NOTICE OF INTENT

Department of Environmental Quality
Office of the Secretary
Legal Division

Removal of Saccharin from Hazardous Waste List
(LAC 33:V.2267.A; 2299.Table 2 and 3105.Table 1) (HW112ft)

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 rulemaking procedures have been initiated to amend the Hazardous Waste regulations, LAC 33:V.2267.A; 2299.Table 2 and 3105.Table 1 (Log #HW112ft).

This rule is identical to federal regulations found in 75 FR 78918, which are applicable in Louisiana. For more information regarding the federal requirement, contact the Regulation Development Section at (225) 219-3985 or Box 4302, Baton Rouge, LA 70821-4302. No fiscal or economic impact will result from the rule. This rule will be promulgated in accordance with the procedures in R.S. 49:953(F)(3) and (4).

This rule adopts the removal of saccharin and its salts from regulation as hazardous constituents, hazardous wastes and hazardous substances in Louisiana. Louisiana's hazardous waste program operates under a federal grant from the U.S. EPA. Part of the requirements for maintaining this grant is to maintain the Louisiana hazardous waste regulations so that they are equivalent to or more stringent than the corresponding federal regulations. The basis and rationale of this rule are to mirror the federal regulations. This rule meets an exception listed in R.S. 30:2019(D)(2) and R.S. 49:953(G)(3); therefore, no report regarding environmental/health benefits and social/economic costs is required.

This rule has no known impact on family formation, stability, and autonomy as described in R.S. 49:972.

This Rule has no known impact on poverty as described in R.S. 49:973.

A public hearing will be held on July 30, 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 proposed regulation. Persons commenting should reference this proposed regulation by HW112ft. Such comments must be received no later than July 30, 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 this rule ends on the same date as the public hearing. Copies of this proposed regulation 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 HW112ft. This regulation is available on the Internet at www.deq.louisiana.gov/portal/tabid/1669/default.aspx.

This proposed regulation is 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
Title 33

ENVIRONMENTAL QUALITY

Part V. Hazardous Waste and Hazardous Materials

Subpart 1. Department of Environmental Quality—Hazardous Waste

Chapter 22. Prohibitions on Land Disposal

Subchapter B. Hazardous Waste Injection Restrictions

§2267. Waste-Specific Prohibitions—Third Third Wastes

A. Effective January 1, 1991, the wastes specified in LAC 33:V.Chapter 49 as F039 (wastewaters), K002, K003, K005, K006, K007, K026, K032, K033, K034, K036 (wastewaters), K093, K094, K100 (wastewaters), K100 (generated by the process described in the waste listing description and disposed of after August 17, 1989, and not generated in the course of treating wastewater forms of these wastes), P006, P009, P013, P017, P022, P023, P024, P028, P031, P033, P034, P038 (wastewaters), P042, P045, P046, P047, P051, P056, P064, P065 (wastewaters), P073, P075, P076, P077, P078, P088, P093, P095, P096, P099, P101, P103, P116, P118, P119, U001, U004, U006, U017, U024, U027, U030, U033, U034, U038, U039, U042, U045, U048, U052, U055, U056, U068, U071, U072, U075, U076, U079, U081, U082, U084, U085, U087, U088, U090, U091, U096, U102, U112, U113, U117, U118, U120, U121, U123, U125, U126, U132, U136, U141, U145, U148, U152, U153, U156, U160, U166, U167, U181, U182, U183, U184, U186, U187, U190, U191, U194, U197, U201, U202, U204, U207, U222, U225, U234, U236, U240, U243, U246, and U247 and the following wastes identified as hazardous based on a characteristic alone designated as D001, D004 (wastewaters), D005, D006, D008 (except for lead materials stored before secondary smelting), D009 (wastewaters), D010,
D011, D012, D013, D014, D015, D016, and D017 and newly listed F025 are prohibited from underground injection.

B. – D.3. …

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 22:22 (January 1996), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 25:1801 (October 1999), amended by the Office of the Secretary, Legal Division, LR 39.**.

