

Potpourri

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Department of Agriculture and Forestry Horticulture Commission

Retail Floristry Examination

The next retail floristry examinations will be given July 23-27, 2001, 9:30 a.m. at Lomax Hall, Louisiana Tech University, Ruston, LA. The deadline for sending in application and fee is June 8, 2001. No applications will be accepted after June 8, 2001.

Further information pertaining to the examinations may be obtained from Craig Roussel, Director, Horticulture Commission, Box 3596, Baton Rouge, LA 70821-3596, phone (225) 925-7772.

Any individual requesting special accommodations due to a disability should notify the office prior to June 8, 2001. Questions may be directed to (225) 925-7772.

Bob Odom
Commissioner

0105#042

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Department of Environmental Quality Office of Environmental Assessment Environmental Planning Division

Advanced Notice of Rulemaking for Control of Nitrogen Oxides for Attainment of Ozone Standard (AQ215)

The Louisiana Department of Environmental Quality is requesting comments on the May 20, 2001, draft proposed addition of Chapter 22, Control of Emissions of Nitrogen Oxides (NO_x), to LAC 33:III. The draft proposed rule would establish requirements for reducing emissions of NO_x to allow the Baton Rouge nonattainment area to come into compliance with the National Ambient Air Quality Standard for ozone by May of 2005. In addition to the technical content of the document, the LDEQ is requesting comments on the estimated cost to implement this regulation as written.

All interested persons are invited to submit written comments on the draft proposal. Persons commenting should reference the draft proposal as Log #AQ215. Comments are due by June 20, 2001, at 4:30 p.m. and should be sent to Patsy Deaville, Regulation Development Section, Box 82178, Baton Rouge, LA 70884-2178; hand delivered to 7290 Bluebonnet Boulevard, Fourth Floor, Baton Rouge, LA 70810; or faxed to (225) 765-0389. If you have any questions regarding the content of this draft proposal, please contact Maurice Oubre at (225) 765-0248. Copies of the proposed draft rule are available for purchase by contacting the Regulation Development Section at the above address or at (225) 765-0399.

This draft proposed rule is available for inspection at the following DEQ office locations from 8 a.m. until 4:30 p.m.:

7290 Bluebonnet Boulevard, Fourth Floor, Baton Rouge, LA 70810; 804 Thirty-first Street, Monroe, LA 71203; State Office Building, 1525 Fairfield Avenue, Shreveport, LA 71101; 3519 Patrick Street, Lake Charles, LA 70605; 201 Evans Road, Building 4, Suite 420, New Orleans, LA 70123; 100 Asma Boulevard, Suite 151, Lafayette, LA 70508; 104 Lococo Drive, Raceland, LA 70394 or on the Internet at <http://www.deq.state.la.us/planning/regs/index.htm>.

James H. Brent, Ph.D.
Assistant Secretary

0105#094

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Office of the Governor Oil Spill Coordinator's Office

Restoration Planning CT/V Westchester Oil Spill

Purpose

The Louisiana Oil Spill Coordinator's Office (LOSCO), Louisiana Department of Environmental Quality (LDEQ), Louisiana Department of Natural Resources (LDNR), Louisiana Department of Wildlife and Fisheries (LDWF), the U.S. National Oceanic and Atmospheric Administration (NOAA), and the U.S. Department of the Interior (DOI) represented by the U.S. Fish and Wildlife Service (USFWS), have determined that the impacts of the November 28, 2000, discharge of crude oil spilled by the T/V Westchester, warrant conducting a natural resource damage assessment which will include restoration planning.

Site and Release Information

On November 28, 2000, the T/V Westchester grounded in the Mississippi River at River Mile 38, discharging approximately 500,000 gallons or more of crude oil into the Mississippi River in Plaquemine Parish, Louisiana. Several thousand acres including Mississippi River surface waters and shoreline habitats, Gulf of Mexico surface waters, adjacent marsh and other habitats, and the fauna inhabiting these areas were exposed to crude oil as a result of this discharge by Marine Oil Trader 3, Ltd., and ERMIS Maritime Corp., the responsible parties in this incident.

