

Rules

RULE

Board of Elementary and Secondary Education

Bulletin 741C Louisiana Handbook for School Administrators
Transfer Policy Changes
(LAC 28:I.901)

In accordance with R.S. 49:950 et seq., the Administrative Procedure Act, the Board of Elementary and Secondary Education has amended Bulletin 741, *Louisiana Handbook for School Administrators*, referenced in LAC 28:I.901.A, promulgated by the Board of Elementary and Secondary Education in LR 1:483 (November 1975).

At the December 2002, meeting of the State Board of Elementary and Secondary Education (SBESE) the board voted to approve revisions to *Bulletin 741*, standards 2.026.06 and 2.026.08. These changes were originally approved by BESE in December 1999, but were incorrectly advertised in the *Louisiana Register*. The changes align the standards with the Board adopted "Guidelines for Nonpublic and Home Schooling Students Transferring to the Public School System: Participation in LEAP 21." The revisions clarify the testing procedures for out-of-state students and for Louisiana residents transferring from any out-of-state school.

Title 28 EDUCATION

Part I. Board of Elementary and Secondary Education

Chapter 9. Bulletins, Regulations, and State Plans

Subchapter A. Bulletins and Regulations

§901. School Approval Standards and Regulations

A. Bulletin 741

* * *

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A) (10), (11), (15); R.S. 17:7 (5), (7), (11); R.S. 17:10, 11; R.S. 17:22 (2), (6).

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education LR 1:483 (November 1975), amended LR 28:269 (February 2002), LR 28:272 (February 2002), LR 28:991 (May 2002), LR 28:1187 (June 2002), LR 29:670 (May 2003).

Transfer Policy Changes

§2.026.06 Transfer of Student Records from Approved School

A student transferred from a state-approved school, in- or out-of-state, shall be allowed credit for work completed in the former school. When a student transfers from one school to another, a properly certified transcript, showing the student's record of attendance, achievement, immunization records, and the units if credit earned, shall be required.

Effective with the 2000-2001 school year, students in grades 5 and 9 transferring to the school system from any in-state nonpublic school (state approved and unapproved), or any home schooling program, or Louisiana resident transferring from any out-of-state school shall be required to pass the English language arts and Mathematics portions of the state-developed *LEAP 21* placement test.

§2.026.08 Transfer of Student Records from Schools that are not State-Approved

Local school officials from any state-approved school receiving a student from an unapproved school, in- or out-of-state, will determine the placement and/or credits for the student. The principal and/or superintendent may require the student to take an entrance examination on any subject matter for which credit is claimed. The school issuing the high school diploma shall account for all credits required for graduation, and its records will show when and where the credit was earned.

Effective with the 2000-2001 school year, students in grades 5 and 9 transferring to the public school system from any in-state unapproved school, or any home schooling program, or Louisiana resident transferring from any out-of-state school shall be required to pass the English language arts and Mathematics portions of the state-developed *LEAP 21* placement test.

Weegie Peabody
Executive Director

0305#005

RULE

Department of Environmental Quality Office of Environmental Assessment Environmental Planning Division

Fee Increases for FY03 and FY04
(LAC 33:I, III, V, VII, IX, XI, and XV)(OS041)

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 has amended the Environmental Quality regulations, LAC 33:I, III, V, VII, IX, XI, and XV (Log #OS041).

Act 134 of the 2002 Extraordinary Session of the Louisiana Legislature provided for a 20 percent increase in fees effective for Fiscal Year 2003 and a 10 percent increase in fees above that effective for Fiscal Year 2004. This action is required to fund some portion or all of the 150 positions that are currently authorized in the FY02 budget, but which are below the line in the FY03 Executive Budget. The basis and rationale for this rule are to provide additional funds for the continued operation of the department.

The department has submitted a report to the Legislative Fiscal Office and the Joint Legislative Committee on the Budget demonstrating that the environmental and public health benefits outweigh the social and economic costs reasonably expected to result from the Rule. This report is published in the Potpourri Section of the May 20, 2003, issue of the *Louisiana Register*. This Rule has no known impact on family formation, stability, and autonomy as described in R.S. 49:972.

**Title 33
ENVIRONMENTAL QUALITY**

Part I. Office of the Secretary

Subpart 1. Departmental Administrative Procedures

Chapter 14. Groundwater Fees

§1409. Groundwater Protection Fees

A. Assessment Oversight (Annual). The fee listed below covers the cost of reviewing, evaluating, and approving plans and/or reports that assess groundwater contamination and draw conclusions as to the need for further assessment and/or corrective action.

Table 1 (effective July 1, 2002 - June 30, 2003)	
Hazardous Waste Facilities	\$9,450
Solid Waste Facilities	\$6,300
Nonregulated Facilities	\$3,150

Table 2 (effective July 1, 2003)	
Hazardous Waste Facilities	\$10,395
Solid Waste Facilities	\$6,930
Nonregulated Facilities	\$3,465

B. Corrective Action Oversight (Annual). The fee listed below covers the cost of reviewing, evaluating, and approving plans and/or actions to cleanup groundwater that has been contaminated by a facility.

Table 1 (effective July 1, 2002 - June 30, 2003)	
Hazardous Waste Facilities	\$12,600
Solid Waste Facilities	\$9,450
Nonregulated Facilities	\$3,150

Table 2 (effective July 1, 2003)	
Hazardous Waste Facilities	\$13,860
Solid Waste Facilities	\$10,395
Nonregulated Facilities	\$3,465

C. Annual Report Review Fee. The fee listed below covers the cost of reviewing the groundwater annual report required by both the Hazardous and Solid Waste regulations.

Table 1 (effective July 1, 2002 - June 30, 2003)	
Hazardous Waste Facilities	\$1,260
Solid Waste Facilities	\$314

Table 2 (effective July 1, 2003)	
Hazardous Waste Facilities	\$1,386
Solid Waste Facilities	\$346

D. Groundwater Monitoring Systems Installation. The fee listed below covers the cost of reviewing the geology and design of proposed groundwater monitoring systems to ensure compliance with department specifications.

Table 1 (effective July 1, 2002 - June 30, 2003)	
Each well	\$600

Table 2 (effective July 1, 2003)	
Each well	\$660

E. Groundwater Monitoring Systems Surveillance Fee (Annual). The fee listed below covers the cost of inspecting monitoring systems to ensure that they are functioning properly and continue to maintain their integrity. The cost also includes other activities, such as the analysis of boring logs and site geology (cross sections, isopachs, etc.). The maximum fee that can be charged for this category is \$6,000, effective July 1, 2002. Effective July 1, 2003, the maximum fee will be \$6,600.

Table 1 (effective July 1, 2002 - June 30, 2003)	
Each well	\$300

Table 2 (effective July 1, 2003)	
Each well	\$330

F. Facility Inspection Fee (Annual). The fee listed below covers the cost of inspecting the various facilities to ensure compliance with the groundwater protection aspects of the facilities' permits.

Table 1 (effective July 1, 2002 - June 30, 2003)	
Hazardous Waste Facilities	\$1,200
With sampling	\$9,000
Solid Waste Facilities	\$600
With sampling	\$1,800

Table 2 (effective July 1, 2003)	
Hazardous Waste Facilities	\$1,320
With sampling	\$9,900
Solid Waste Facilities	\$660
With sampling	\$1,980

G. Oversight of Abandonment Procedures. The fee listed below covers the cost of reviewing plans to plug and abandon all nonpermitted groundwater monitoring systems (monitoring wells, piezometers, observations wells, and recovery wells) to ensure that they do not pose a potential threat to groundwater.

Table 1 (effective July 1, 2002 - June 30, 2003)	
Casing pulled	\$120 each well
Casing reamed out	\$240 each well
Casing left in place	\$600 each well

Table 2 (effective July 1, 2003)	
Casing pulled	\$132 each well
Casing reamed out	\$264 each well
Casing left in place	\$660 each well

H. Maximum Total Fee Per Facility. The maximum fee that can be assessed a facility under these regulations is \$37,800, effective July 1, 2002. Effective July 1, 2003, the maximum fee will be \$41,580.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Water Resources, Ground Water Protection Division, LR 18:729 (July 1992), amended LR 21:797 (August 1995), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 29:671 (May 2003).

Subpart 3. Laboratory Accreditation

Chapter 47. Program Requirements

§4707. Fees

A. - C. ...

D. The following basic fee structure will be used in determining the initial or annual fees due to the department.

Accreditation application fee payable every three years	\$600
Per major test category payable every year	\$300
Minor conventional category payable every year	\$240
Annual surveillance and evaluation applicable to minor conventional facilities and facilities applying for only one category of accreditation	\$300
Proficiency samples biannually	to be purchased by the laboratory
Bioassay/biomonitoring annually	to be purchased by the laboratory
Third-party audit	to be billed directly to the laboratory

Accreditation application fee payable every three years	\$660
Per major test category payable every year	\$330
Minor conventional category payable every year	\$264
Annual surveillance and evaluation applicable to minor conventional facilities and facilities applying for only one category of accreditation	\$330
Proficiency samples biannually	to be purchased by the laboratory
Bioassay/biomonitoring annually	to be purchased by the laboratory
Third-party audit	to be billed directly to the laboratory

E. - F. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2011.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of the Secretary, LR 24:920 (May 1998), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:1436 (July 2000), LR 29:672 (May 2003).

Part III. Air

Chapter 2. Rules and Regulations for the Fee System of the Air Quality Control Programs

§223. Fee Schedule Listing

Fee Number	Air Contaminant Source	SICC	Annual Maintenance Fee	New Permit Application Fee	Modified Permit Fees	
					Major	Minor
0010	Reserved					
0015 *Note 20*	Iron Ore Processing per Million Dollars in Capital Cost	1011	48.00	240.00	144.00	48.00
0020	Bituminous Coal and Lignite Mining	1211	688.00	3,437.00	2,064.00	688.00
0030	Coal Preparation	1211	1,720.00	8,596.00	5,158.00	1,720.00
0040	Crude Oil and Natural Gas Production (Less than 100 T/Yr Source)	1311	82.00	408.00	245.00	82.00
0041	Crude Oil and Natural Gas Production (equal to or greater than 100 T/Yr and less than 250 T/Yr Source)	1311	137.00	688.00	413.00	137.00
0042	Crude Oil and Natural Gas Production 250 T/Yr to 500 T/Yr Source	1311	425.00	2,123.00	1,273.00	425.00
0043	Crude Oil and Natural Gas Production Greater than 500 T/Yr Source	1311	707.00	2,830.00	2,123.00	707.00
0050	Natural Gas Liquids Per Unit	1321	345.00	1,720.00	1,031.00	344.00
0060	Construction Sand and Gravel	1442	137.00	688.00	413.00	137.00
0070	Industrial Sand	1446	137.00	688.00	413.00	137.00
0080	Salt Mining	1476	1,720.00	8,596.00	5,158.00	1,720.00
0090	Sulfur Mining	1477	1,720.00	8,596.00	5,158.00	1,720.00

Table 1
(effective July 1, 2002 - June 30, 2003)

