**  
Department of Environmental  
Quality  
Office of the Secretary  
Legal Affairs Division  
  
Grant Parish Ozone Maintenance Plan  
(0606Pot2)

**CERTIFIED COPY**

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JUL 11 2006

LDLQ/DSEC/LARD  
REGULATION DEVELOPMENT SECTION

*4/13/06*

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Herman Robinson, CPM  
Executive Counsel

Monroe, LA  
June 17, 2006

**Publisher of**

**THE NEWS-STAR  
MONROE, LOUISIANA  
PROOF OF PUBLICATION**

**The hereto attached advertisement  
Was published in the NEWS-STAR.  
A daily newspaper of general circulation.  
Published in Monroe, Louisiana.  
Parish of Ouachita in the issues of:**

June 17, 2006  
Carmela Bouch

**LEGAL AD DEPT.**

**Sworn and subscribed before me by**

**The person whose signature appears above in Monroe, LA on this**

21<sup>st</sup> day of June 20 06 AD

*Stefen h. Turner*

Stefen h. Turner 43154

**NOTARY PUBLIC**

CERTIFIED COPY

*Handwritten initials and date: JP 6/26/06*

RECEIVED

JUN 23 2006

Acadiana's Daily Newspaper

LDEQ/CSEC/LARD  
REGULATION DEVELOPMENT SECTION

# THE ADVERTISER

1100 Bertrand Drive  
LAFAYETTE, LA 70506

PHONE: (337) 289-6300  
FAX: (337) 289-6466

## AFFIDAVIT OF PUBLICATION

Remender D. Weatherspoon  
LA Department of Environmental Quality  
OSEC/Legal Affairs Division/  
Regulation Development Section  
P. O. Box 4302  
Baton Rouge, LA 70821-4302

Account No.: LDEQRD  
Ad Number: 612073  
Ad Total: \$54.90  
No. of Lines: 95  
Reference No.: Visa Purchase

\*\*To insure proper credit please refer to your account number and/or ad number when making payment. Remittance address: P.O. Box 3268, Lafayette, LA 70502-3268

I, ROSE PENFOLD, do solemnly swear that I am the LEGAL CLERK of THE ADVERTISER, a newspaper printed and published at Lafayette, in the Parish of Lafayette, State of Louisiana, and that from my personal knowledge and reference to the files of said publication, the advertisement of

**POTPOURRI**  
**Department of Environmental Quality**  
**Office of the Secretary**  
**Legal Affairs Division**  
**Grant Parish Ozone Maintenance Plan**  
**(0606Pot2)**

was published in **THE ADVERTISER** on the following dates:

**\*Wednesday, June 14, 2006**

*Rose Penfold*

ROSE PENFOLD  
LEGAL CLERK

Sworn to and subscribed before me this 16 day of June, 2006.

*Christie Veazey*

NOTARY PUBLIC - ID#58555

CERTIFIED COPY

*Handwritten initials and date: JLD 6/22/06*

RECEIVED

JUN 22 2006

LDEQ/OSEC/LARD  
REGULATION DEVELOPMENT SECTION

AFFIDAVIT OF PUBLICATION

0606Pot2

( A Correct Copy of Publication )

POTPOURRI

Department of  
Environmental Quality  
Office of the Secretary  
Legal Affairs Division

Grant Parish Ozone  
Maintenance Plan  
(0606Pot2)

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HERMAN ROBINSON,  
CPM  
Executive Counsel

I, Bill Buschmann, Classified Advertising Manager

of THE TOWN TALK, published at Alexandria,

Louisiana do solemnly swear that the

Public Notice

advertisement, as per clipping attached, was

published in the regular and entire issue of said

newspaper, and not in any supplement thereof

for one insertions commencing with the issue

dated June 16, 2006 and ending with the

issue dated June 16, 2006.

