Title 33
ENVIRONMENTAL QUALITY

Part I. Office of the Secretary
Subpart 2. Notification

Chapter 39. Notification Regulations and Procedures for Unauthorized Discharges
Subchapter E. Reportable Quantities for Notification of Unauthorized Discharges

§3931. Reportable Quantity List for Pollutants
A. Incorporation by Reference of Federal Regulations
   1. Except as provided in Subsection B of this Section, the following federal reportable quantity lists are incorporated by reference:
      a. 40 CFR 117.3, July 1, 2008, Table 117.3—Reportable Quantities of Hazardous Substances Designated Pursuant to Section 311 of the Clean Water Act; and
   2. Notification Requirements. The following administrative reporting exemptions are hereby incorporated by reference:
      a. 40 CFR 302.6(e), July 1, 2008—Notification Requirements; and

B. – C. . .

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2025(J), 2060(H), 2076(D), 2183(I), 2194(C), 2204(A), and 2373(B).


Part III. Air

Chapter 5. Permit Procedures
§506. Clean Air Interstate Rule Requirements
A. – B. . .
D. – E. …

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 32:1597 (September 2006), amended LR 33:1622 (August 2007), LR 33:2083 (October 2007), LR 34:978 (June 2008), LR 35:1107 (June 2009), LR 36:*

§507. Part 70 Operating Permits Program
A. – B.1. …

2. No Part 70 source may operate after the time that the owner or operator of such source is required to submit a permit application under Subsection C of this Section, unless an application has been submitted by the submittal deadline and such application provides information addressing all applicable sections of the application form and has been certified as complete in accordance with LAC 33:III.517.B.1. No Part 70 source may operate after the deadline provided for supplying additional information requested by the permitting authority under LAC 33:III.519, unless such additional information has been submitted within the time specified by the permitting authority. Permits issued to the Part 70 source under this Section shall include the elements required by 40 CFR 70.6. The department hereby adopts and incorporates by reference the provisions of 40 CFR 70.6(a), July 1, 2008. Upon issuance of the permit, the Part 70 source shall be operated in compliance with all terms and conditions of the permit. Noncompliance with any federally applicable term or condition of the permit shall constitute a violation of the Clean Air Act and shall be grounds for enforcement action; for permit termination, revocation and reissuance, or revision; or for denial of a permit renewal application.

C. – J.5. …


Chapter 21. Control of Emission of Organic Compounds
Subchapter N. Method 43—Capture Efficiency Test Procedures

[Editor's Note: This Subchapter was moved and renumbered from Chapter 61 (December 1996).]

§2160. Procedures
A. Except as provided in Subsection C of this Section, the regulations at 40 CFR Part 51, Appendix M, July 1, 2008, are hereby incorporated by reference.

B. – C.2.b.iv. …

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

Chapter 30. Standards of Performance for New Stationary Sources (NSPS)
Subchapter A. Incorporation by Reference
§3003. Incorporation by Reference of 40 Code of Federal Regulations (CFR) Part 60
A. Except for 40 CFR Part 60, Subpart AAA, and as modified in this Section, Standards of Performance for New Stationary Sources, published in the Code of Federal Regulations at 40 CFR Part 60, July 1, 2008, are hereby incorporated by reference as they apply to the state of Louisiana. Also incorporated by reference are the following revisions to 40 CFR Part 60: stay of effective date of Subpart Ja as promulgated on July 28, 2008, in the Federal Register, 73 FR 43626-43627; amendments to Subpart JJJJ as promulgated on October 8, 2008, in the Federal Register, 73 FR 59175-59178; and amendments to Subparts D, Da, Db and Dc as promulgated on January 28, 2009 in the Federal Register, 74 FR 5072-5093; amendments to Subpart Ce and Ec as promulgated on October 6, 2009, in the Federal Register, 74 FR 51368-51415; and amendments to Subparts A and Y as promulgated on October 8, 2009, in the Federal Register, 74 FR 51950-51985.