Fee Schedule Listing

Fee Number	Air Contaminant Source	SICC	Annual Maintenance Fee	New Permit Application Fee	Modified Permit Fees	
					Major	Minor
0100	Commercial Rice Milling	2044	688.00	3,437.00	2,064.00	688.00
0110	Animal Feed Preparation	2048	688.00	3,437.00	2,064.00	688.00
0120	Cane Sugar, Except Refining Only	2061	1,720.00	8,596.00	5,158.00	1,720.00
0130	Cane Sugar Refining per 1,000 Lb/Hr Rated Capacity	2062 MIN.	13.74 1,697.00	68.77 8,491.00	41.26 5,094.00	13.74 1,697.00
0140	Cottonseed Oil Mill	2074	344.00	1,720.00	1,031.00	344.00
0150	Soybean Oil Mill	2075	241.00	1,204.00	722.00	241.00
0160	Animal and Marine Fats and Oil (Rendering) 10,000 or More Ton/Yr	2077	823.00	4,126.00	2,474.00	823.00
0170	Animal and Marine Fats and Oil (Rendering) Less than 10,000 Ton/Yr	2077	413.00	2,064.00	1,238.00	413.00
0180	Shortening, Table Oils, Margarine, and Other Edible Fats and Oils	2079	170.00	860.00	515.00	170.00
0190	Malt Beverages	2082	170.00	860.00	515.00	170.00
0200	Coffee Roasting Per 1,000,000 Lb/Yr Rated Capacity	2095 MIN. MAX.	136.80 326.00 8,632.00	687.60 1,632.00 43,164.00	411.60 979.00 25,898.00	136.80 326.00 8,632.00
0210 *Note 9*	Sawmill and/or Planing Less than 25,000 Bd Ft/Shift	2421	345.00	1,720.00	1,031.00	344.00
0220 *Note 9*	Sawmill and/or Planing More than 25,000 Bd Ft/Shift	2421	1,031.00	5,158.00	3,095.00	1,031.00
0230 *Note 9*	Hardwood Mill	2426	618.00	3,095.00	1,856.00	618.00
0240 *Note 9*	Special Product Sawmill N.E.C.	2429	618.00	3,095.00	1,856.00	618.00
0250	Millwork with 10 Employees or More	2431	618.00	3,095.00	1,856.00	618.00
0260	Hardwood Veneer and Plywood	2435	1,375.00	6,876.00	4,126.00	1,375.00
0270	Softwood Veneer and Plywood	2436	1,375.00	6,876.00	4,126.00	1,375.00
0280	Wood Preserving	2491	345.00	1,720.00	1,031.00	344.00
0290	Particleboard/Waferboard Manufacture (O.S.B.)	2492	1,375.00	6,876.00	4,126.00	1,375.00
0300	Hardboard Manufacture	2499	1,031.00	5,158.00	3,095.00	1,031.00
0310	Furniture and Fixtures - A) 100 or More Employees	2511	435.00	2,177.00	1,306.00	434.00
0320	Furniture and Fixtures - B) More than 10 and Less than 100 Employees	2511	206.00	1,031.00	618.00	206.00
0330	Pulp Mills Per Ton Daily Rated Capacity	2611 MIN.	5.14 3,538.00	25.78 17,690.00	15.48 10,614.00	5.14 3,538.00
0340 *Note 1*	Paper Mill Per Ton Daily Rated Capacity	2621 MIN.	5.14 3,538.00	25.78 17,690.00	15.48 10,614.00	5.14 3,538.00
0350	Paperboard Mills Per Ton Daily Rated Capacity	2631 MIN.	5.14 3,538.00	25.78 17,690.00	15.48 10,614.00	5.14 3,538.00
0360	Paper Coating	2641	206.00	1,031.00	618.00	206.00
0365	Paper Bag Manufacture	2643	262.00	1,306.00	784.00	262.00
0370	Insulation Manufacture	2649	345.00	1,720.00	1,031.00	344.00
0375	Folding Paper Board Boxes Per Packaging Press Line	2651 MIN.	345.00 1,697.00	1,720.00 8,491.00	1,031.00 5,094.00	344.00 1,697.00
0380	Corrugated Boxes - Converters (with Boilers)	2653	515.00	2,578.00	1,548.00	515.00
0381	Corrugated Boxes - Sheet Plant	2653	217.00	1,088.00	653.00	217.00
0390	Building Board and Tile	2661	1,720.00	8,596.00	5,158.00	1,720.00
0400	Commercial Printing - Black and White Per Press	2752 MIN.	205.00 990.00	1,031.00 4,952.00	618.00 2,971.00	205.00 990.00
0410	Commercial Printing - Color Per Press	2752 MIN.	343.00 1,697.00	1,718.00 8,491.00	1,032.00 5,094.00	343.00 1,697.00
0420 *Note 2*	Caustic/Chlorine Per 1,000,000 Lb/Yr Rated Cap Posed on Chlorine	2812 MIN.	3.44 1,697.00	17.20 8,491.00	10.31 5,094.00	3.44 1,697.00
0440	Industrial Gases	2813	688.00	3,437.00	2,064.00	688.00
0450	Inorganic Pigments	2816	688.00	3,437.00	2,064.00	688.00
0460	Aluminum Sulfate Production Per 100 Ton/Yr Rated Capacity	2819 MIN.	1.70 1,415.00	8.60 7,075.00	5.14 4,246.00	1.70 1,415.00
0470	Alumina Per 1,000,000 Lb/Yr Rated Capacity	2819 MIN.	6.85 1,415.00	34.37 7,075.00	20.62 4,246.00	6.85 1,415.00
0480	Catalyst Mfg. and Cat. Regeneration Per Line	2819	1,720.00	8,596.00	5,158.00	1,720.00
0490	Fluosilicates	2819	1,031.00	5,158.00	3,095.00	1,031.00
0500	Industrial Inorganic Chemicals Mfg. N.E.C. Per 1,000,000 Lb/Yr	2819 MIN.	1.70 990.00	8.60 4,952.00	5.14 2,971.00	1.70 990.00
0510	Industrial Inorganic Acids N.E.C. Per 1,000,000 Lb/Yr Rated Capacity	2819 MIN.	17.20 1,697.00	85.96 8,491.00	51.58 5,094.00	17.20 1,697.00

Table 1
(effective July 1, 2002 - June 30, 2003)

Fee Schedule Listing

Fee Number	Air Contaminant Source	SICC	Annual Maintenance Fee	New Permit Application Fee	Modified Permit Fees	
					Major	Minor
0520	Nitric Acid Manufacture Per 1,000 Ton/Yr Rated Capacity	2819 MIN.	6.85 1,697.00	34.37 8,491.00	20.62 5,094.00	6.85 1,697.00
0530	Phosphoric Acid Mfg. Per Ton Daily Rated Cap	2819 MIN.	1.70 1,415.00	8.60 7,075.00	5.14 4,246.00	1.70 1,415.00
0540	Sulphuric Acid Manufacture Per Ton Daily Rated Capacity	2819 MIN.	1.70 1,415.00	8.60 7,075.00	5.14 4,246.00	1.70 1,415.00
0550	Polyethylene/Polypropolene Manufacture Per 1,000,000 Lb/Yr Rated Capacity	2821 MIN.	13.74 1,697.00	68.77 8,491.00	41.26 5,094.00	13.74 1,697.00
0560	PVC Manufacture Per 1,000,000 Lb/Yr Rated Capacity	2821 MIN.	17.20 1,697.00	85.96 8,491.00	51.58 5,094.00	17.20 1,697.00
0570	Synthetic Resins Manufacture N.E.C. Per 1,000,000 Lb/Yr Rated Capacity	2821 MIN.	17.20 1,697.00	85.96 8,491.00	51.58 5,094.00	17.20 1,697.00
0580	Rubber Mfg. Per 1,000,000 Lb/Yr Rated Capacity	2822 MIN.	17.20 1,697.00	85.96 8,491.00	51.58 5,094.00	17.20 1,697.00
0585	Paint Manufacturing and Blending	2851	640.00	3,198.00	1,919.00	640.00
0590	Charcoal Per Oven	2861	344.00	1,720.00	1,031.00	344.00
0600	Gum and Wood Chemicals Per Unit	2861	1,031.00	5,158.00	3,095.00	1,031.00
0610	Styrene Monomer Per 1,000,000 Lb/Yr Rated Capacity	2865 MIN.	6.85 1,697.00	34.37 8,491.00	20.62 5,094.00	6.85 1,697.00
0620	Halogenated Hydrocarbons Per 1,000,000 Lb/Yr Rated Capacity	2869 MIN.	10.31 1,697.00	51.58 8,491.00	30.95 5,094.00	10.31 1,697.00
0630	Organic Oxides, Alcohols, Glycols Per 1,000,000 Lb/Yr Rated Capacity	2869 MIN.	6.85 1,697.00	34.37 8,491.00	20.62 5,094.00	6.85 1,697.00
0635	Olefins and Aromatics N.E.C. Per 1,000,000 Lb/Yr Rated Capacity	2869 MIN.	6.85 1,697.00	34.37 8,491.00	20.62 5,094.00	6.85 1,697.00
0640	Ammonia Manufacture Per Ton Daily Rated Capacity	2873 MIN.	3.43 1,697.00	17.20 8,491.00	10.31 5,094.00	3.43 1,697.00
0650	Fertilizer Manufacture Per 1,000 Ton/Yr Rated Capacity	2873 MIN.	1.70 990.00	8.60 4,952.00	5.14 2,971.00	1.70 990.00
0660	Urea and Ureaform Per 1,000 Ton/Yr Rated Capacity	2873 MIN.	3.43 990.00	17.20 4,952.00	10.31 2,971.00	3.43 990.00
0670	Pesticides Mfg. Per Train	2879	1,375.00	6,876.00	4,126.00	1,375.00
0680	Carbon Black Manufacture Per 1,000,000 Lb/Yr Rated Capacity	2895 MIN.	20.62 1,697.00	103.13 8,491.00	61.90 5,094.00	20.62 1,697.00
0690	Chemical and Chemical Prep. N.E.C. Per 1,000,000 Lb/Yr	2899 MIN.	17.20 1,415.00	85.96 7,075.00	51.58 4,246.00	17.20 1,415.00
0695	Chemical and Chemical Prep. N.E.C. with Output Less than 1,000,000 Lb/Yr	2899	979.00	4,898.00	2,939.00	979.00
0700	Drilling Mud-Storage and Distribution	2899	344.00	1,720.00	1,031.00	344.00
0710	Drilling Mud-Grinding	2899	1,375.00	6,876.00	4,126.00	1,375.00
0715	Salt Processing and Packaging Per 1,000,000 Lb/Yr	2899 MIN.	0.28 425.00	1.40 2,123.00	0.84 1,273.00	0.28 425.00
0720	Petroleum Refining Per 1,000 BBL/Day Rated Capacity Crude Thruput	2911 MIN.	85.96 1,697.00	429.79 8,491.00	258.00 5,094.00	85.96 1,697.00
Note 3						
0730	Asphaltic Concrete Paving Plants Per Ton/Hr Rated Capacity	2951 MIN.	2.59 707.00	12.92 3,538.00	7.75 2,123.00	2.59 707.00
Note 4						
0740	Asphalt Blowing Plant (Not to be Charged Separately if in Refinery)	2951	1,031.00	5,158.00	3,095.00	1,031.00
0760	Blending, Compounding, or Refining of Lubricants Per Unit	2992	1,031.00	5,158.00	3,095.00	1,031.00
Note 5						
0770	Petroleum Coke Calcining Per 1,000 Ton/Yr Rated Capacity	2999 MIN.	13.74 1,697.00	68.77 8,491.00	41.26 5,094.00	13.74 1,697.00
0773	Fiberglass Swimming Pools	N/A	242.00	1,204.00	722.00	241.00
0775	Plastics Injection Moulding and Extrusion Per Line	3079	344.00	1,720.00	1,031.00	344.00
0780	Glass and Glass Container Mfg. Natural Gas Fuel Per Line	3229	515.00	2,578.00	1,548.00	515.00
0790	Cement Manufacture Per 1,000 Ton/Yr Rated Capacity	3241 MIN.	10.31 1,415.00	51.58 7,075.00	30.95 4,246.00	10.31 1,415.00
0800	Glass and Glass Container Mfg. Fuel Oil Per Line	3241	1,031.00	5,158.00	3,095.00	1,031.00
0810	Brick Manufacture Per 1,000 Ton/Yr Rated Capacity	3251 MIN.	5.14 707.00	25.78 3,538.00	15.48 2,123.00	5.14 707.00
0815	Concrete Products	3272	348.00	1,741.00	1,044.00	348.00
0820	Ready-Mix Concrete	3273	860.00	2,612.00	1,720.00	860.00
Note 12						
0830	Lime Manufacture Per 1,000 Ton/Yr Rated Capacity	3274 MIN.	10.31 990.00	51.58 4,952.00	30.95 2,971.00	10.31 990.00

Table 1
(effective July 1, 2002 - June 30, 2003)