*Handwritten signature: Bill Buschmann*

Subscribed and sworn to before me  
this 16<sup>th</sup> day of June, 2006

*Handwritten signature of Notary Public*  
Notary Number 019888

12/26/06

RECEIVED

JUN 28 2006

LA DEQ OSEC/LARD  
REGULATION DEVELOPMENT SECTION

# Affidavit of Publication

**POTPOURRI**  
Department of Environmental Quality  
Office of the Secretary  
Legal Affairs Division  
Grant Parish Ozone Maintenance Plan  
(0606Pot2)

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Herman Robinson,  
CPM  
Executive Counsel  
June 16  
00264887

STATE OF LOUISIANA

Parish of Calcasieu

Before me the undersigned authority, personally came and appeared

*Cardi Dickson*

who being duly sworn, deposes and says:

He/She is a duly authorized agent of

**LAKE CHARLES AMERICAN PRESS**

a newspaper published daily at 4900 Highway 90 East,

Lake Charles, Louisiana, 70615. (Mail address: P.O. Box 2893

Lake Charles, LA 70602)

The attached Notice was published in said newspaper in its issue(s) dated:

00264887 - \$21.00

June 16, 2006

00053262  
LA. DEQ OSEC/LARD  
REGULATION DEVELOPMENT  
REMENDER WEATHERSPOON  
P.O. BOX 4302  
BATON ROUGE, LA 70821-4302

*Cardi Dickson*

Duly Authorized Agent

Subscribed and sworn to before me on this 16th day of June, 2006 at Lake Charles, LA

*Gwendolyn R. Dugas*

Notary Public

00053262

LA. DEQ OSEC/LARD

Gwendolyn R. Dugas

#056523

CERTIFIED COPY

*AD 12/26/06*

RECEIVED

JUN 19 2006

LDEQ/OSEC/LARD  
REGULATION DEVELOPMENT SECTION

# The Times

## PROOF OF PUBLICATION

POTPOURRI

Department of  
Environmental Quality  
Office of the Secretary  
Legal Affairs Division

Grant Parish Ozone  
Maintenance Plan  
(0606Pot2)

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Herman Robinson, CPM  
Executive Counsel

The Times:  
June 14, 2006

00000

STATE OF LOUISIANA

PARISH OF CADDO

Before me, the undersigned authority, personally came and appeared

Altheas Critton, personally known to me,

Who being duly sworn, deposes and says that she is the Assistant to the Classified Advertising Manager of The Times, and that the attached Advertisement entitled:

POTPOURRI Department of Environmental  
Quality Office of the Secretary Legal Affairs Division (0606Pot2)

June 14, 2006

(Signed) *Altheas Critton*

Sworn to and subscribed before me this 14<sup>th</sup> day of June, 2006

*Diana W. Barber*  
(Notary)

DIANA W. BARBER, NOTARY PUBLIC # 60491  
CADDO PARISH, LOUISIANA  
MY COMMISSION IS FOR LIFE



CERTIFIED COPY

*Handwritten initials and date: 6/26/06*

RECEIVED

JUN 23 2006

# The Times-Picayune

LDEQ/OSEC/LARD  
REGULATION DEVELOPMENT SECTION

3800 HOWARD AVENUE, NEW ORLEANS, LOUISIANA 70140-1097

TELEPHONE (504) 826-3206

State of Louisiana

Parish of Orleans

City of New Orleans

Personally appeared before me, a Notary in and for the parish of Orleans, Robert J. Chiasson who deposes and says that he is the Accounts Receivable Manager, of The Times-Picayune Publishing Corporation, a Louisiana Corporation, Publishers of The Times-Picayune, Daily and Sunday, of general circulation; doing business in the City of New Orleans and the State of Louisiana, and that the attached **LEGAL NOTICE**

Re: Potpourri Grant Parish Ozone Maintenance Plan (0606Pot2)

Dept. Of Environmental Quality

Advertisement of

P.O. BOX 4302  
Baton Rouge, La. 70821-4302

The Times Picayune

Was published in

3800 Howard Ave.  
New Orleans, La. 70125

June 17, 2006

On the following dates

POTPOURRI  
Department of Environmental Quality  
Office of the Secretary  
Legal Affairs Division

Grant Parish Ozone Maintenance Plan (0606Pot2)

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Herman Robinson, CPM  
Executive Counsel

*Handwritten signature of Robert J. Chiasson*

19th

Sworn to and subscribed before me this  
Day of June, 2006

*Handwritten signature of Notary Public*

Notary Public

My commission expires at my death.  
Charles A. Ferguson, Jr.