B. – C. …

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


Chapter 51. Comprehensive Toxic Air Pollutant Emission Control Program
A. Except as modified in this Section and specified below, National Emission Standards for Hazardous Air Pollutants, published in the Code of Federal Regulations at 40 CFR Part 61, July 1, 2008, and specifically listed in the following table, are hereby incorporated by reference as they apply to sources in the state of Louisiana.
Subchapter C. Incorporation by Reference of 40 CFR Part 63 (National Emission Standards for Hazardous Air Pollutants for Source Categories) as It Applies to Major Sources

§5122. Incorporation by Reference of 40 CFR Part 63 (National Emission Standards for Hazardous Air Pollutants for Source Categories) as It Applies to Major Sources

A. Except as modified in this Section and specified below, National Emission Standards for Hazardous Air Pollutants for Source Categories, published in the Code of Federal Regulations at 40 CFR Part 63, July 1, 2008, are hereby incorporated by reference as they apply to major sources in the state of Louisiana. Also incorporated by reference are the following revisions to 40 CFR Part 63, applicable to major sources: withdrawal of and revision to Subpart M as promulgated on July 11, 2008, in the Federal Register, 73 FR 39871-39875; partial withdrawal of direct final rule and amendments of Subpart EEEE as promulgated on July 17, 2008, in the Federal Register, 73 FR 40977-40982; and amendments to Subpart BBBB as promulgated on July 22, 2008, in the Federal Register, 73 FR 42529-42532, amendments to Subpart A and CC as promulgated on October 28, 2009, in the Federal Register, 74 FR 55670-55691, and amendments to Subpart ZZZZ as promulgated on March 3, 2010, in the Federal Register, 75 FR 9648-9690.

B. – C.3. …

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

Chapter 53. Area Sources of Toxic Air Pollutants
Subchapter B. Incorporation by Reference of 40 CFR Part 63 (National Emission Standards for Hazardous Air Pollutants for Source Categories) as It Applies to Area Sources

§5311. Incorporation by Reference of 40 CFR Part 63 (National Emission Standards for Hazardous Air Pollutants for Source Categories) as It Applies to Area Sources

A. Except as modified in this Section and specified below, National Emission Standards for Hazardous Air Pollutants for Source Categories, published in the Code of Federal Regulations at 40 CFR Part 63, July 1, 2008, are hereby incorporated by reference as they apply to area sources in the state of Louisiana. Also incorporated by reference are the following revisions to 40 CFR Part 63, applicable to area sources: withdrawal of and revision to Subpart M as promulgated on July 11, 2008, in the Federal Register, 73 FR 39871-39875; Subpart XXXXXXX as promulgated on July 23, 2008, in the Federal Register, 73 FR 42977-43011; and Subpart YYYYYY as promulgated on December 23, 2008, in the Federal Register, 73 FR 78637-78647; technical correction to Subpart ZZZZZZ as promulgated on September 10, 2009, in the Federal Register, 74 FR 46493-46495; Subpart VVVVVV as promulgated on October 29, 2009, in the Federal Register, 74 FR 56008-56056; Subpart AAAAAAAA as promulgated on December 2, 2009, in the Federal Register, 74 FR 63236-63266; Subpart CCCCCCCC as promulgated on December 3, 2009, in the Federal Register, 74 FR 63504-63530; Subpart BBBBBBBB as promulgated on December 30, 2009, in the Federal Register, 74 FR 69194-69217; Subpart DDDDDDDD as promulgated on January 5, 2010, in the Federal Register, 75 FR 522-551; technical amendment to Subpart CCCCCCCC as promulgated on March 5, 2010, in the Federal Register, 75 FR 10184-10186; and technical correction to Subpart AAAAAAAA as promulgated on March 18, 2010, in the Federal Register, 75 FR 12988-12989.

B. …

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


Chapter 59. Chemical Accident Prevention and Minimization of Consequences
Subchapter A. General Provisions

§5901. Incorporation by Reference of Federal Regulations

A. Except as provided in Subsection C of this Section, the department incorporates by reference 40 CFR Part 68, July 1, 2008.

B. – C.6. …
AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2054 and 30:2063.


Part V. Hazardous Waste and Hazardous Materials

Subpart 1. Department of Environmental Quality—Hazardous Waste

§1108. Manifest Tracking Numbers, Manifest Printing, and Obtaining Manifests

A. 40 CFR 262.21 and the associated appendix, July 1, 2008, are hereby incorporated by reference. 40 CFR 262.21 establishes standards and procedures for registrants who apply early to, and obtain approval from, the Director, Office of Solid Waste, US EPA, to print and distribute hazardous waste manifest forms.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2180 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Hazardous Waste Division, LR 18:1256 (November 1992), amended by the Office of the Secretary, Legal Affairs Division, LR 32:823 (May 2006), LR 36:**.