Fee Schedule Listing

Fee Number	Air Contaminant Source	SICC	Annual Maintenance Fee	New Permit Application Fee	Modified Permit Fees	
					Major	Minor
0840	Gypsum Manufacture Per 1,000 Ton/Yr Rated Capacity	3275 MIN.	10.31 990.00	51.58 4,952.00	30.95 2,971.00	10.31 990.00
0850	Asbestos Products Per Site or Per Production Unit	3292	2,064.00	10,315.00	6,190.00	2,064.00
0860	Clay Kiln	3295	413.00	2,064.00	1,238.00	413.00
0870	Rock Crusher	3295	378.00	1,891.00	1,135.00	378.00
0880	Gray Iron and Steel Foundries A) 3,500 or More Ton/Yr Production	3321	551.00	2,749.00	1,650.00	551.00
0890	Gray Iron and Steel Foundries B) Less than 3,500 Ton/Yr Production	3321	274.00	1,375.00	824.00	274.00
0900	Malleable Iron Foundries A) 3,500 or More Ton/Yr Production	3322	551.00	2,749.00	1,650.00	551.00
0910	Malleable Iron Foundries B) Less than 3,500 Ton/Yr Production	3322	274.00	1,375.00	823.00	274.00
0920	Steel Investment Foundries A) 3,500 or More Ton/Yr Production	3324	551.00	2,749.00	1,650.00	551.00
0930	Steel Investment Foundries B) Less than 3,500 Ton/Yr Production	3324	274.00	1,375.00	823.00	274.00
0940	Steel Foundries Not Elsewhere Classified A) 3,500 or More Ton/Yr Production	3325	551.00	2,749.00	1,650.00	551.00
0950	Steel Foundries Not Elsewhere Classified B) Less than 3,500 Ton/Yr Production	3325	274.00	1,375.00	823.00	274.00
0960	Primary Smelting and Refining of Copper Per 100,000 Lb/Yr Rated Capacity	3331 MIN.	6.85 1,697.00	34.37 8,491.00	20.62 5,094.00	6.85 1,697.00
0970	Aluminum Production Per Pot	3334 MIN.	34.37 1,697.00	171.92 8,491.00	103.00 5,094.00	34.37 1,697.00
0980	Refining of Non-Ferrous Metals N.E.C. Per 1,000 Lb/Yr Rated Capacity	3339 MIN.	0.04 1,697.00	0.32 8,491.00	0.19 5,094.00	0.04 1,697.00
0990	Secondary Smelting of Non-Ferrous Metals Per Furnace	3341 MIN.	1,031.00 2,123.00	5,158.00 10,614.00	3,095.00 6,368.00	1,031.00 2,123.00
1000	Wire Manufacture	3357	688.00	3,437.00	2,064.00	688.00
1010	Aluminum Foundries (Castings) Per Unit	3361	274.00	1,375.00	823.00	274.00
1020	Brass/Bronze/Copper-Based Alloy Foundry Per Furnace	3362	344.00	1,720.00	1,031.00	344.00
1030	Metal Heat Treating Including Shotpeening	3398	206.00	1,031.00	618.00	206.00
1040	Metal Can Manufacture	3411	688.00	3,437.00	2,064.00	688.00
1050	Drum Manufacturing and/or Reconditioning	3412	1,031.00	5,158.00	3,095.00	1,031.00
1059	Fabricated Structural Steel with 5 or More Welders	3441	688.00	3,437.00	2,064.00	688.00
1060	Fabricated Plate Work with 5 or More Welders	3443	870.00	4,354.00	2,612.00	870.00
1070	Electroplating, Polishing and Anodizing with 5 or More Employees	3471	206.00	1,031.00	618.00	207.00
1080	Sandblasting or Chemical Cleaning of Metal: A) 10 or More Employees	3471	1,031.00	5,158.00	3,095.00	1,031.00
1090	Sandblasting or Chemical Cleaning of Metal: B) Less than 10 Employees	3471	515.00	2,578.00	1,548.00	515.00
1100	Coating, Engraving, and Allied Services: A) 10 or More Employees	3479	378.00	1,891.00	1,135.00	378.00
1110	Coating, Engraving, and Allied Services: B) Less than 10 Employees	3479	206.00	1,031.00	618.00	206.00
1120	Galvanizing and Pipe Coating Excluding All Other Activities	3479	413.00	2,064.00	1,238.00	413.00
1130	Painting Topcoat Per Line	3479	344.00	1,720.00	1,031.00	344.00
1140	Potting Per Line	3479	206.00	1,031.00	618.00	206.00
1150	Soldering Per Line	3479	206.00	1,031.00	618.00	206.00
1160	Wire Coating Per Line	3479	688.00	3,437.00	2,064.00	688.00
1170	Oil Field Machinery and Equipment	3533	344.00	1,720.00	1,031.00	344.00
1180	Power Chain Saw Manufacture Per Line	3546	515.00	2,578.00	1,548.00	515.00
1190	Commercial Grain Dryer	3559	413.00	2,064.00	1,238.00	413.00
1193	Commercial Laundry, Dry Cleaning, and Pressing Machines	3582	515.00	2,578.00	1,548.00	515.00
1195	Electric Transformers Per 1,000 Units/Year	3612 MIN.	159.92 434.00	799.60 2,177.00	479.76 1,306.00	159.92 434.00
1200	Electrode Manufacture Per Line	3624	481.00	2,405.00	1,444.00	481.00
1210	Telephone Manufacture Per Line	3661	1,204.00	6,017.00	3,610.00	1,204.00
1220	Electrical Connector Manufacture Per Line	3678	618.00	3,095.00	1,856.00	618.00
1230	Battery Manufacture Per Line	3691	688.00	3,437.00	2,064.00	688.00
1240	Electrical Equipment Per Line	3694	413.00	2,064.00	1,238.00	413.00

Table 1
(effective July 1, 2002 - June 30, 2003)

Fee Schedule Listing

Fee Number	Air Contaminant Source	SICC	Annual Maintenance Fee	New Permit Application Fee	Modified Permit Fees	
					Major	Minor
1245	Automobile, Truck, and Van Assembly Per 1,000 Vehicles Per Year Capacity	3711 MIN. MAX.	171.92 1,088.00 34,390.00	859.55 5,443.00 171,950.00	515.72 3,265.00 103,170.00	171.92 1,088.00 34,390.00
1250	Ship and Boat Building: A) 5001 or More Employees	3732	5,158.00	25,787.00	15,473.00	5,158.00
1260	Ship and Boat Building: B) 2501 to 5000 Employees	3732	3,437.00	17,192.00	10,315.00	3,437.00
1270	Ship and Boat Building: C) 1001 to 2500 Employees	3732	1,720.00	8,596.00	5,158.00	1,720.00
1280	Ship and Boat Building: D) 201 to 1000 Employees	3732	1,031.00	5,158.00	3,095.00	1,031.00
1290	Ship and Boat Building: E) 200 or Less Employees	3732	344.00	1,720.00	1,031.00	345.00
1300	Playground Equipment Manufacture Per Line	3949	515.00	2,578.00	1,548.00	515.00
1310	Grain Elevators: A) 20,000 or More Ton/Yr	4221	1,098.00	5,500.00	3,300.00	1,098.00
1320	Grain Elevators: B) Less than 20,000 Ton/Yr	4221	551.00	2,749.00	1,650.00	551.00
1330 *Note 6*	A) Petroleum, Chemical Bulk Storage and Terminal (over 3,000,000 BBL Capacity)	4226	10,315.00	51,575.00	30,946.00	10,315.00
1340 *Note 6*	B) Petroleum, Chemical Bulk Storage and Terminal (1,000,000- 3,000,000 BBL Capacity)	4226	6,876.00	34,382.00	20,629.00	6,876.00
1350 *Note 6*	C) Petroleum, Chemical Bulk Storage and Terminal (500,001- 1,000,000 BBL Capacity)	4226	3,437.00	17,192.00	10,315.00	3,437.00
1360 *Note 6*	D) Petroleum, Chemical Bulk Storage and Terminal (500,000 BBL Capacity or Less)	4226	1,720.00	8,596.00	5,158.00	1,720.00
1361 *Note 8*	Wholesale Distribution of Coke and Other Bulk Goods Per 1,000 Ton/Yr Capacity	4463 MIN.	0.70 1,696.00	3.44 8,491.00	2.04 5,094.00	0.70 1,697.00
1362	Crude Oil Pipeline - Facility with Less than 100,000 BBL Storage Capacity	4612	762.00	3,810.00	2,286.00	762.00
1363	Crude Oil Pipeline - Facility with 100,000 to 500,000 BBL Storage Capacity	4612	1,088.00	5,443.00	3,265.00	1,088.00
1364	Crude Oil Pipeline - Facility with Over 500,000 BBL Storage Capacity	4612	1,524.00	7,620.00	4,572.00	1,524.00
1366	Refined Oil Pipeline - Facility with Less than 100,000 BBL Storage Capacity	4613	653.00	3,265.00	1,958.00	653.00
1367	Refined Oil Pipeline - Facility with 100,000 to 500,000 BBL Storage Capacity	4613	870.00	4,354.00	2,612.00	870.00
1368	Refined Oil Pipeline - Facility with Over 500,000 BBL Storage Capacity	4613	1,306.00	6,532.00	3,918.00	1,306.00
1370	Railcar/Barge/Tank Truck Cleaning Heavy Fuels Only	4742	344.00	1,720.00	1,031.00	344.00
1380	Railcar and Barge Cleaning Other Than Heavy Fuels	4742	1,720.00	8,596.00	5,158.00	1,720.00
1390	Tank Truck Cleaning Other Than Heavy Fuels	4742	1,031.00	5,158.00	3,095.00	1,031.00
1400	A) Electric Power Gen. Per MW (Over 0.7 percent S in Fuel)	4911 MIN.	15.97 3,254.00	79.94 16,274.00	47.96 9,764.00	15.97 3,254.00
1410 *Note 7*	B) Electric Power Gen. Per MW (0.7 percent S or Less in Fuel)	4911 MIN.	9.58 1,556.00	47.96 7,783.00	28.78 4,670.00	9.58 1,556.00
1420	C) Electric Power Gen. Per MW (Natural Gas Fired)	4911 MIN.	4.81 1,132.00	23.99 5,660.00	14.39 3,396.00	4.81 1,132.00
1430 *Note 11*	Natural Gas Comp Per 100 H.P. (Turbines)	4922	6.85	34.37	20.62	6.85
1440 *Note 11*	Recip. Nat Gas Comp Per 100 H.P.: A) 50,000 H.P.	4922	30.96	154.74	92.83	30.96
1450 *Note 11*	Recip. Nat Gas Comp Per 100 H.P.: B) 20,000 to 50,000 H.P.	4922	34.37	171.92	103.13	34.37
1460 *Note 11*	Recip. Nat Gas Comp Per 100 H.P.: C) 5,000 to 20,000 H.P.	4922	41.26	206.29	123.74	41.26
1470 *Note 11*	Recip. Nat Gas Comp Per 100 H.P.: D) 2,500 to 5,000 H.P.	4922	48.14	240.65	144.40	48.14
1480 *Note 11*	Recip. Nat Gas Comp Per 100 H.P.: E) 1,000 to 2,500 H.P.	4922	51.58	257.87	154.74	51.58
1490 *Note 11*	Recip. Nat Gas Comp: F) less than 1,000 H.P.	4922	688.00	1,720.00	688.00	688.00
1500 *Note 10*	Coal Gassification Per \$100,000 Capital Cost	4925 MIN. MAX.	6.85 1,088.00 55,052.00	34.37 5,443.00 275,262.00	20.62 3,265.00 165,156.00	6.85 1,088.00 55,052.00
1510 *Note 10*	Co-Generation Per \$100,000 Capital Cost	4939 MIN. MAX.	6.85 1,088.00 34,390.00	34.37 5,443.00 171,950.00	20.62 3,265.00 103,170.00	6.85 1,088.00 34,390.00

Table 1
(effective July 1, 2002 - June 30, 2003)

Fee Schedule Listing

Fee Number	Air Contaminant Source	SICC	Annual Maintenance Fee	New Permit Application Fee	Modified Permit Fees	
					Major	Minor
1520	Incinerators: A) 1,000 Lb/Hr and Greater Capacity	4953	434.00	2,177.00	1,306.00	434.00
1521	Incinerators: B) Less than 1,000 Lb/Hr Capacity	4953	140.00	707.00	425.00	140.00
1525	Sanitary Landfill per Million Mg of Planned Capacity	4953 MIN.	120.00 240.00	600.00 1,200.00	360.00 720.00	120.00 240.00
1530	Municipal Incinerators	4953	3,437.00	17,192.00	10,316.00	3,437.00
1532	Commercial Hazardous Waste Incinerator Per 1,000,000 BTU Per Hour Thermal Capacity	4953 MIN.	198.13 4,354.00	990.66 21,773.00	594.40 13,063.00	198.13 4,354.00
1533	Non Commercial Hazardous Waste Incinerator (Per 1,000,000 BTU/Hr Thermal Capacity)	4953 MIN.	99.06 2,830.00	496.01 14,152.00	297.19 8,491.00	99.06 2,830.00
1534	Commercial Hazardous Waste Disp. Facility N.E.C.	4953	28,304.00	141,523.00	84,913.00	28,304.00
1535	Commercial Hazardous Waste Underground Injection (Surface Facilities) Per Location	4953	5,660.00	28,304.00	16,982.00	5,660.00
1536	Recoverable/Re-usable Materials Proc. Facility (Per 1,000,000 BTU/Hr Thermal Capacity)	4953 MIN. MAX.	99.06 2,830.00 14,152.00	495.32 14,152.00 70,762.00	297.19 8,491.00 42,456.00	99.06 2,830.00 14,152.00
1540	Steam Gen. Units Per 1000 Lbs/Hr Steam Cap-Natural Gas or Comb Non-Fossil Fuels	4961 MIN.	1.70 282.00	8.60 1,415.00	5.14 848.00	1.70 282.00
1550	Steam Gen. Units Per 1000 Lbs/Hr Steam Cap-Fuels with 0.7 percent S or Less	4961 MIN.	3.44 707.00	17.20 3,538.00	10.31 2,123.00	3.44 707.00
1560	Steam Gen. Units Per 1000 Lbs/Hr Steam Cap-Fuels with More than 0.7 percent S	4961 MIN.	5.14 990.00	25.78 4,952.00	15.48 2,971.00	5.14 990.00
1570	Cement (Bulk Distribution)	5052	1,375.00	6,876.00	4,126.00	1,375.00
1580	Wholesale Distribution of Coal Per 1,000 Ton/Yr Throughput	5052 MIN.	0.32 990.00	1.70 4,952.00	1.01 2,971.00	0.32 990.00
1590	Automobile Recycling Scrap Per 1000 Ton/Yr	5093 MIN. MAX.	14.15 707.00 34,390.00	70.75 3,538.00 171,950.00	42.46 2,123.00 103,170.00	14.15 707.00 34,390.00
1600	Bulk Loader: Over 100,000 Ton/Yr Throughput	5153	3,437.00	17,192.00	10,315.00	3,437.00
1610	Bulk Loader: Less than or equal to 100,000 and more than 25,000 Ton/Yr Throughput	5153	1,720.00	8,596.00	5,158.00	1,720.00
Note 14a						
1611	Bulk Loader: 25,000 Ton/Yr or Less Throughput	5153	979.00	4,898.00	2,939.00	979.00
Note 14a						
1612	Bulk Loader – No Grain or Dusty Materials Transfer	5153	653.00	3,265.00	1,958.00	653.00
Note 14a						
1620	Grain Elevators-Terminal Per 10,000 Bu/Yr Throughput	5153 MIN.	0.32 1,556.00	1.70 7,783.00	1.01 4,670.00	0.32 1,556.00
1630	Wholesale Distribution of Chemicals and Allied Products Per Facility	5161	860.00	3,437.00	2,578.00	860.00
1640	Petroleum Bulk Plants	5171	70.00	344.00	206.00	70.00
1650	Petroleum Bulk Terminal	5171	688.00	3,437.00	2,064.00	688.00
1660	Petroleum Bulk Station	5171	70.00	344.00	206.00	70.00
1670	Storage Tank	5171	0.00	688.00	344.00	344.00
1680	Crude Oil Distribution	5172	1,031.00	5,158.00	3,095.00	1,031.00
1690	Tire Recapping Plant	7534	140.00	707.00	425.00	140.00
1700	Chemical Waste Disposal Facility for Non Hazardous Waste	9998	3,198.00	15,992.00	9,595.00	3,198.00
1710	Negotiated Fee	9999	0.00	0.00	0.00	0.00
1711	Research Fee for Alternate Disposal of Hazardous Waste	9999	0.00	0.00	0.00	0.00
1720	Small Business Sources	N/A	130.00	648.00	389.00	130.00
Note 15						
1722	Small Source Permit	N/A	130.00	648.00	389.00	130.00