§2299. Appendix-Tables 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12

<table>
<thead>
<tr>
<th>Waste Code</th>
<th>Waste Description and Treatment/Regulatory Subcategory</th>
<th>Regulated Hazardous Constituent</th>
<th>Wastewaters</th>
<th>Non-Wastewaters</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Common Name</td>
<td>CAS² Number</td>
<td>Concentration in mg/L; or Technology Code</td>
</tr>
<tr>
<td>U202</td>
<td>Saccharin and salts</td>
<td>Saccharin</td>
<td>81-07-2</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>(WETOX or CHOXD) fb CARBN; or CMBST</td>
</tr>
</tbody>
</table>

***
[See Prior Text in D001⁹ – U201]

***
[See Prior Text in U203 – U411]
Footnote 1. – Footnote 12. …

[NOTE: NA means Not Applicable.]

Table 3. – 12. …

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


Chapter 31. Incinerators

§3105. Applicability

A. – E. …

<table>
<thead>
<tr>
<th>Common Name</th>
<th>Chemical Abstracts Name</th>
<th>Chemical Abstracts Number</th>
<th>Hazardous Waste Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Saccharin</td>
<td>1,2-Benzisothiazol-3(2H)-one, 1,1-dioxide</td>
<td>81-07-2</td>
<td>U202</td>
</tr>
<tr>
<td>Saccharin salts</td>
<td></td>
<td></td>
<td>U202</td>
</tr>
</tbody>
</table>

**The abbreviation N.O.S. (not otherwise specified) signifies those members of the general class not specifically listed by name in this table.**

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2180 et seq.
**Chapter 49. Lists of Hazardous Wastes**

[Note: Chapter 49 is divided into two sections: Category I Hazardous Wastes, which consist of Hazardous Wastes from nonspecific and specific sources (F and K wastes), Acute Hazardous Wastes (P wastes), and Toxic Wastes (U wastes) (LAC 33:V.4901); and Category II Hazardous Wastes, which consist of wastes that are ignitable, corrosive, reactive, or toxic (LAC 33:V.4903).]

§4901. Category I Hazardous Wastes

A. – F. …

<table>
<thead>
<tr>
<th>EPA Hazardous Waste Number</th>
<th>Chemical Abstract Number</th>
<th>Hazardous Waste (Substance)</th>
</tr>
</thead>
<tbody>
<tr>
<td>U202</td>
<td>81-07-2</td>
<td>1,2-Benzisothiazol-3 (2H)-one,1,1,-dioxide, and salts</td>
</tr>
</tbody>
</table>

[See Prior Text in U394 A2213 – U021 Benzidine]
**Table 4. Toxic Wastes**
*(Alphabetical Order by Substance)*

<table>
<thead>
<tr>
<th>EPA Hazardous Waste Number</th>
<th>Chemical Abstract Number</th>
<th>Hazardous Waste (Substance)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>***</td>
</tr>
<tr>
<td></td>
<td>181-07-2</td>
<td>Saccharin and salts</td>
</tr>
</tbody>
</table>

***
[See Prior Text in U364 1,3-Benzodioxol-4-ol, 2,2-dimethyl – U201 Resorcinol]

| U202 | 181-07-2 | Saccharin and salts |

***
[See Prior Text in U203 Safrole – U249 Zinc Phosphide Zn₃ P₂, when present at concentrations of 10 percent or less]

1CAS Number given for parent compound only.

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**Table 4. Toxic Wastes**
*(Numerical Order by EPA Hazardous Waste Number)*

<table>
<thead>
<tr>
<th>EPA Hazardous Waste Number</th>
<th>Chemical Abstract Number</th>
<th>Hazardous Waste (Substance)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>***</td>
</tr>
<tr>
<td></td>
<td>181-07-2</td>
<td>1,2-Benzisothiazol 3 (2H)-one, 1,1, dioxide, and salts</td>
</tr>
</tbody>
</table>

***
[See Prior Text in U001 Acetaldehyde (I) – U201 Resorcinol]

| U202 | 181-07-2 | 1,2-Benzisothiazol 3 (2H)-one, 1,1, dioxide, and salts |
| U202 | 181-07-2 | Saccharin and salts |
**Table 4. Toxic Wastes**
*(Numerical Order by EPA Hazardous Waste Number)*

<table>
<thead>
<tr>
<th>EPA Hazardous Waste Number</th>
<th>Chemical Abstract Number</th>
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</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>***</td>
</tr>
<tr>
<td></td>
<td></td>
<td>[See Prior Text in U203 1,3-Benzodioxole, 5-(2-propenyl)– See F027 (2,4,6-Trichlorophenol)]</td>
</tr>
</tbody>
</table>

1CAS Number given for parent compound only.

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G. – Table 6. …

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 30:2001 et seq. and specifically 2180.