The affected portion of the Mississippi River and delta area supports a wide variety of wildlife and many different habitats. The habitats range from unvegetated mud and sandflats, batture areas, and vegetated areas ranging from freshwater to saltwater systems. Numerous species of fish are present throughout the area. In the river, there are predominately freshwater species such as catfish, bass, crappie, and sunfish. In the marshes, there are more estuarine and marine species such as anchovy, mullet, menhaden, and drum. Shellfish such as oysters, shrimp, and crabs are found in the brackish and salt marshes.

Seabird and wading bird nesting colonies are located throughout the area, and it is a major wintering ground for wintering waterfowl. Birds observed in the area during the incident included, but were not limited to, brown and white

pelicans, double-crested cormorants, great and snowy egrets, great and little blue herons, royal and Forrester's terns, laughing and herring gulls. Mink, river otter, nutria, muskrat, and raccoons are present in marsh areas.

Hunting and fishing occur throughout the area. There are two wildlife refuges and management areas in the vicinity. They are the Pass-a-Loutre State Wildlife Management Area and the Delta National Wildlife Refuge.

Authorities

The natural resource trustees for this incident are DOI, NOAA, LOSCO, LDEQ, LDNR, and LDWF. These trustees are designated pursuant to 33 U.S.C. §2706(b), Executive Order 12777, and the National Contingency Plan, 40 C.F.R. §§300.600 and 300.605. Pursuant to L.R.S. 30:2460, the State of Louisiana Oil Spill Contingency Plan (September 1995) describes the state trust resources which include the following: vegetated wetlands, surface waters, ground waters, air, soil, wildlife, aquatic life, and the appropriate habitats on which they depend. DOI has been designated as trustee for the natural resources that it manages or controls. Examples of those resources as described within the National Contingency Plan, 40 C.F.R. §300.600(b)(2) and (3), include the following and their supporting ecosystems: migratory birds, anadromous fish, endangered species and marine mammals, federally owned minerals, certain federally managed water resources, and natural resources located on, over, or under land administered by the Department. In the case at hand, the trust resources of concern are migratory birds and threatened and endangered species, which are managed by the U.S. Fish and Wildlife Service, which represents DOI in this matter. NOAA's trust resources include, but are not limited to, commercial and recreational fish species, anadromous and catadromous fish species, marshes and other coastal habitats, marine mammals, and endangered and threatened marine species.

Trustees' Determinations

Following the notice of the discharge, the natural resource trustees made the following determinations required by 15 C.F.R. §990.41:

Jurisdiction

The natural resource trustees have jurisdiction to pursue restoration pursuant to Oil Pollution Act (OPA), 33 U.S.C. § 2702 and 2706(c). The trustees have determined that the release of approximately 500,000 gallons or more of crude oil into the waters of the Mississippi River on November 28, 2000, was an incident, as defined in 15 C.F.R. §990.30.

This unauthorized discharge was not permitted under state, federal or local law.

Using information gathered since the beginning of the incident during the response and natural resource damage assessment initiation phases, the trustees have determined that natural resources under the trusteeship of the natural resource trustees listed above may have been injured as a result of the incident. The oil discharged contains components that are known to be toxic to aquatic organisms, birds, wildlife, and vegetation. Vegetation, birds, wildlife, and aquatic organisms were exposed to the oil from this discharge, and mortality to some flora and fauna resulted from this exposure.

Proceed with Preassessment

Because the conditions of 15 C.F.R. §990.41(a) were met, as described above, the trustees made the further determination pursuant to 15 C.F.R. §990.41(b) to proceed with preassessment.

Determination to Conduct Restoration Activities

For the reasons discussed below, the natural resource trustees have made the determinations required by 15 C.F.R. §990.42(a) and are providing notice pursuant to 15 C.F.R. §990.44 that they intend to conduct restoration planning in order to develop restoration alternatives that will restore, replace, rehabilitate, or acquire the equivalent of natural resources injured and/or natural resource services lost as a result of this incident.