Table 2
(effective July 1, 2002 - June 30, 2003)

Additional Fees

Fee Number	Fee Description	Amount
2000	Company Ownership/Operator Change or Name Change Transfer of an Existing Permit	136.00
2010	The Issuance or Denial of Relocation, Administrative Amendments, Variances, Authorization to Construct, Change of Tank Service, Research & Development, and Exemptions	271.00
2015	The Issuance or Denial of Relocation, Administrative Amendments, Variances, Authorization to Construct, Change of Tank Service, Research & Development, and Exemptions for Small Business Sources	130.00
Note 15		
2020	The Issuance of an Asbestos Demolition Verification Form (ADVF) - (at least 10 working days notification given)	60.00
2030	The Issuance of an Asbestos Demolition Verification Form (ADVF) - (less than 10 working days notification given)	90.00
2040	Agent Accreditation for Asbestos: Includes Contractor/Supervisor, Inspector, Management Planner, or Project Designer-Normal Processing (greater than 3 working days after receipt of required documentation and fees)	240.00

Table 2
(effective July 1, 2002 - June 30, 2003)

Additional Fees		
Fee Number	Fee Description	Amount
2050	Agent Accreditation for Asbestos: Includes Contractor/Supervisor, Inspector, Management Planner, or Project Designer-Emergency Processing (less than or equal to 3 working days after receipt of required documentation and fees)	360.00
2060	Worker Accreditation for Asbestos-Normal Processing (greater than 3 working days after receipt of required documentation and fees)	60.00
2070	Worker Accreditation for Asbestos-Emergency Processing (less than or equal to 3 working days after receipt of required documentation and fees)	90.00
2080	Duplicate Certificate	30.00
2090	Training Organization Recognition Plus Trainer Recognition Per Trainer-Normal Processing (greater than 3 working days after receipt of required documentation and fees)	360.00
2100	Training Organization Recognition Plus Trainer Recognition Per Trainer-Emergency Processing (less than or equal to 3 working days after receipt of required documentation and fees)	540.00
2200	Air Toxics Annual Fee Per Ton Emitted on an Annual Basis:	
Note 13	Class I Pollutants	129.60
	Class II Pollutants	64.80
	Class III Pollutants	32.40
2300	Criteria Pollutant Annual Fee Per Ton Emitted on an Annual Basis:	11.66/ton
Note 14	Nitrogen oxides (NOx)	
	Sulfur dioxide (SO ₂)	
	Non-toxic organic (VOC)	
	Particulate (PM ₁₀)	
2400	An application approval fee for Stage II Vapor Recovery	120.00
	An annual facility inspection fee for Stage II Vapor Recovery	180.00
2600	Accident Prevention Program Annual Maintenance Fee: Program 1	240.00
Note 16		
2620	Accident Prevention Program Annual Maintenance Fee: Program 2	480.00
Note 16		
2630	Accident Prevention Program Annual Maintenance Fee: Program 3	3,000.00
Note 16		
2800	An application fee for mobile sources emissions banking (auto scrappage)	60.00
2810	An application fee for point source emissions banking (not applicable when filing application with a new permit or permit modification)	60.00
	* * *	
	[See Prior Text in 2900-2914]	

Table 3
(effective July 1, 2003)

Fee Schedule Listing						
Fee Number	Air Contaminant Source	SICC	Annual Maintenance Fee	New Permit Application Fee	Modified Permit Fees	
					Major	Minor
0010	Reserved					
0015	Iron Ore Processing per Million Dollars in Capital Cost	1011	52.80	264.00	158.00	52.00
Note 20						
0020	Bituminous Coal and Lignite Mining	1211	756.00	3,780.00	2,270.00	756.00
0030	Coal Preparation	1211	1,892.00	9,455.00	5,673.00	1,892.00
0040	Crude Oil and Natural Gas Production (Less than 100 T/Yr Source)	1311	90.00	449.00	269.00	90.00
0041	Crude Oil and Natural Gas Production (Equal to or Greater than 100 T/Yr and Less than 250 T/Yr Source)	1311	150.00	756.00	454.00	151.00
0042	Crude Oil and Natural Gas Production 250 T/Yr to 500 T/Yr Source	1311	467.00	2,335.00	1,400.00	467.00
0043	Crude Oil and Natural Gas Production Greater than 500 T/Yr Source	1311	777.00	3,113.00	2,335.00	777.00
0050	Natural Gas Liquids Per Unit	1321	379.00	1,892.00	1,134.00	379.00
0060	Construction Sand and Gravel	1442	150.00	756.00	454.00	151.00
0070	Industrial Sand	1446	150.00	756.00	454.00	151.00
0080	Salt Mining	1476	1,892.00	9,455.00	5,673.00	1,892.00
0090	Sulfur Mining	1477	1,892.00	9,455.00	5,673.00	1,892.00
0100	Commercial Rice Milling	2044	756.00	3,780.00	2,270.00	756.00
0110	Animal Feed Preparation	2048	756.00	3,780.00	2,270.00	756.00
0120	Cane Sugar, Except Refining Only	2061	1,892.00	9,455.00	5,673.00	1,892.00
0130	Cane Sugar Refining Per 1,000 Lb/Hr Rated Capacity	2062	15.11	75.65	45.38	15.11
		MIN.	1,866.00	9,340.00	5,603.00	1,866.00
0140	Cottonseed Oil Mill	2074	379.00	1,892.00	1,134.00	379.00
0150	Soybean Oil Mill	2075	265.00	1,324.00	795.00	265.00
0160	Animal and Marine Fats and Oil (Rendering) 10,000 or More Ton/Yr	2077	906.00	4,538.00	2,722.00	906.00

**Table 3
(effective July 1, 2003)**

Fee Schedule Listing

Fee Number	Air Contaminant Source	SICC	Annual Maintenance Fee	New Permit Application Fee	Modified Permit Fees	
					Major	Minor
0170	Animal and Marine Fats and Oil (Rendering) Less than 10,000 Ton/Yr	2077	454.00	2,270.00	1,362.00	454.00
0180	Shortening, Table Oils, Margarine, and Other Edible Fats and Oils	2079	187.00	946.00	566.00	187.00
0190	Malt Beverages	2082	187.00	946.00	566.00	187.00
0200	Coffee Roasting Per 1,000,000 Lb/Yr Rated Capacity	2095 MIN. MAX.	150.48 359.00 9,495.00	756.36 1,795.00 47,480.00	452.76 1,077.00 28,488.00	150.48 359.00 9,495.00
0210 *Note 9*	Sawmill and/or Planing Less than 25,000 Bd Ft/Shift	2421	379.00	1,892.00	1,134.00	379.00
0220 *Note 9*	Sawmill and/or Planing More than 25,000 Bd Ft/Shift	2421	1,134.00	5,673.00	3,404.00	1,134.00
0230 *Note 9*	Hardwood Mill	2426	680.00	3,404.00	2,042.00	680.00
0240 *Note 9*	Special Product Sawmill N.E.C.	2429	680.00	3,404.00	2,042.00	680.00
0250	Millwork with 10 Employees or More	2431	680.00	3,404.00	2,042.00	680.00
0260	Hardwood Veneer and Plywood	2435	1,513.00	7,564.00	4,538.00	1,513.00
0270	Softwood Veneer and Plywood	2436	1,513.00	7,564.00	4,538.00	1,513.00
0280	Wood Preserving	2491	379.00	1,892.00	1,134.00	379.00
0290	Particleboard/Waferboard Manufacture (O.S.B.)	2492	1,513.00	7,564.00	4,538.00	1,513.00
0300	Hardboard Manufacture	2499	1,134.00	5,673.00	3,404.00	1,134.00
0310	Furniture and Fixtures: A) 100 or More Employees	2511	478.00	2,394.00	1,436.00	478.00
0320	Furniture and Fixtures: B) More than 10 and Less than 100 Employees	2511	227.00	1,134.00	680.00	227.00
0330	Pulp Mills Per Ton Daily Rated Capacity	2611 MIN.	5.65 3,892.00	28.35 19,459.00	17.03 11,675.00	5.65 3,891.00
0340 *Note 1*	Paper Mill Per Ton Daily Rated Capacity	2621 MIN.	5.65 3,892.00	28.35 19,459.00	17.03 11,675.00	5.65 3,891.00
0350	Paperboard Mills Per Ton Daily Rated Capacity	2631 MIN.	5.65 3,892.00	28.35 19,459.00	17.03 11,675.00	5.65 3,891.00
0360	Paper Coating	2641	227.00	1,134.00	680.00	227.00
0365	Paper Bag Manufacture	2643	288.00	1,436.00	862.00	288.00
0370	Insulation Manufacture	2649	379.00	1,892.00	1,134.00	379.00
0375	Folding Paper Board Boxes Per Packaging Press Line	2651 MIN.	379.00 1,866.00	1,892.00 9,340.00	1,134.00 5,603.00	379.00 1,866.00
0380	Corrugated Boxes: Converters (with Boilers)	2653	566.00	2,835.00	1,703.00	566.00
0381	Corrugated Boxes: Sheet Plant	2653	239.00	1,197.00	718.00	239.00
0390	Building Board and Tile	2661	1,892.00	9,455.00	5,673.00	1,892.00
0400	Commercial Printing: Black and White Per Press	2752 MIN.	226.00 1,089.00	1,134.00 5,448.00	680.00 3,268.00	226.00 1,089.00
0410	Commercial Printing: Color Per Press	2752 MIN.	378.00 1,866.00	1,890.00 9,340.00	1,135.00 5,603.00	378.00 1,866.00
0420 *Note 2*	Caustic/Chlorine Per 1,000,000 Lb/Yr Rated Cap Posed on Chlorine	2812 MIN.	3.79 1,866.00	18.92 9,340.00	11.34 5,603.00	3.79 1,866.00
0440	Industrial Gases	2813	756.00	3,780.00	2,270.00	756.00
0450	Inorganic Pigments	2816	756.00	3,780.00	2,270.00	756.00
0460	Aluminum Sulfate Production Per 100 Ton/Yr Rated Capacity	2819 MIN.	1.87 1,556.00	9.46 7,783.00	5.65 4,670.00	1.87 1,556.00
0470	Alumina Per 1,000,000 Lb/Yr Rated Capacity	2819 MIN.	7.54 1,556.00	37.80 7,783.00	22.68 4,670.00	7.54 1,556.00
0480	Catalyst Mfg. and Cat. Regeneration Per Line	2819	1,892.00	9,455.00	5,673.00	1,892.00
0490	Fluosilicates	2819	1,134.00	5,673.00	3,404.00	1,134.00
0500	Industrial Inorganic Chemicals Mfg. N.E.C. Per 1,000,000 Lb/Yr	2819 MIN.	1.87 1,089.00	9.46 5,448.00	5.65 3,268.00	1.87 1,089.00
0510	Industrial Inorganic Acids N.E.C. Per 1,000,000 Lb/Yr Rated Capacity	2819 MIN.	18.92 1,866.00	94.55 9,340.00	56.73 5,603.00	18.92 1,866.00
0520	Nitric Acid Manufacture Per 1,000 Ton/Yr Rated Capacity	2819 MIN.	7.54 1,866.00	37.80 9,340.00	22.68 5,603.00	7.54 1,866.00
0530	Phosphoric Acid Mfg. Per Ton Daily Rated Capacity	2819 MIN.	1.87 1,556.00	9.46 7,783.00	5.65 4,670.00	1.87 1,556.00
0540	Sulphuric Acid Manufacture Per Ton Daily Rated Capacity	2819 MIN.	1.87 1,556.00	9.46 7,783.00	5.65 4,670.00	1.87 1,556.00
0550	Polyethylene/Polypropolene Manufacture Per 1,000,000 Lb/Yr Rated Capacity	2821 MIN.	15.11 1,866.00	75.65 9,340.00	45.38 5,603.00	15.11 1,866.00
0560	PVC Manufacture Per 1,000,000 Lb/Yr Rated Capacity	2821 MIN.	18.92 1,866.00	94.55 9,340.00	56.73 5,603.00	18.92 1,866.00