Chapter 30. Hazardous Waste Burned in Boilers and Industrial Furnaces


Appendix A. Tier I and Tier II Feed Rate and Emissions Screening Limits For Metals


Appendix B. Tier I Feed Rate Screening Limits for Total Chlorine

A. 40 CFR 266, Appendix II, July 1, 2008, is hereby incorporated by reference.

Appendix C. Tier II Emission Rate Screening Limits for Free Chlorine and Hydrogen Chloride


Appendix D. Reference Air Concentrations

A. 40 CFR 266, Appendix IV, July 1, 2008, is hereby incorporated by reference, except that in regulations incorporated thereby, references to 40 CFR 261, Appendix VIII and 266, Appendix V shall mean LAC 33:V.3105, Table 1 and LAC 33:V.3099(Appendix E), respectively.

Appendix E. Risk-Specific Doses (10^5)
A. 40 CFR 266, Appendix V, July 1, 2008, is hereby incorporated by reference.

Appendix F. Stack Plume Rise [Estimated Plume Rise (in Meters) Based on Stack Exit Flow Rate and Gas Temperature]
A. 40 CFR 266, Appendix VI, July 1, 2008, is hereby incorporated by reference.

Appendix G. Health-Based Limits for Exclusion of Waste-Derived Residues
A. 40 CFR 266, Appendix VII, July 1, 2008, is hereby incorporated by reference, except that in regulations incorporated thereby, 40 CFR 261, Appendix VIII, 266.112(b)(1) and (b)(2)(i), and 268.43 shall mean LAC 33:V.3105, Table 1, 3025.B.1 and B.2.a, and LAC 33:V.2299.Appendix, Table 2, respectively.

Appendix H. Organic Compounds for Which Residues Must Be Analyzed
A. 40 CFR 266, Appendix VIII, July 1, 2008, is hereby incorporated by reference.

Appendix I. Methods Manual for Compliance with the BIF Regulations
A. 40 CFR 266, Appendix IX, July 1, 2008, is hereby incorporated by reference, except as follows.
A.1. – B. …

Appendix J. Lead-Bearing Materials That May Be Processed in Exempt Lead Smelters

Appendix K. Nickel or Chromium-Bearing Materials That May Be Processed in Exempt Nickel-Chromium Recovery Furnaces
A. 40 CFR 266, Appendix XII, July 1, 2008, is hereby incorporated by reference, except that the footnote should be deleted.

Appendix L. Mercury-Bearing Wastes That May Be Processed in Exempt Mercury Recovery Units
A. 40 CFR 266, Appendix XIII, July 1, 2008, is hereby incorporated by reference, except that in regulations incorporated thereby, 40 CFR 261, Appendix VIII shall mean LAC 33:V.3105, Table 1.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2180 et seq.

Part IX. Water Quality
Subpart 2. The Louisiana Pollutant Discharge Elimination System (LPDES) Program
Chapter 23. Definitions and General LPDES Program Requirements
§2301. General Conditions
A. – E. …
F. All references to the Code of Federal Regulations (CFR) contained in this Chapter shall refer to those regulations published in the July 1, 2008 CFR, unless otherwise noted.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq., and in particular Section 2074(B)(3) and (B)(4).


Chapter 49. Incorporation by Reference
§4901. 40 CFR Part 136

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq., and in particular Section 2074(B)(3) and (B)(4).


§4903. 40 CFR, Chapter I, Subchapter N

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq., and in particular Section 2074(B)(3) and (B)(4).

Chapter 15. Transportation of Radioactive Material


[Formerly §1517]

A. Tables A-1, A-2, A-3, and A-4 in 10 CFR Part 71, Appendix A, January 1, 2008, are hereby incorporated by reference. These tables are used to determine the values of $A_1$ and $A_2$, as described in Subsections B-F of this Section.

B. – F. …

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2104 and 2113.