Injuries have resulted from this incident

The trustees base this determination upon data which were collected and analyzed pursuant to 15 C.F.R. §990.43 and which demonstrate that resources and services have been injured from this incident. Natural resources injured as a result of the spill and spill response may include, but are not limited to: water quality, river/delta vegetation habitats, sand and mudflat habitats, rip-rap as habitat, aquatic fauna, birds, small mammals, and recreational use opportunity. Many live oiled birds were observed, and at least 12 oiled birds were found dead. Concentrations of polycyclic aromatic hydrocarbons were detected in water samples at levels known to be toxic to aquatic organisms in laboratory studies. Portions of plants were coated with a banding of oil, some plants appeared to be stressed due to oiling, and other plants were cut down or dug out as part of the response actions. An area of the Mississippi River and delta was effectively closed to recreational use during the early response phase of the incident.

Response actions have not adequately addressed the injuries resulting from the incident

Although response actions were initiated promptly and pursued with appropriate effort, the nature of the discharge and the sensitivity of the environment precluded prevention of injuries to natural resources. It is anticipated that injured natural resources will return to baseline levels; but significant interim losses have, and will continue to occur, until return to baseline is achieved.

Assessment procedures are available to be used to evaluate the injuries and define the appropriate type and scale of restoration for the injured natural resources and services

Among the available procedures are habitat injury assessment studies to be used in conjunction with Habitat Equivalency Analysis to determine compensation for injuries to these habitats. Models, comparisons to observations of injury resulting from similar releases, and other methodologies are available for evaluating injuries to fauna.

Feasible primary and compensatory restoration actions exist to address injuries from this incident

Potential restoration actions include, but are not limited to: planting native wetland vegetation in appropriate areas; creation, enhancement, or protection of wetlands; and construction of new, or improvement of existing, recreational facilities.

Public Involvement

Pursuant to 15 C.F.R. §990.44(c), the trustees seek public involvement in restoration planning for this oil discharge, through public review of and comment on the documents contained in the administrative record. The administrative record for this incident is maintained at the Louisiana Oil Spill Coordinator's Office. The public will also have the opportunity to review and comment on the Draft and Final Restoration Plans when they have been prepared.

Comments should be sent to Warren Lorentz, Louisiana Oil Spill Coordinator's Office/Office of the Governor, 625 N. 4th Street, Suite 800, Baton Rouge, LA 70802; telephone (225) 219-5800, facsimile (225) 219-5802.

The Louisiana Oil Spill Coordinator's Office, as the Lead Administrative Trustee in this incident, and on behalf of the natural resource trustees of the state of Louisiana, DOI, and NOAA, pursuant to the determinations made above and in accordance with 15 C.F.R. §990.44(d), hereby provides Marine Oil Trader 3, Ltd., and ERMIS Maritime Corp. this notice of intent to pursue restoration planning and invites their participation with the natural resource trustees in conducting restoration planning.

Warren Lorentz
Natural Resource Specialist-NRDA

0105#046

POTPOURRI

**Department of Health and Hospitals
Board of Embalmers and Funeral Directors**

Embalmer/Funeral Director Examinations

The Board of Embalmers and Funeral Directors will give the National Board Funeral Director and Embalmer/Funeral Director exams on Saturday, June 9, 2001 at Delgado Community College, 615 City Park Avenue, New Orleans, LA.

Interested persons may obtain further information from the Board of Embalmers and Funeral Directors, Box 8757, Metairie, LA 70011, (504) 838-5109.

Dawn Scardino
Executive Director

0105#044

POTPOURRI

**Department of Health and Hospitals
Office of Public Health
Maternal and Child Health Section**

Maternal and Child (MCH) Block Grant Federal Funding

The Department of Health and Hospitals (DHH) intends to apply for Maternal and Child (MCH) Block Grant Federal Funding for FY 2001-2002 in accordance with Public Law 97-35 and the Omnibus Budget Reconciliation Act of 1981. The Office of Public Health, Maternal and Child Health Section, is responsible for program administration of the grant.

The Block Grant Application describes in detail the goals and planned activities of State Maternal and Child Health Program for the next year. Program priorities are based on the results of a statewide needs assessment, conducted in 2000.

Interested persons may request copies of the application from:

State of Louisiana
DHC Office of Public Health
Maternal and Child Health Section, Room 612
P.O. Box 60630
New Orleans, LA 70160

Additional information may be gathered by contacting Danielle A.L. Foltz at (504) 568-5073.