**Table 3
(effective July 1, 2003)**

Fee Schedule Listing

Fee Number	Air Contaminant Source	SICC	Annual Maintenance Fee	New Permit Application Fee	Modified Permit Fees	
					Major	Minor
0570	Synthetic Resins Manufacture N.E.C. Per 1,000,000 Lb/Yr Rated Capacity	2821 MIN.	18.92 1,866.00	94.55 9,340.00	56.73 5,603.00	18.92 1,866.00
0580	Rubber Mfg. Per 1,000,000 Lb/Yr Rated Capacity	2822 MIN.	18.92 1,866.00	94.55 9,340.00	56.73 5,603.00	18.92 1,866.00
0585	Paint Manufacturing and Blending	2851	704.00	3,518.00	2,111.00	704.00
0590	Charcoal Per Oven	2861	379.00	1,892.00	1,134.00	379.00
0600	Gum and Wood Chemicals Per Unit	2861	1,134.00	5,673.00	3,404.00	1,134.00
0610	Styrene Monomer Per 1,000,000 Lb/Yr Rated Capacity	2865 MIN.	7.54 1,866.00	37.80 9,340.00	22.68 5,603.00	7.54 1,866.00
0620	Halogenated Hydrocarbons Per 1,000,000 Lb/Yr Rated Capacity	2869 MIN.	11.34 1,866.00	56.73 9,340.00	34.04 5,603.00	11.34 1,866.00
0630	Organic Oxides, Alcohols, Glycols Per 1,000,000 Lb/Yr Rated Capacity	2869 MIN.	7.54 1,866.00	37.80 9,340.00	22.68 5,603.00	7.54 1,866.00
0635	Olefins and Aromatics N.E.C. Per 1,000,000 Lb/Yr Rated Capacity	2869 MIN.	7.54 1,866.00	37.80 9,340.00	22.68 5,603.00	7.54 1,866.00
0640	Ammonia Manufacture Per Ton Daily Rated Capacity	2873 MIN.	3.78 1,866.00	18.92 9,340.00	11.34 5,603.00	3.78 1,866.00
0650	Fertilizer Manufacture Per 1,000 Ton/Yr Rated Capacity	2873 MIN.	1.87 1,089.00	9.46 5,448.00	5.65 3,268.00	1.87 1,089.00
0660	Urea and Ureaform Per 1,000 Ton/Yr Rated Capacity	2873 MIN.	3.78 1,089.00	18.92 5,448.00	11.34 3,268.00	3.78 1,089.00
0670	Pesticides Mfg. Per Train	2879	1,513.00	7,564.00	4,538.00	1,513.00
0680	Carbon Black Manufacture Per 1,000,000 Lb/Yr Rated Capacity	2895 MIN.	22.68 1,866.00	113.44 9,340.00	68.09 5,603.00	22.68 1,866.00
0690	Chemical and Chemical Prep. N.E.C. Per 1,000,000 Lb/Yr	2899 MIN.	18.92 1,556.00	94.55 7,783.00	56.73 4,670.00	18.92 1,556.00
0695	Chemical and Chemical Prep. N.E.C. with Output Less than 1,000,000 Lb/Yr	2899	1,077.00	5,388.00	3,233.00	1,077.00
0700	Drilling Mud-Storage and Distribution	2899	379.00	1,892.00	1,134.00	379.00
0710	Drilling Mud-Grinding	2899	1,513.00	7,564.00	4,538.00	1,513.00
0715	Salt Processing and Packaging Per 1,000,000 Lb/Yr	2899 MIN.	0.30 467.00	1.54 2,335.00	0.92 1,400.00	0.30 467.00
0720	Petroleum Refining Per 1,000 BBL/Day Rated Capacity Crude Thruput	2911 MIN.	94.55 1,866.00	472.77 9,340.00	284.00 5,603.00	95.55 1,866.00
Note 3						
0730	Asphaltic Concrete Paving Plants Per Ton/Hr Rated Capacity	2951 MIN.	2.85 777.00	14.22 3,891.00	8.53 2,335.00	2.85 777.00
Note 4						
0740	Asphalt Blowing Plant (Not to be Charged Separately if in Refinery)	2951	1,134.00	5,673.00	3,404.00	1,134.00
0760	Blending, Compounding, or Refining of Lubricants Per Unit	2992	1,134.00	5,673.00	3,404.00	1,134.00
Note 5						
0770	Petroleum Coke Calcining Per 1,000 Ton/Yr Rated Capacity	2999 MIN.	15.11 1,866.00	75.65 9,340.00	45.38 5,603.00	15.11 1,866.00
0773	Fiberglass Swimming Pools	N/A	265.00	1,324.00	795.00	265.00
0775	Plastics Injection Moulding and Extrusion Per Line	3079	379.00	1,892.00	1,134.00	379.00
0780	Glass and Glass Container Mfg. Natural Gas Fuel Per Line	3229	566.00	2,835.00	1,703.00	566.00
0790	Cement Manufacture Per 1,000 Ton/Yr Rated Capacity	3241 MIN.	11.34 1,556.00	56.73 7,783.00	34.04 4,670.00	11.34 1,556.00
0800	Glass and Glass Container Mfg. Fuel Oil Per Line	3241	1,134.00	5,673.00	3,404.00	1,134.00
0810	Brick Manufacture Per 1,000 Ton/Yr Rated Capacity	3251 MIN.	5.65 777.00	28.35 3,891.00	17.03 2,335.00	5.65 777.00
0815	Concrete Products	3272	383.00	1,915.00	1,148.00	383.00
0820	Ready-Mix Concrete	3273	946.00	2,874.00	1,892.00	946.00
Note 12						
0830	Lime Manufacture Per 1,000 Ton/Yr Rated Capacity	3274 MIN.	11.34 1,089.00	56.73 5,448.00	34.04 3,268.00	11.34 1,089.00
0840	Gypsum Manufacture Per 1,000 Ton/Yr Rated Capacity	3275 MIN.	11.34 1,089.00	56.73 5,448.00	34.04 3,268.00	11.34 1,089.00
0850	Asbestos Products Per Site or Per Production Unit	3292	2,270.00	11,347.00	6,809.00	2,270.00
0860	Clay Kiln	3295	454.00	2,271.00	1,362.00	454.00
0870	Rock Crusher	3295	416.00	2,080.00	1,249.00	416.00
0880	Gray Iron and Steel Foundries: A) 3,500 or More Ton/Yr Production	3321	606.00	3,024.00	1,815.00	606.00
0890	Gray Iron and Steel Foundries: B) Less than 3,500 Ton/Yr Production	3321	301.00	1,513.00	906.00	301.00
0900	Malleable Iron Foundries: A) 3,500 or More Ton/Yr Production	3322	606.00	3,024.00	1,815.00	606.00

**Table 3
(effective July 1, 2003)**

Fee Schedule Listing

Fee Number	Air Contaminant Source	SICC	Annual Maintenance Fee	New Permit Application Fee	Modified Permit Fees	
					Major	Minor
0910	Malleable Iron Foundries: B) Less than 3,500 Ton/Yr Production	3322	301.00	1,513.00	906.00	301.00
0920	Steel Investment Foundries: A) 3,500 or More Ton/Yr Production	3324	606.00	3,024.00	1,815.00	606.00
0930	Steel Investment Foundries: B) Less than 3,500 Ton/Yr Production	3324	301.00	1,513.00	906.00	301.00
0940	Steel Foundries Not Elsewhere Classified: A) 3,500 or More Ton/Yr Production	3325	606.00	3,024.00	1,815.00	606.00
0950	Steel Foundries Not Elsewhere Classified: B) Less than 3,500 Ton/Yr Production	3325	301.00	1,513.00	906.00	301.00
0960	Primary Smelting and Refining of Copper Per 100,000 Lb/Yr Rated Capacity	3331 MIN.	7.54 1,866.00	37.80 9,340.00	22.68 5,603.00	7.54 1,866.00
0970	Aluminum Production Per Pot	3334 MIN.	37.80 1,866.00	189.12 9,340.00	113.00 5,603.00	37.80 1,866.00
0980	Refining of Non-Ferrous Metals N.E.C. Per 1,000 Lb/Yr Rated Capacity	3339 MIN.	0.04 1,866.00	0.36 9,340.00	0.21 5,603.00	0.04 1,866.00
0990	Secondary Smelting of Non-Ferrous Metals Per Furnace	3341 MIN.	1,134.00 2,335.00	5,673.00 11,675.00	3,404.00 7,005.00	1,134.00 2,335.00
1000	Wire Manufacture	3357	756.00	3,780.00	2,270.00	756.00
1010	Aluminum Foundries (Castings) Per Unit	3361	301.00	1,513.00	906.00	301.00
1020	Brass/Bronze/Copper-Based Alloy Foundry Per Furnace	3362	379.00	1,892.00	1,134.00	379.00
1030	Metal Heat Treating Including Shotpeening	3398	227.00	1,134.00	680.00	227.00
1040	Metal Can Manufacture	3411	757.00	3,780.00	2,270.00	756.00
1050	Drum Manufacturing and/or Reconditioning	3412	1,134.00	5,673.00	3,404.00	1,134.00
1059	Fabricated Structural Steel with 5 or More Welders	3441	756.00	3,780.00	2,270.00	756.00
1060	Fabricated Plate Work with 5 or More Welders	3443	957.00	4,789.00	2,874.00	957.00
1070	Electroplating, Polishing and Anodizing with 5 or More Employees	3471	227.00	1,134.00	680.00	227.00
1080	Sandblasting or Chemical Cleaning of Metal: A) 10 or More Employees	3471	1,134.00	5,673.00	3,404.00	1,134.00
1090	Sandblasting or Chemical Cleaning of Metal: B) Less than 10 Employees	3471	566.00	2,835.00	1,703.00	566.00
1100	Coating, Engraving, and Allied Services: A) 10 or More Employees	3479	416.00	2,080.00	1,249.00	416.00
1110	Coating, Engraving, and Allied Services: B) Less than 10 Employees	3479	227.00	1,134.00	680.00	227.00
1120	Galvanizing and Pipe Coating Excluding All Other Activities	3479	454.00	2,270.00	1,362.00	454.00
1130	Painting Topcoat Per Line	3479	379.00	1,892.00	1,134.00	379.00
1140	Potting Per Line	3479	227.00	1,134.00	680.00	227.00
1150	Soldering Per Line	3479	227.00	1,134.00	680.00	227.00
1160	Wire Coating Per Line	3479	756.00	3,780.00	2,270.00	756.00
1170	Oil Field Machinery and Equipment	3533	379.00	1,892.00	1,134.00	379.00
1180	Power Chain Saw Manufacture Per Line	3546	566.00	2,835.00	1,703.00	566.00
1190	Commercial Grain Dryer	3559	454.00	2,270.00	1,362.00	454.00
1193	Commercial Laundry, Dry Cleaning, and Pressing Machines	3582	566.00	2,835.00	1,703.00	566.00
1195	Electric Transformers Per 1,000 Units/Year	3612 MIN.	175.92 478.00	879.56 2,394.00	527.74 1,436.00	175.92 478.00
1200	Electrode Manufacture Per Line	3624	529.00	2,645.00	1,588.00	529.00
1210	Telephone Manufacture Per Line	3661	1,324.00	6,618.00	3,971.00	1,324.00
1220	Electrical Connector Manufacture Per Line	3678	680.00	3,404.00	2,042.00	680.00
1230	Battery Manufacture Per Line	3691	756.00	3,780.00	2,270.00	756.00
1240	Electrical Equipment Per Line	3694	454.00	2,270.00	1,362.00	454.00
1245	Automobile, Truck, and Van Assembly Per 1,000 Vehicles Per Year Capacity	3711 MIN. MAX.	189.12 1,197.00 37,829.00	945.50 5,998.00 189,145.00	567.30 3,592.00 113,487.00	189.12 1,197.00 37,829.00
1250	Ship and Boat Building: A) 5001 or More Employees	3732	5,673.00	28,365.00	17,020.00	5,673.00
1260	Ship and Boat Building: B) 2501 to 5000 Employees	3732	3,780.00	18,912.00	11,347.00	3,780.00
1270	Ship and Boat Building: C) 1001 to 2500 Employees	3732	1,892.00	9,455.00	5,673.00	1,892.00
1280	Ship and Boat Building: D) 201 to 1000 Employees	3732	1,134.00	5,673.00	3,404.00	1,134.00
1290	Ship and Boat Building: E) 200 or Less	3732	379.00	1,892.00	1,134.00	379.00

