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Department of Environmental Quality

Office of the Secretary

Legal Affairs and Criminal Investigations Division

Notice of Public Hearing

Substantive Changes to Proposed Rule AQ384

Regulatory Permit for Cooling Towers (LAC 33:III.325)

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 proposed regulation (LAC 33:III.325) (Log # AQ384S), which was originally noticed as AQ384 in the May 20, 2019, issue of the *Louisiana Register*. (1909Pot3)

The department has proposed substantive changes to address comments received during the public comment period of proposed rule AQ384. The changes clarify the proposed rule language. 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 regulation 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 department’s website under Rules and Regulations at http://deq.louisiana.gov/page/rules-regulations.

The following changes are to be incorporated into the Notice of Intent:

Title 33

ENVIRONMENTAL QUALITY

Part III. Air

Chapter 3. Regulatory Permits

**§325. Regulatory Permit for Cooling Towers**

A. – D. …

E. Total dissolved solids (TDS). The permittee shall determine and record the concentration of TDS in the cooling water at least once per quarter using Standard Method 2540C or EPA Method 160.1. Alternate methods may be used with the prior approval of the department. The permittee shall average all recorded TDS concentrations and utilize the drift rate provided by the manufacturer and the design recirculation rate of the cooling water pump(s) to determine compliance with the particulate matter emission limitations for the cooling tower.

F. – I. …

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 and Criminal Investigations Division, LR 45:

A public hearing on the substantive changes will be held on October 30, 2019, 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 substantive changes. 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 also invited to submit written comments on the substantive changes. Persons commenting should reference this proposed regulation as AQ384S. Such comments must be received no later than October 30, 2019, at 4:30 p.m., and should be sent to Deidra Johnson, Attorney Supervisor, Office of the Secretary, Legal Affairs and Criminal Investigations Division, P.O. Box 4302, Baton Rouge, LA 70821-4302, by fax (225) 219-4068, or emailed to DEQ.Reg.Dev.Comments@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 AQ384S. These proposed regulations are available on the internet at http://deq.louisiana.gov/page/rules-regulations.

These substantive changes to AQ384 are available for inspection at the following LDEQ office locations from 8:00 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; and 201 Evans Road, Bldg. 4, Suite 420, New Orleans, LA 70123.

Herman Robinson

General Counsel