David W. Hood
Secretary

0105#049

POTPOURRI

**Department of Health and Hospitals
Office of the Secretary
Bureau of Health Services Financing**

**Private Nursing Facilities
Revised Reimbursement Rates**

Effective for dates of service July 1, 2000 and thereafter, the Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing has established the following reimbursement rates for private nursing facility services:

Level Of Care	Per Diem Rate	Monthly Rate
Skilled Nursing	\$ 80.24	\$2,440.63
Intermediate Care I	\$ 76.94	\$2,340.26
Intermediate Care II	\$ 76.94	\$2,340.26
Skilled Nursing/Infectious Disease	\$248.01	\$7,543.64
Skilled Nursing/Technology Dependent Care	\$236.33	\$7,188.37

It should be noted that the above rates include a provider fee of \$5.56. Inquiries regarding these rates may be directed to the Director of Institutional Reimbursement, Bureau of Health Services Financing, P.O. Box 91030, Baton Rouge, LA 70821-9030.

David W. Hood
Secretary

0105#070

POTPOURRI

**Department of Natural Resources
Office of Conservation**

Orphaned Oilfield Sites

Office of Conservation records indicate that the Oilfield Sites listed in the table below have met the requirements as

set forth by Section 91 of Act 404, R.S. 30:80 et seq., and as such are being declared Orphaned Oilfield Sites.

Operator	Field	District	Well Name	Well Number	Serial Number
Arlen Corporation	Greenwood-Waskom	S	Grey Hickey SWD	001	060076
Cardinal Petroleum Corp. of LA	Tullos Urania	M	Urania	009	87405
Cardinal Petroleum Corp. of LA	Tullos Urania	M	Urania	011	138338 (30)
Herman Fields	Caddo Pine Island	S	Land D	001	036675
Herman Fields	Caddo Pine Island	S	Land D	003	036809
Herman Fields	Caddo Pine Island	S	Land D	004	036810
D. L. Gish Oil Partnership	Sarepta	S	Campbell	004	186245
H. L. Hawkins and F. S. Kelly, Jr.	Bellevue	S	Lodwick Lumber Co	001	052547
Jadath	Tullos Urania	M	D C Shaw	001	88607
Jadath	Tullos Urania	M	Lester Gaharan	001	106489
Jadath	Tullos Urania	M	P S Gaharan	001	126039
Jadath	Tullos Urania	M	Murphrey	002	170803
Jadath	Tullos Urania	M	Murphrey SWD	003	170892
Jadath	Tullos Urania	M	VUA; Murphrey	001	163590
Jadath	Colgrade	S	J R Maloy	001	082591
Jadath	Colgrade	S	J R Maloy	002	082776
Jadath	Colgrade	S	J R Maloy	003	082777
Jadath	Colgrade	S	J R Maloy	004	082882
Jadath	Colgrade	S	J R Maloy	005	082883
Jadath	Colgrade	S	J R Maloy	007	083228
Jadath	Colgrade	S	J R Maloy	010	084372
Jadath	Colgrade	S	J R Maloy	009	084373
Jadath	Colgrade	S	J R Maloy	008	084374
Jadath	Colgrade	S	J R Maloy	012	084375
Jadath	Colgrade	S	J R Maloy	011	084376
Jadath	Colgrade	S	J R Maloy	014	105942
Jadath	Colgrade	S	J R Maloy	017	150624
Charles E. Mayfield	Bellevue	S	Knighton	003	109944
Harold McClusky et al	French Fork	M	La Delta	001	146652
Owen Production Co.	Caddo Pine Island	S	G M Smiley A SWD	A-1	052527
Owen Production Co.	Caddo Pine Island	S	G M Smiley "A"	A-2	053850
Owen Production Co.	Caddo Pine Island	S	G M Smiley "A"	A-3	054200
Owen Production Co.	Caddo Pine Island	S	G M Smiley "A"	A-4	054666
Owen Production Co.	Caddo Pine Island	S	G M Smiley "A"	A-5	054945
Owen Production Co.	Caddo Pine Island	S	G M Smiley "A"	A-6	055059
Owen Production Co.	Caddo Pine Island	S	G M Smiley "A"	A-8	106220
Owen Production Co.	Caddo Pine Island	S	G M Smiley "A"	A-9	106734
Owen Production Co.	Caddo Pine Island	S	G M Smiley "A"	A-10	106735