**Table 3
(effective July 1, 2003)**

Fee Schedule Listing

Fee Number	Air Contaminant Source	SICC	Annual Maintenance Fee	New Permit Application Fee	Modified Permit Fees	
					Major	Minor
	Employees					
1300	Playground Equipment Manufacture Per Line	3949	566.00	2,835.00	1,703.00	566.00
1310	Grain Elevators: A) 20,000 or More Ton/Yr	4221	1,208.00	6,050.00	3,630.00	1,208.00
1320	Grain Elevators: B) Less than 20,000 Ton/Yr	4221	606.00	3,025.00	1,815.00	606.00
1330 *Note 6*	A) Petroleum, Chemical Bulk Storage and Terminal (Over 3,000,000 BBL Capacity)	4226	11,347.00	56,732.00	34,040.00	11,347.00
1340 *Note 6*	B) Petroleum, Chemical Bulk Storage and Terminal (1,000,000- 3,000,000 BBL Capacity)	4226	7,564.00	37,821.00	22,692.00	7,564.00
1350 *Note 6*	C) Petroleum, Chemical Bulk Storage and Terminal (500,001- 1,000,000 BBL Capacity)	4226	3,780.00	18,912.00	11,347.00	3,780.00
1360 *Note 6*	D) Petroleum, Chemical Bulk Storage and Terminal (500,000 BBL Capacity or Less)	4226	1,892.00	9,455.00	5,673.00	1,892.00
1361 *Note 8*	Wholesale Distribution of Coke and Other Bulk Goods Per 1,000 Ton/Yr Capacity	4463 MIN.	0.77 1,866.00	3.79 9,340.00	2.24 5,603.00	0.77 1,866.00
1362	Crude Oil Pipeline: Facility with Less than 100,000 BBL Storage Capacity	4612	838.00	4,191.00	2,515.00	838.00
1363	Crude Oil Pipeline: Facility with 100,000 to 500,000 BBL Storage Capacity	4612	1,197.00	5,988.00	3,592.00	1,197.00
1364	Crude Oil Pipeline: Facility with Over 500,000 BBL Storage Capacity	4612	1,676.00	8,382.00	5,029.00	1,676.00
1366	Refined Oil Pipeline: Facility with Less than 100,000 BBL Storage Capacity	4613	718.00	3,592.00	2,154.00	718.00
1367	Refined Oil Pipeline: Facility with 100,000 to 500,000 BBL Storage Capacity	4613	957.00	4,789.00	2,874.00	957.00
1368	Refined Oil Pipeline: Facility with Over 500,000 BBL Storage Capacity	4613	1,436.00	7,185.00	4,310.00	1,436.00
1370	Railcar/Barge/Tank Truck Cleaning Heavy Fuels Only	4742	379.00	1,892.00	1,134.00	379.00
1380	Railcar and Barge Cleaning Other Than Heavy Fuels	4742	1,892.00	9,455.00	5,673.00	1,892.00
1390	Tank Truck Cleaning Other Than Heavy Fuels	4742	1,134.00	5,673.00	3,404.00	1,134.00
1400	A) Electric Power Gen. Per MW (Over 0.7 Percent S in Fuel)	4911 MIN.	17.57 3,580.00	87.94 17,902.00	52.76 10,741.00	17.57 3,580.00
1410 *Note 7*	B) Electric Power Gen. Per MW (0.7 Percent S or Less in Fuel)	4911 MIN.	10.53 1,712.00	52.76 8,562.00	31.65 5,137.00	10.53 1,712.00
1420	C) Electric Power Gen. Per MW (Natural Gas Fired)	4911 MIN.	5.29 1,245.00	26.39 6,226.00	15.83 3,736.00	5.29 1,245.00
1430 *Note 11*	Natural Gas Comp Per 100 H.P. (Turbines)	4922	7.54	37.80	22.68	7.54
1440 *Note 11*	Recip. Nat Gas Comp Per 100 H.P.: A) 50,000 H.P.	4922	34.06	170.21	102.12	34.06
1450 *Note 11*	Recip. Nat Gas Comp Per 100 H.P.: B) 20,000 to 50,000 H.P.	4922	37.80	189.12	113.44	37.80
1460 *Note 11*	Recip. Nat Gas Comp Per 100 H.P.: C) 5,000 to 20,000 H.P.	4922	45.38	226.92	136.12	45.38
1470 *Note 11*	Recip. Nat Gas Comp Per 100 H.P.: D) 2,500 to 5,000 H.P.	4922	52.96	264.71	158.84	52.96
1480 *Note 11*	Recip. Nat Gas Comp Per 100 H.P.: E) 1,000 to 2,500 H.P.	4922	56.73	283.65	170.21	56.73
1490 *Note 11*	Recip. Nat Gas Comp: F) Less than 1,000 H.P.	4922	756.00	1,892.00	756.00	756.00
1500 *Note 10*	Coal Gassification Per \$100,000 Capital Cost	4925 MIN. MAX.	7.54 1,197.00 60,558.00	37.80 5,988.00 302,788.00	22.68 3,592.00 181,672.00	7.54 1,197.00 60,558.00
1510 *Note 10*	Co-Generation Per \$100,000 Capital Cost	4939 MIN. MAX.	7.54 1,197.00 37,829.00	37.80 5,988.00 189,145.00	22.68 3,592.00 113,487.00	7.54 1,197.00 37,829.00
1520	Incinerators: A) 1,000 Lb/Hr and Greater Capacity	4953	478.00	2,394.00	1,436.00	478.00
1521	Incinerators: B) Less than 1,000 Lb/Hr Capacity	4953	154.00	777.00	467.00	154.00
1525	Sanitary Landfill Per Million Mg of Planned Capacity	4953 MIN.	132.00 264.00	660.00 1,320.00	396.00 792.00	132.00 264.00
1530	Municipal Incinerators	4953	3,780.00	18,912.00	11,347.00	3,780.00
1532	Commercial Hazardous Waste Incinerator Per 1,000,000 BTU Per Hour Thermal Capacity	4953 MIN.	217.95 4,789.00	1,089.73 23,950.00	653.84 14,370.00	217.95 4,789.00
1533	Noncommercial Hazardous Waste Incinerator (Per 1,000,000 BTU/Hr Thermal Capacity)	4953 MIN.	108.97 3,113.00	545.61 15,567.00	326.91 9,340.00	108.97 3,113.00
1534	Commercial Hazardous Waste Disp. Facility N.E.C.	4953	31,135.00	155,676.00	93,405.00	31,135.00

**Table 3
(effective July 1, 2003)**

Fee Schedule Listing

Fee Number	Air Contaminant Source	SICC	Annual Maintenance Fee	New Permit Application Fee	Modified Permit Fees	
					Major	Minor
1535	Commercial Hazardous Waste Underground Injection (Surface Facilities) Per Location	4953	6,226.00	31,135.00	18,681.00	6,226.00
1536	Recoverable/Re-usable Materials Proc. Facility (Per 1,000,000 BTU/Hr Thermal Capacity)	4953 MIN. MAX.	108.97 3,113.00 15,567.00	544.86 15,567.00 77,838.00	326.91 9,340.00 46,702.00	108.97 3,113.00 15,567.00
1540	Steam Gen. Units Per 1000 Lb/Hr Steam Cap: Natural Gas or Comb Non-Fossil Fuels	4961 MIN.	1.87 310.00	9.46 1,556.00	5.65 933.00	1.87 310.00
1550	Steam Gen. Units Per 1000 Lb/Hr Steam Cap: Fuels with 0.7 Percent S or Less	4961 MIN.	3.79 777.00	18.92 3,891.00	11.34 2,335.00	3.79 777.00
1560	Steam Gen. Units Per 1000 Lb/Hr Steam Cap: Fuels with More than 0.7 Percent S	4961 MIN.	5.65 1,089.00	28.35 5,448.00	17.03 3,268.00	5.65 1,089.00
1570	Cement (Bulk Distribution)	5052	1,513.00	7,564.00	4,538.00	1,513.00
1580	Wholesale Distribution of Coal Per 1,000 Ton/Yr Throughput	5052 MIN.	0.36 1,089.00	1.87 5,448.00	1.11 3,268.00	0.36 1,089.00
1590	Automobile Recycling Scrap Per 1000 Ton/Yr	5093 MIN. MAX.	15.56 777.00 37,829.00	77.83 3,891.00 189,145.00	46.70 2,335.00 113,487.00	15.56 777.00 37,829.00
1600	Bulk Loader: Over 100,000 Ton/Yr Throughput	5153	3,780.00	18,912.00	11,347.00	3,780.00
1610 *Note 14a*	Bulk Loader: Less Than or Equal to 100,000 and More Than 25,000 Ton/Yr Throughput	5153	1,892.00	9,455.00	5,673.00	1,829.00
1611 *Note 14a*	Bulk Loader: 25,000 Ton/Yr or Less Throughput	5153	1,077.00	5,388.00	3,233.00	1,077.00
1612 *Note 14a*	Bulk Loader: No Grain or Dusty Materials Transfer	5153	718.00	3,592.00	2,154.00	718.00
1620	Grain Elevators-Terminal Per 10,000 BU/Yr Throughput	5153 MIN.	0.36 1,712.00	1.87 8,562.00	1.11 5,137.00	0.36 1,712.00
1630	Wholesale Distribution of Chemicals and Allied Products Per Facility	5161	946.00	3,780.00	2,835.00	946.00
1640	Petroleum Bulk Plants	5171	77.00	379.00	227.00	77.00
1650	Petroleum Bulk Terminal	5171	756.00	3,780.00	2,270.00	756.00
1660	Petroleum Bulk Station	5171	77.00	379.00	227.00	77.00
1670	Storage Tank	5171	0.00	756.00	379.00	379.00
1680	Crude Oil Distribution	5172	1,134.00	5,673.00	3,404.00	1,134.00
1690	Tire Recapping Plant	7534	154.00	777.00	467.00	154.00
1700	Chemical Waste Disposal Facility for Nonhazardous Waste	9998	3,518.00	17,592.00	10,555.00	3,518.00
1710	Negotiated Fee	9999	0.00	0.00	0.00	0.00
1711	Research Fee for Alternate Disposal of Hazardous Waste	9999	0.00	0.00	0.00	0.00
1720 *Note 15*	Small Business Sources	N/A	143.00	713.00	428.00	143.00
1722	Small Source Permit	N/A	143.00	713.00	428.00	143.00

**Table 4
(effective July 1, 2003)**

Additional Fees

Fee Number	Fee Description	Amount
2000	Company Ownership/Operator Change or Name Change Transfer of an Existing Permit	150.00
2010	The Issuance or Denial of Relocation, Administrative Amendments, Variances, Authorization to Construct, Change of Tank Service, Research & Development, and Exemptions	300.00
2015 *Note 15*	The Issuance or Denial of Relocation, Administrative Amendments, Variances, Authorization to Construct, Change of Tank Service, Research & Development, and Exemptions for Small Business Sources	143.00
2020	The Issuance of an Asbestos Demolition Verification Form (ADVF) - (at least 10 working days notification given)	66.00
2030	The Issuance of an Asbestos Demolition Verification Form (ADVF) - (less than 10 working days notification given)	99.00
2040	Agent Accreditation for Asbestos: Includes Contractor/Supervisor, Inspector, Management Planner, or Project Designer-Normal Processing (greater than 3 working days after receipt of required documentation and fees)	264.00
2050	Agent Accreditation for Asbestos: Includes Contractor/Supervisor, Inspector, Management Planner, or Project Designer-Emergency Processing (less than or equal to 3 working days after receipt of required documentation and fees)	396.00
2060	Worker Accreditation for Asbestos-Normal Processing (greater than 3 working days after receipt of required documentation and fees)	66.00
2070	Worker Accreditation for Asbestos-Emergency Processing (less than or equal to 3 working days after receipt of required documentation and fees)	99.00
2080	Duplicate Certificate	33.00
2090	Training Organization Recognition Plus Trainer Recognition Per Trainer-Normal Processing (greater than 3 working days after receipt of required documentation and fees)	396.00 66.00
2100	Training Organization Recognition Plus Trainer Recognition Per Trainer-Emergency Processing (less than or equal to 3 working days after receipt of required documentation and fees)	594.00 99.00