Notary identification number 23492

# CAPITAL CITY PRESS

Publisher of  
**THE ADVOCATE**

**CERTIFIED COPY**

RECEIVED

JUL 05 2006

LEDO/OSEC/LARD  
REGULATION DEVELOPMENT SECTION

802  
7/7/06

## PROOF OF PUBLICATION

The hereto attached notice was published in THE ADVOCATE, a daily newspaper of general circulation published in Baton Rouge, Louisiana, and the official Journal of the State of Louisiana, the City of Baton Rouge, and the Parish of East Baton Rouge, in the following issues:

06/15/06



Susan A. Bush, Public Notices Clerk

Sworn and subscribed before me by the person whose signature appears above:

June 15, 2006



Pegeen Singley, Notary Public, #66565  
My Commission Expires: Indefinite  
Baton Rouge, Louisiana

### POTPOURRI

Department of  
Environmental Quality  
Office of the Secretary  
Legal Affairs Division

Grant Parish Ozone  
Maintenance Plan  
(0606Pot2)

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Herman Robinson, CPM  
Executive Counsel  
3347307-jun 15-11

DEQ - OSEC/LARD REGULATION

3347307

REMEMBER WEATHERSPOON

PO BOX 4302

BATON ROUGE

LA 70821-4314

# COPY

DEPARTMENT OF ENVIRONMENTAL QUALITY

IN RE: GRANT PARISH OZONE MAINTENANCE PLAN  
LOG NO.: 0606POT2

The Hearing Concerning

**GRANT PARISH OZONE MAINTENANCE PLAN**

held, at the Galvez Building, Oliver Pollock  
Conference Room, 602 North Fifth Street, Baton  
Rouge, Louisiana, beginning at 1:30 p.m., on  
July 25, 2006.

**BEFORE:** Megan B. Welch  
Certified Court Reporter  
In and For the State of  
Louisiana

**ASSOCIATED REPORTERS, INC.**

(225) 216-2036

**RECEIVED**

AUG 11 2006

LDEQ/OSEC/LARD  
REGULATION DEVELOPMENT SECTION

A P P E A R A N C E S

HEARING OFFICER:  
SANDY STEPHENS

1       **MS. STEPHENS:**

2           Good afternoon. My name is Sandy Stephens.  
3       I'm employed with the Louisiana Department of  
4       Environmental Quality. I'll be serving as the  
5       hearing officer this afternoon to receive  
6       comments regarding proposed amendments to the  
7       Grant parish and St. Mary Parish Ozone  
8       Maintenance Plans, and to the Air regulations.

9           The comment period for these amendments  
10       began on June 20, 2006, when the potpourri  
11       notices and notices of intent were published in  
12       the *Louisiana Register*. The comment period will  
13       close at 4:30 p.m. on August 24, 2006, for  
14       proposed rules AQ2569ft and AQ260ft, and at 4:30  
15       p.m., August 1, 2006, for the remaining rules  
16       and the parish maintenance plan amendments. It  
17       would be helpful to us if all oral comments  
18       received today were followed up in writing.

19           This public hearing provides a forum for all  
20       interested parties to present comments on the  
21       proposed changes. I'll ask that each person  
22       commenting come up and sit at the front table  
23       and begin by stating his or her name and  
24       affiliation for the record.

