

POTPOURRI
Department of Environmental Quality
Office of the Secretary
Legal Division

Notice of Public Hearing
Substantive Changes to Proposed Rule AQ349
Deletion of the Significant Monitoring Concentration for PM_{2.5};
Addition of Significant Impact Levels for PM₁₀, SO₂, NO_x and CO
(LAC 33:III.509) (Log #AQ349S)

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 substantive changes to the proposed amendments to various regulations, LAC 33:III.509 (Log #AQ349S), which were originally published as AQ349 in the October 20, 2014 issue of the *Louisiana Register*. (1504Pot1)

The department has made substantive changes to address comments received during the public comment period of proposed rule AQ349. The changes:

delete the proposed Class I significant impact levels (SILs);

set the PM_{2.5} significant monitoring concentration (SMC) to 0 µg/m³ and note that no preconstruction monitoring exemption is available with regard to PM_{2.5};

and replace language mirroring 40 CFR 51.166(k)(2) (use of SILs to determine whether a proposed source or modification must conduct refined modeling) with language analogous to 40 CFR 51.165(b)(2) (use of SILs to determine whether a proposed source or modification causes or contributes to a violation of a NAAQS or PSD increment).

In the interest of clarity and transparency, the department is providing public notice and opportunity to comment on the substantive 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 May 29, 2015, 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 AQ349S. Such comments

must be received no later than May 29, 2015, 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 AQ330S. 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 LDEQ 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.

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