**Table 4
(effective July 1, 2003)**

Additional Fees		
Fee Number	Fee Description	Amount
2200 *Note 13*	Air Toxics Annual Fee Per Ton Emitted on an Annual Basis:	
	Class I Pollutants	142.56
	Class II Pollutants	71.28
	Class III Pollutants	35.64
2300 *Note 14*	Criteria Pollutant Annual Fee Per Ton Emitted on an Annual Basis: Nitrogen oxides (NOx) Sulfur dioxide (SO ₂) Non-toxic organic (VOC) Particulate (PM ₁₀)	12.83/ton
2400	An application approval fee for Stage II Vapor Recovery	132.00
	An annual facility inspection fee for Stage II Vapor Recovery	198.00
2600 *Note 16*	Accident Prevention Program Annual Maintenance Fee: Program 1	264.00
2620 *Note 16*	Accident Prevention Program Annual Maintenance Fee: Program 2	528.00
2630 *Note 16*	Accident Prevention Program Annual Maintenance Fee: Program 3	3,300.00
2800	An application fee for mobile sources emissions banking (auto scrappage)	66.00
2810	An application fee for point source emissions banking (not applicable when filing application with a new permit or permit modification)	66.00
2900 *Note 19*	Lead Contractor License Evaluation Fee	500.00
2901 *Note 19*	Lead Project Supervisor Accreditation Fee	250.00
2902 *Note 19*	Lead Project Designer Accreditation Fee	500.00
2903 *Note 19*	Risk Assessor Accreditation Fee	250.00
2904 *Note 19*	Lead Inspector Accreditation Fee	150.00
2905 *Note 19*	Lead Worker Accreditation Fee	50.00
2906 *Note 19*	Accreditation Fee for Louisiana Lead Training Organizations, Application Processing Fee	500.00
2907 *Note 19*	Accreditation Fee for Louisiana Lead Training Organizations, Processing Fee Per Instructor	50.00
2908 *Note 19*	Accreditation Fee for Out of State Training Organizations, Application Processing Fee	750.00
2909 *Note 19*	Accreditation Fee for Out of State Training Organizations, Processing Fee Per Instructor	100.00
2910 *Note 19*	Lead Abatement Project Notification Fee, 2000 Square Feet and Under	200.00
2911 *Note 19*	Lead Abatement Project Notification Fee for Each Additional Increment of 2000 Square Feet or Portion Thereof	100.00
2912 *Note 19*	Revisions to Lead Abatement Project Notification Fee	50.00
2913 *Note 19*	Soil Lead Abatement Project Notification Fee, Half Acre or Less	200.00
2914 *Note 19*	Soil Lead Abatement Project Notification Fee, Each Additional Half Acre or Portion Thereof	100.00

Explanatory Notes for Fee Schedule

Notes 1. – 10. ...

Note 11. The maximum annual maintenance fee for categories 1430 - 1490 is not to exceed \$34,390 total, effective July 1, 2002, for any one gas transmission company. Effective July 1, 2003, the maximum fee is not to exceed \$37,829.

Note 12. The maximum annual maintenance fee for one location with two or more plants shall be \$1,556, effective July 1, 2002. Effective July 1, 2003, the maximum fee shall be \$1,711.

Note 13. Fees will be determined by aggregating actual annual emissions of each class of toxic air pollutants (as delineated in LAC 33:III.Chapter 51.Table 51.1) for a facility and applying the appropriate fee schedule for that class. Fees shall not be assessed for emissions of a single toxic air pollutant over and above 4,000 tons per year from a facility. The minimum fee for this category shall be \$120, effective

July 1, 2002. Effective July 1, 2003, the minimum fee shall be \$132.

Note 14. Fees will not be assessed for emissions of a single criteria pollutant over and above 4,000 tons per year from a facility. Criteria fees will be assessed on actual annual emissions that occurred during the previous calendar year. The minimum fee for this category shall be \$120, effective July 1, 2002. Effective July 1, 2003, the minimum fee shall be \$132.

Notes 14a. – 20. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2054, 30:2341, and 30:2351 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Nuclear Energy, Air Quality Division, LR 13:741 (December 1987), amended LR 14:613 (September 1988), LR 15:735 (September 1989), amended by the Office of Air Quality and Radiation Protection, Air Quality

Division, LR 17:1205 (December 1991), repromulgated LR 18:31 (January 1992), amended LR 18:706 (July 1992), LR 18:1256 (November 1992), LR 19:1373 (October 1993), LR 19:1420 (November 1993), LR 19:1564 (December 1993), LR 20:421 (April 1994), LR 20:1263 (November 1994), LR 21:22 (January 1995), LR 21:782 (August 1995), LR 21:942 (September 1995), repromulgated LR 21:1080 (October 1995), amended LR 21:1236 (November 1995), LR 23:1496 (November 1997), LR 23:1499 (November 1997), LR 23:1662 (December 1997), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:267 (February 2000), LR 26:485 (March 2000), LR 26:1606 (August 2000), repromulgated LR 27:192 (February 2001), amended LR 29:672 (May 2003).

Part V. Hazardous Waste and Hazardous Materials
Subpart 1. Department of Environmental Quality—
Hazardous Waste

Chapter 51. Fee Schedules

§5111. Calculation of Application Fees

- A. ...
- B. Application Fee Schedule

Table 1 (effective July 1, 2002 - June 30, 2003)	
Item	Fee
Site analysis—per acre site size	\$300 ¹
Process and plan analysis	\$1,200
Facility analysis—per facility ²	\$600
Management/financial analysis	\$1,200

Table 2 (effective July 1, 2003)	
Item	Fee
Site analysis—per acre site size	\$330 ¹
Process and plan analysis	\$1,320
Facility analysis—per facility ²	\$660
Management/financial analysis	\$1,320

[Note: Fee equals total of the four items.]

¹ Up to 100 acres, no additional fee thereafter.

² Incinerator, land farm, treatment pond, etc. each counted as a facility.

- C. - E. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2014 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Hazardous Waste Division, LR 10:200 (March 1984), amended LR 11:533 (May 1985), LR 12:318 (May 1986), LR 12:676 (October 1986), LR 13:433 (August 1987), LR 18:724 (July 1992), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 27:287 (March 2001), LR 29:685 (May 2003).

§5119. Calculation of Annual Maintenance Fees

- A. Fee per Site

Table 1 (effective July 1, 2002 - June 30, 2003)	
Off-Site Disposer (Commercial)	\$95,760
Reclaimer (compensated for waste removed)	\$42,000
Reclaimer (uncompensated for waste removed or pays for waste removed)	\$30,000
Off-Site Disposer (Noncommercial)	\$24,000
On-Site Disposer	\$12,000

Table 2 (effective July 1, 2003)	
Off-Site Disposer (Commercial)	\$105,336
Reclaimer (compensated for waste removed)	\$46,200
Reclaimer (uncompensated for waste removed or pays for waste removed)	\$33,000
Off-Site Disposer (Noncommercial)	\$26,400
On-Site Disposer	\$13,200

[NOTE: The higher fee for off-site disposal is due to the cost of the manifest system and emergency response to transport spills (neither cost is applicable to on-site disposers).]

- B. Fee per Hazardous Waste Facility Type

Table 1 (effective July 1, 2002 - June 30, 2003)	
Unit Type	Fee
Storage:	
Container/Tank/Waste Pile/etc.	\$3,928
Treatment:	
Incinerator/Boiler/Industrial Furnace/Filtration Unit/etc.	\$6,324
Disposal:	
Landfill/Miscellaneous Unit/etc.	\$9,924

Table 2 (effective July 1, 2003)	
Unit Type	Fee
Storage:	
Container/Tank/Waste Pile/etc.	\$4,320
Treatment:	
Incinerator/Boiler/Industrial Furnace/Filtration Unit/etc.	\$6,956
Disposal:	
Landfill/Miscellaneous Unit/etc.	\$10,916

- C. Fee Based on Volume

Table 1 (effective July 1, 2002 - June 30, 2003)	
Less than 1,000 tons	\$2,342
Less than 10,000 tons	\$5,885
Less than 100,000 tons	\$9,427
Less than 1,000,000 tons	\$12,970
More than 1,000,000 tons	\$16,512

Table 2 (effective July 1, 2003)	
Less than 1,000 tons	\$2,577
Less than 10,000 tons	\$6,473
Less than 100,000 tons	\$10,370
Less than 1,000,000 tons	\$14,267
More than 1,000,000 tons	\$18,163

- D. - E. ...

F. Land Disposal Prohibitions Fee. Treatment, processing (including use, reuse, recycling), and/or disposal facility annual fee (not on storage facilities). This fee applies to facilities handling wastes subject to the land disposal prohibitions in LAC 33:V.Chapter 22.

Table 1 (effective July 1, 2002 - June 30, 2003)	
On-Site	\$1,200
Off-Site Noncommercial	\$2,400
Reclaimer	\$3,000
Off-Site Commercial	\$6,000

Table 2 (effective July 1, 2003)	
On-Site	\$1,320
Off-Site Noncommercial	\$2,640
Reclaimer	\$3,300
Off-Site Commercial	\$6,600

G. - J. ...

K. Formula to Apportion Fees

Annual maintenance fee = Fee per site + Fee per facility + Fee based on volume + Annual research and development fee + Administrative cost fee + Land disposal prohibitions fee + Groundwater protection annual fee + Incineration inspection and monitoring fee + Boiler/industrial furnace inspection and monitoring fee + Annual landfill inspection and monitoring fee + Annual land treatment unsaturated zone monitoring inspection fee

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2014 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Hazardous Waste Division, LR 10:200 (March 1984), amended LR 11:533 (May 1985), LR 12:318 (May 1986), LR 12:676 (October 1986), LR 13:433 (August 1987), LR 15:378 (May 1989), LR 16:684 (August 1990), LR 16:1057 (December 1990), LR 18:723 (July 1992), LR 18:1375 (December 1992), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 29:685 (May 2003).

§5120. Land Disposal Prohibition Petition Fees

A. Petitions submitted in accordance with R.S. 30:2193.E.(2) and/or LAC 33:V.Chapter 22 are subject to additional fees as noted below for each petition submitted. These fees must be submitted at the time a petition is submitted.

Table 1 (effective July 1, 2002 - June 30, 2003)	
Variance	\$12,000
Exemption	\$54,000
Extension	\$6,000
No-Alternatives Determinations:	
Original Petition	\$12,000
Renewal Petition/Request	\$12,000
Request for determination for addition of a hazardous waste(s) not covered by existing determination	\$1,200

Table 2 (effective July 1, 2003)	
Variance	\$13,200
Exemption	\$59,400
Extension	\$6,600
No-Alternatives Determinations:	
Original Petition	\$13,200
Renewal Petition/Request	\$13,200
Request for determination for addition of a hazardous waste(s) not covered by existing determination	\$1,320

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2014 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Hazardous Waste Division, LR 15:378 (May 1989), amended LR 17:658 (July 1991), amended by the Office of Environmental

Assessment, Environmental Planning Division, LR 25:1803 (October 1999), LR 29:686 (May 2003).

§5123. Registration Fees, HW-1

A. An initial registration fee is charged for each generator, transporter, or TSD facility obtaining an EPA Identification Number from the department. There is no fee for modifying an existing registration based on any change of information submitted on Notification Form HW-1.

Table 1 (effective July 1, 2002 - June 30, 2003)	
Initial Fee	\$11.35

Table 2 (effective July 1, 2003)	
Initial Fee	\$12.50

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2014 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Hazardous Waste Division, LR 10:200 (March 1984), amended LR 11:533 (May 1985), LR 12:319 (May 1986), LR 12:676 (October 1986), LR 13:433 (August 1987), LR 14:622 (September 1988), LR 18:725 (July 1992), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 29:686 (May 2003).

§5125. Annual Monitoring and Maintenance Fee

A. Fee will annually be \$340, plus the prohibited waste fee, effective July 1, 2002. Effective July 1, 2003, this fee will be \$375.

B. Annual prohibited waste fee is \$120, effective July 1, 2002, for each generator who generates for land disposal as provided in LAC 33:V.Chapter 22. Effective July 1, 2003, this fee will be \$132. The generator will be subject to this fee if any waste generated is prohibited from disposal at any time during the year for which the fee is assessed.