25

1 The first amendment is to the Grant Parish Ozone  
2 Maintenance Plan, Potpourri notice number  
3 0606Pot2.

4 The secretary gives notice that the Office  
5 of Environmental Assessment, Plan Development  
6 Section, is proposing a revision to the Clean  
7 Air Act Section 110(a)(1) ozone maintenance plan  
8 for Grant Parish. A State Implementation Plan  
9 (SIP) revision for Grant parish was submitted to  
10 the Environmental Protection Agency on March 7,  
11 2006. The department is proposing additional  
12 revisions to the ozone maintenance plan, which  
13 include a substantive change to the contingency  
14 measures and technical corrections to the plan.

15 Does anyone care to comment on this  
16 amendment?

17 (Pause)

18 If not, the hearing on the Grant parish  
19 Ozone Maintenance Plan is closed.

20

21 **(THE HEARING CONCLUDED AT 1:32 P.M.)**

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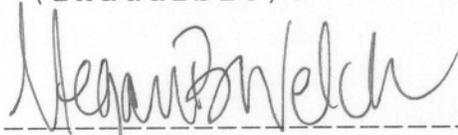
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R E P O R T E R ' S P A G E

I, Megan B. Welch, Certified Court Reporter, in and for the State of Louisiana, the officer, as defined in Rule 28 of the Federal Rules of Civil Procedure and/or Article 1434(b) of the Louisiana code of Civil Procedure, before whom this sworn testimony was taken, do hereby state on the Record

That due to the interaction in the spontaneous discourse of this proceeding, dashes (--) have been used to indicate pauses, changes in thought, and/or talk overs; that same is the proper method for a Court Reporters's transcription of proceeding, and that the dashes (--) do not indicated that words or phrases have been left out of this transcript;

That any words and/or names which could not be verified through reference material have been denoted with the phrase "(inaudible)."



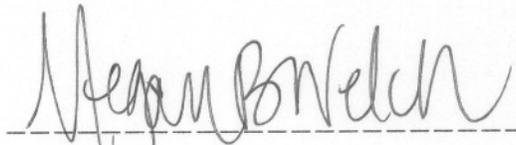
-----  
Megan B. Welch, C.C.R.

# 24027

C E R T I F I C A T I O N

1  
2 I, the undersigned reporter, do hereby  
3 certify that the above and foregoing is a true  
4 and correct transcription of the stenomask tape  
5 of the proceedings had herein, taken down by me  
6 and transcribed under my supervision, to the  
7 best of my ability and understanding, at the  
8 time and place hereinbefore noted, in the above  
9 entitled cause.

10 I further certify that my license is  
11 in good standing as a court reporter in and for  
12 the state of Louisiana.

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18  
19 Megan B. Welch, C.C.R.

20 # 24027





UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 6  
1445 ROSS AVENUE, SUITE 1200  
DALLAS, TX 75202-2733

JUL 28 2006

Ms. Vivian Aucoin  
Air Quality Assessment Division  
Office of Environmental Assessment  
Louisiana Department of Environmental Quality  
P.O. Box 4314  
Baton Rouge, LA 70821-4314

Dear Ms. Aucoin:

Thank you for the opportunity to comment on the draft revision to the State Implementation Plan (SIP) for the Grant Parish Section 110(a)(1) Maintenance Plan. We have organized our comments by section in the draft, and when possible, made reference to specific table and paragraph numbers within the submittal.

Attainment Inventory (Section 3)

It would be helpful if units were included in Tables 3-2 and 3-3.

Ambient Air Quality Monitoring (Section 5)

Regarding your request for a network change involving the Bentley site, the U.S. Environmental Protection Agency (EPA) sent a letter from Ms. Donna Ascenzi to Mr. James Brent dated May 9, 2003, regarding proposed changes to the Louisiana Ambient Air Monitoring Network. We plan to address this proposed network change in our future Federal Register, once this Maintenance Plan is submitted to EPA.