Owen Production Co.	Caddo Pine Island	S	G M Smiley "A"	A-13	112999
Owen Production Co.	Caddo Pine Island	S	G M Smiley "A"	A-14	113000
Owen Production Co.	Caddo Pine Island	S	G M Smiley "A"	A-15	113001
J. T. Parks	Bellevue	S	Lodwick Lumber Co	002	033276
Plymouth Resources Group II Inc.	Kings Ridge	L	Lafourche Parish School Board	001	219523 (28)
Sinclair Oil	Caddo Pine Island	S	Caddo Levee Board	020	990436
Bailey Smith et al	Tullos Urania	M	Renfrew	001	9403
Geo. W. Wetherbee	Wildcat	S	Bliss & Wetherbee	E-4	007141

Facility Name	Location	Parish	Well Name	Well Number	Serial Number
Big Diamond Truck Service, Inc.	LA Hwy 384	Cameron	Odell Vinson SWD	001	970827
Castex Systems, Inc.	US 90 Hwy 90	Acadia	Castex Systems SWD	001	034959
Curtis Simon Pit	Intersection of LA 3093 and 335	Vermilion	N/A	N/A	N/A
Herpin Pit	Hwy LA 3093 Approx. 1/4 mi. N of LA 335 SW of Kaplan	Vermilion	N/A	N/A	N/A
John Nunez Pit	Hwy 335 Approx. 2 mi. S. of Abbeville	Vermilion	N/A	N/A	N/A
Leleux Disposal	LAP -5-9, east of Leleux	Vermilion	N/A	N/A	N/A
Mar Service, Inc.	LA Hwy 93	St. Landry	Tank Farm SWD	002	970819
Midland Site	Midland, LA	Acadia	N/A	N/A	N/A
Oilfield Brine Disposal, Inc.	Abbeville Field	Vermilion	E. LeBlanc	002	970992
Pine Pit	LA 697, 0.5 mi E of LA 343 N of Abbeville	Vermilion	N/A	N/A	N/A
Tower Pit	Parish Road P-9-40 off LA 13 NW of Kaplan	Vermilion	N/A	N/A	N/A
Venvirotek of La., Inc.	US Hwy 90 East	Terrebonne	Venvirotek of Louisiana, Inc. SWD	002	972447

Philip N. Asproditos
Commissioner of Conservation

0105#050

POTPOURRI

**Department of Natural Resources
Office of Conservation
Injection and Mining Division**

Docket No. IMD 2001-08
Hearing Date for Statewide Order No. 29-N-1

The Department of Natural Resources, Office of Conservation shall consider the promulgation of an amendment of Statewide Order No. 29-N-1, LAC 43:XVII.Chapter 1. This Notice of Intent corrects the notice published in the *Louisiana Register*, Vol. 29, No. 4, April 20, 2001, page 619.

The full text of this proposed amendment may be viewed in the *Louisiana Register*, Vol. 29, No. 4, April 20, 2001, pages 619-622.

The original notice stated that the public hearing was to be held on Thursday, May 30, 2001. The correct hearing date is Thursday, May 31, 2001, and is to be held in the Conservation Auditorium located on the first floor, State Land and Natural Resources Building, 625 North Fourth Street, Baton Rouge, LA.

Philip N. Asproditis
Commissioner of Conservation

0105#045

POTPOURRI

**Department of Natural Resources
Office of Conservation
Injection and Mining Division**

Docket No. IMD 2001-03
Hearing Date for Statewide Order 29-B

In accordance with the provisions of R.S 49:950 et seq. and R.S. 30:4, notice is hereby given that the Commissioner of Conservation will conduct a public hearing at 10 a.m., Thursday, June 28, 2001, in the Conservation Auditorium located on the First Floor, State Land and Natural Resources Building, 625 North Fourth Street, Baton Rouge, Louisiana.