For Table 5-1, it would be helpful if units were included. We have previously discussed the design values in this table, and appreciate your work to update the numbers.

Verification of Continued Attainment (Section 6)

In addition to comparison of the emissions inventory for the interim years 2008, 2011, and 2014 to the 2002 baseline attainment inventory to verify continued attainment with the 8-hour ozone standard, please consider including an annual evaluation of some key emission

trend indicators. Such an annual evaluation could consist of checking the annual emissions update of stationary sources and comparing that update to the growth assumptions used in the plan. Stationary source data could be used to determine how closely the predicted emission values are to actual emissions which would provide updates in between the years in which a full comparison of emissions inventory data in relation to the baseline is performed for all sources.

#### Contingency Plan (Section 7)

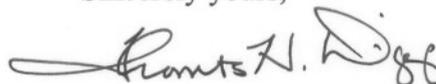
Trigger (Section 7.1). In the first sentence of the second paragraph, the emission inventory trigger needs to be tightened to a level no greater than a 10% growth. Also, throughout this section, it is important to define the trigger as accurately as possible. For instance, the words "excessive or unanticipated growth" should be removed or clearly defined. Also, in the second to last and last sentences of the second paragraph, the following phrases "The state will evaluate the inventory exceedance to determine if the trend is likely to continue. If it is determined that additional emission reductions are necessary" need to be removed. The final sentence will then begin "Appropriate control measure rules. . ."

Timeline (Section 7.2). An item for implementation of the rule should be added to the list of potential tasks. Also, we recommend reviewing the timeframes included in this section to ensure that all of the tasks required by the contingency plan will be implemented as expeditiously as practicable but no later than 24 months after the contingency plan is triggered.

Contingency Measures (Section 7.3). This section needs to include an enforceable commitment that if the Maintenance Plan Contingency Plan is triggered, Louisiana will implement one or more of the identified contingency measures. The list of contingency measures should clearly specify the controls which will be considered for adoption. As an example, you may want to consider a first sentence such as, "Should implementation of contingency measures be triggered, Louisiana will review sources in the emissions inventory, evaluate the most effective control of emissions of ozone precursors, and adopt and implement one or more of the following control measures." You may wish to review the measures included in the list, making additions if necessary. For the third measure listed, "Emission offsets for permitting", please clarify by adding a specific offset ratio, such as 1.1 to 1. Finally, the last control measure should be clearly identified.

Once again, we appreciate the opportunity to review and comment on this draft SIP revision. If you have questions regarding any of these comments, please feel free to contact me or Ellen Belk at (214) 665-2164.

Sincerely yours,



Thomas H. Diggs  
Chief  
Air Planning Section

## Comment Summary Grant Parish Maintenance Plan

**Comment:** Attainment Inventory (Section 3):

EPA requested that units be included in Tables 3-2 and 3-3.

**Response:** Units have been added to show values in tons per day.

**Comment:** Ambient Air Quality Monitoring (Section 5):

EPA noted that the date on the referenced correspondence was incorrect.

**Response:** Date of correspondence has been corrected.

**Comment:** Verification of Continued Attainment (Section 6):

EPA requested that LDEQ consider including an annual evaluation of key emission trend indicators.

**Response:** The plan has been revised to include an annual evaluation to review emission trends of VOC and NOx for stationary point sources.

**Comment:** Contingency Plan (Section 7):

EPA requested that emissions inventory trigger be tightened to a level no greater than 10%; Implementation timeline should be reviewed to ensure that all timeframes for contingency implementation requirements are as expeditiously as practicable but no later than 24 months; inclusion of an enforceable commitment for contingency measures.

**Response:** Section 7 has been revised for clarity and to address EPA comments. Subsections have been renumbered.

The emissions inventory trigger has been revised as suggested to a level no greater than 10%.

Timeline for specific action has been replaced with a commitment that the contingency measures will be implemented as expeditiously as practicable, but no later than 24 months as per EPA guidance.