At such hearing, the Commissioner of Conservation shall consider the promulgation of an amendment of Statewide Order No. 29-B, LAC 43:XIX, Chapter 3, Section 315, Disposal of Reserve Pit Fluids and other E&P Wastes by Slurry Fracture Injection and Chapter 4, Section 433, Disposal of E&P Wastes by Slurry Fracture Injection. Section 315 will amend existing regulations that allow the onsite disposal of exploration and production wastes into newly drilled wells which are to be plugged and abandoned or into the casing annulus of a well being drilled, a recently completed well, or a well which has been worked over. Section 433 will add new regulations to provide for permitting, drilling, construction, operation and monitoring of onsite or offsite Class II disposal wells for injection of RCRA exempt E&P waste at pressures which exceed the fracture pressure of the injection interval, otherwise known as Slurry Fracture Injection.

A copy of the proposed amendments to Statewide Order No. 29-B may be obtained by writing Carroll Wascom, Office of Conservation, Injection and Mining Division, Box 94275, Baton Rouge, Louisiana 70804-9275, by accessing Office of Conservation website through the Department of Natural Resources web site at www.dnr.state.la.us by contacting the Injection and Mining Division by phone at (225) 342-5515, or in person at the Injection and Mining Division, Room 253, on the second floor of the State Land and Natural Resources Building, 625 North Fourth Street, Baton Rouge, Louisiana.

All interested parties will be afforded the opportunity to submit data, views, or arguments, orally or in writing at said public hearing in accordance with R.S. 49:953. Written comments will be accepted until 4:30 p.m., Thursday, July 12, 2001, at the following address: Office of Conservation, Injection and Mining Division, Box 94275, Baton Rouge, Louisiana, 70804-9275, Re: Docket No. IMD 01-03.

Philip N. Asproditis
Commissioner of Conservation

0105#048

POTPOURRI

**Department of Natural Resources
Office of the Secretary
Fishermen's Gear Compensation Fund**

Loran Coordinates and Latitude/Longitude Coordinates

In accordance with the provisions of R.S. 56:700.1 et seq., notice is given that 14 claims in the amount of \$52,243.39 were received for payment during the period April 1, 2001 - April 30, 2001. There were 14 claims paid and 0 claims denied.

Loran Coordinates of reported underwater obstructions are:

27750	46916	St Mary
27894	46862	Terrebonne
28118	46898	Terrebonne
28573	46855	Jefferson
28953	46784	Plaquemines

Latitude/Longitude Coordinates of reported underwater obstructions are:

2916.353	8929.915	Plaquemines
2917.254	8942.485	Plaquemines
2922.126	8935.981	Plaquemines
2930.594	9007.754	Jefferson
2943.330	9007.250	Jefferson
2944.365	8928.421	St Bernard
2951.842	9320.783	Cameron
2957.651	8942.539	St Bernard

A list of claimants and amounts paid can be obtained from Verlie Wims, Administrator, Fishermen's Gear Compensation Fund, Box 94396, Baton Rouge, LA 70804 or you can call (225) 342-0122.

Jack C. Caldwell
Secretary

0105#051

POTPOURRI

**Department of Public Safety and Corrections
Office of the Fire Marshal**

National Fire Code (LAC 55:V.103)

Notice is hereby given that the State Fire Marshal's Office will accept comments on a proposed rule concerning adoption of the National Fire Code NFPA 101, 2000 Edition. The text of this proposed rule may be viewed on pages 2657-2658 of the November 20, 2000 edition of the *Louisiana Register*. Interested persons may submit written comments on this proposed rule to Tony Walker, Attorney III, through June 20, 2001, at 5150 Florida Blvd., Baton Rouge, LA 70806. This rule will have no known impact on family formation, stability, and autonomy as described in R.S. 49:972.

Jerry W. Jones
Undersecretary

0105#043

POTPOURRI

**Department of Transportation and Development
Sabine River Compact Administration**

Spring Meeting Notice

The spring meeting of the Sabine River Compact Administration will be held at the Cypress Bend Hotel, Many, LA, June 29, 2001, at 8:30 a.m.

The purpose of the meeting will be to conduct business as programmed in Article IV of the bylaws of the Sabine River Compact Administration.

The spring meeting will be held at a site in Louisiana to be designated at the above described meeting.

Contact person concerning this meeting is:

Kellie Ferguson, Secretary
Sabine River Compact Administration
15091 Texas Highway
Many, LA 71449
318-256-4112

Kellie Ferguson
Secretary

0105#047