C. All annual fees provided by this Chapter shall be paid by the due date indicated on the invoice.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2014 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Hazardous Waste Division, LR 10:200 (March 1984), amended LR 11:533 (May 1985), LR 12:321 (May 1986), LR 12:676 (October 1986), LR 13:433 (August 1987), LR 15:378 (May 1989), LR 17:658 (July 1991), amended by the Office of Management and Finance, Fiscal Services Division, LR 22:18 (January 1996), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 29:686 (May 2003).

§5135. Transporter Fee

A. All transporters of hazardous waste with a facility in Louisiana shall pay a fee of \$240 per year to the department, effective July 1, 2002. Effective July 1, 2003, this fee will be \$264. There will be only one fee regardless of the number of vehicles in the service of the transporter.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2014 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Hazardous Waste Division, LR 14:622 (September 1988), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 29:686 (May 2003).

§5137. Conditionally Exempt Small Quantity Generator Fee

A. Conditionally exempt small quantity generators (see LAC 33:V.108) shall pay a fee of \$60 per year to the department, effective July 1, 2002. Effective July 1, 2003, this fee will be \$66.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2014 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Hazardous Waste Division, LR 14:622 (September 1988), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 27:716 (May 2001), LR 29:687 (May 2003).

§5139. Groundwater Protection Permit Review Fee

A. Permit Review Fee. This fee covers the cost of reviewing permits for geology, geotechnical design, and groundwater protection aspects.

compliance with department specifications for units subject to permitting under these regulations.

Table 1 (effective July 1, 2002 - June 30, 2003)	
Each Well	\$600

Table 2 (effective July 1, 2003)	
Each Well	\$660

D. Groundwater Monitoring Systems Inspection Fee (Annual). This fee covers the cost of inspecting monitoring systems for units subject to permitting under these regulations, to ensure that they are functioning properly and continue to maintain their integrity.

Table 1 (effective July 1, 2002 - June 30, 2003)	
Each Well	\$300

Table 2 (effective July 1, 2003)	
Each Well	\$330

AUTHORITY NOTE: Promulgated in accordance with 30:2014 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Groundwater Division, LR 14:621 (September 1988), amended LR 16:685 (August 1990), amended by the Hazardous Waste Division, LR 18:725 (July 1992), LR 18:1256 (November 1992), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 29:687 (May 2003).

§5141. Incinerator and Boiler/Industrial Furnace Inspection and Monitoring Fee

A. Trial Burn or Test Burn Observer Fee. This is a special fee charged at a daily rate to cover the cost to the department of providing and placing on site a regulatory observer team during incinerator trial burns, boiler/industrial furnace trial burns, or other types of test burns required by regulations or the administrative authority when an observer team is required by regulations, specified by permit conditions, or considered necessary to ensure that human health and the environment are adequately protected.

1. This fee will be \$600, effective July 1, 2002, for each day of the test burn or trial burn. Effective July 1, 2003, this fee will be \$660.

2. This fee will be billed following completion of the trial burn or test burn and must be paid by the due date indicated on the invoice.

B. Annual Monitoring and Maintenance Fee for Incinerators, Boilers, Industrial Furnaces, and Commercial Recycling Furnaces. This is an annual fee applied to defray the cost of annually inspecting the required continuous monitors and recording devices for each incinerator, boiler, or industrial furnace to determine whether they are being properly maintained and calibrated. This fee will annually be a flat \$1,200, effective July 1, 2002. Effective July 1, 2003, this fee will be \$1,320.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2014 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste,

Table 1 (effective July 1, 2002 - June 30, 2003)	
Hazardous Waste Facilities (1 time)	\$6,000 each
Permit Modifications:	
Class 1 and 2	\$240 each
Class 3	\$900 each
Solid Waste Facilities (1 time)	\$6,000 each
Permit Modifications:	
Major	\$600 each
Minor	\$240 each

Table 2 (effective July 1, 2003)	
Hazardous Waste Facilities (1 time)	\$6,600 each
Permit Modifications:	
Class 1 and 2	\$264 each
Class 3	\$990 each
Solid Waste Facilities (1 time)	\$6,600 each
Permit Modifications:	
Major	\$660 each
Minor	\$264 each

B. Oversight of Abandonment Procedures. This fee covers the cost of reviewing plans to plug and abandon all permitted groundwater monitoring systems (monitoring wells, piezometers, observations wells, and recovery wells) to ensure that they do not pose a potential threat to groundwater.

Table 1 (effective July 1, 2002 - June 30, 2003)	
Casing pulled	\$120 each
Casing reamed out	\$240 each
Casing left in place	\$600 each

Table 2 (effective July 1, 2003)	
Casing pulled	\$132 each
Casing reamed out	\$264 each
Casing left in place	\$660 each

C. Groundwater Monitoring Systems Installation Permit. This fee covers the cost of reviewing the geology and design of proposed groundwater monitoring systems to ensure

Hazardous Waste Division, LR 16:1057 (December 1990), amended LR 18:1375 (December 1992), amended by the Office of Management and Finance, Fiscal Services Division, LR 22:18 (January 1996), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2510 (November 2000), LR 29:687 (May 2003).

§5143. Annual Landfill Inspection and Monitoring Fee

A. An annual fee shall be charged for the inspection of the regulatory requirement for leak detection and leachate collection systems associated with hazardous waste landfills to determine operational status and degree of proper maintenance. For each landfill unit or cell with a separate leak detection and leachate collection system, the annual fee will be \$120, effective July 1, 2002. Effective July 1, 2003, this fee will be \$132.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2014 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Hazardous Waste Division, LR 16:1057 (December 1990), amended LR 18:725 (July 1992), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 29:688 (May 2003).

§5145. Annual Land Treatment Unsaturated Zone Monitoring Inspection Fee

A. Semiannual Zone of Incorporation (ZOI) Inspection Fee. This fee covers the cost of inspection and random sampling and laboratory analysis of the zone of incorporation.

Table 1 (effective July 1, 2002 - June 30, 2003)	
ZOI soil samples	\$1,200 each acre
Soil-pore liquid monitors (Lysimeters)	\$3,000 each monitor

Table 2 (effective July 1, 2003)	
ZOI soil samples	\$1,320 each acre
Soil-pore liquid monitors (Lysimeters)	\$3,300 each monitor

B. Annual Land Treatment Unit Report Review Fee. This fee covers the cost of reviewing the report required by final permits for land treatment. Included in the annual land treatment unit report are the results of the unsaturated zone monitoring. Included are the semiannual soil core sample analyses and the quarterly soil-pore liquid quality analyses from below the treatment zone. Also included are soil moisture tensiometer readings of the ZOI.

Table 1 (effective July 1, 2002 - June 30, 2003)	
Hazardous Waste Facilities	\$1,200 each report
Table 2 (effective July 1, 2003)	
Hazardous Waste Facilities	\$1,320 each report

C. Permit Review Fee. This fee covers the cost of reviewing permits for geology, geotechnical design, and hydrological separation requirements of these regulations.

Table 1 (effective July 1, 2002 - June 30, 2003)	
Initial Permit	\$6,000 each
Permit Modifications:	
Class 1	\$240 each
Class 2 or 3	\$900 each

Table 2 (effective July 1, 2003)	
Initial Permit	\$6,600 each
Permit Modifications:	
Class 1	\$264 each
Class 2 or 3	\$990 each

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2014 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Hazardous Waste Division, LR 16:1057 (December 1990), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 29:688 (May 2003).

Part VII. Solid Waste

Subpart 1. Solid Waste Regulations

Chapter 5. Solid Waste Management System

Subchapter D. Solid Waste Fees

§525. Standard Permit Application Review Fee

A. Applicants for Type I, I-A, II, and II-A standard permits shall pay a \$3,000 permit application review fee for each facility, effective July 1, 2002, and the fee shall accompany each permit application submitted. Effective July 1, 2003, this fee will be \$3,300.

B. Applicants for Type III standard permits or beneficial-use permits shall pay a permit application review fee of \$600 for each facility, effective July 1, 2002, and the fee shall accompany each permit application submitted. Effective July 1, 2003, this fee will be \$660.

C. Permit holders providing permit modifications for Type I, I-A, II, and II-A facilities shall pay a \$1,200 permit-modification review fee, effective July 1, 2002, and the fee shall accompany each modification submitted. Effective July 1, 2003, the permit-modification fee will be \$1,320. Permit holders providing mandatory modifications in response to these regulations shall pay a \$600 permit-modification fee, effective July 1, 2002, and the fee shall accompany each mandatory modification submitted. Effective July 1, 2003, the permit-modification fee for mandatory modifications will be \$660. Permit modifications required by LAC 33:VII.709.E.1 will not be subject to a permit modification fee.

D. Permit holders providing permit modifications for Type III facilities or beneficial use facilities shall pay a \$300 permit-modification review fee, effective July 1, 2002, and the fee shall accompany each modification submitted. Effective July 1, 2003, this fee will be \$330.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Solid Waste Division, LR 19:187 (February 1993), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 29:688 (May 2003).

§527. Closure Plan Review Fee

A. Applicants for Type I, I-A, II, and II-A closures shall pay a \$1,200 closure-plan review fee, effective July 1, 2002, and the fee shall accompany each closure plan submitted. Effective July 1, 2003, this fee will be \$1,320.

B. Applicants for Type III or beneficial-use facilities closures shall pay a \$300 closure-plan review fee, effective July 1, 2002, and the fee shall accompany each closure plan submitted. Effective July 1, 2003, this fee will be \$330.

C. Permit holders providing closure-plan modifications for Type I, I-A, II, and II-A facilities shall pay a \$600 closure-plan modification review fee, effective July 1, 2002, and the fee shall accompany each modification submitted. Effective July 1, 2003, this fee will be \$660.

D. Permit holders providing closure-plan modifications for Type III or beneficial-use facilities shall pay a \$150 closure-plan modification review fee, effective July 1, 2002, and the fee shall accompany each modification submitted. Effective July 1, 2003, this fee will be \$165.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Solid Waste Division, LR 19:187 (February 1993), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 29:688 (May 2003).

§529. Annual Monitoring and Maintenance Fee

A. An initial fee is charged for the processing of transporter notifications.

1. The fee shall be calculated by the following formula:

Initial fee per notification + Fee based on each vehicle owned by the transporter = Notification fee

2. No fee is assessed for modifying an existing notification form. The fee shall accompany the notification form at the time of its filing.

Table 1 (effective July 1, 2002 - June 30, 2003)	
Initial fee	\$120
Fee Per Vehicle	\$30

Table 2 (effective July 1, 2003)	
Initial fee	\$132
Fee Per Vehicle	\$33

B. All holders of permits for solid waste processing and/or disposal facilities that have not completed closure, including post-closure activities, in accordance with an approved plan, shall be charged an annual monitoring and maintenance fee for each permit. This annual monitoring and maintenance fee shall be calculated by the following formula:

Base fee per permit + Fee based on tonnage = Annual monitoring and maintenance fee

1. Base fees are as follows:

a. \$7,200, effective July 1, 2002, for Type I facilities (including facilities that handle both industrial and nonindustrial waste). Effective July 1, 2003, this fee will be \$7,920;

b. \$1,800, effective July 1, 2002, for Type II facilities. Effective July 1, 2003, this fee will be \$1,980; and

c. \$600, effective July 1, 2002, for Type I-A, II-A, III, and beneficial-use facilities. Effective July 1, 2003, this fee will be \$660.

2. Tonnage fees will be based on the wet-weight tonnage, as reported in the previous year's disposer annual report, and are calculated as follows:

a. for industrial wastes (Type I facilities, except surface impoundments), \$0.72/ton, effective July 1, 2002. Effective July 1, 2003, this fee will be \$0.79/ton;

b. for nonindustrial wastes (Type II facilities, except surface impoundments), \$0.18/ton, effective July 1, 2002, for amounts exceeding 75,000 tons. Effective July 1, 2003, this fee will be \$0.20/ton;

2.c. - e. ...

3. The maximum annual monitoring and maintenance fee per facility for Type I facilities (including facilities that handle both industrial and nonindustrial solid wastes) is \$96,000, effective July 1, 2002. Effective July 1, 2003, this fee will be \$105,600. The maximum fee per facility for Type II facilities is \$24,000, effective July 1, 2002. Effective July 1, 2003, this fee will be \$26,400. Surface impoundments, as noted above, are assessed only the base fee.

C. - G. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Solid Waste Division, LR 19:187 (February 1993), amended by the Office of Management and Finance, Fiscal Services Division, LR 22:18 (January 1996), LR 25:427 (March 1999), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 29:689 (May 2003).

Part IX. Water Quality

Chapter 13. Louisiana Water Pollution Control Fee System Regulation

§1309. Fee System

A. - B.3.a.i. ...

ii. \$104.81 per rating point from July 1, 1998, through June 30, 1999;

iii. \$112.12 per rating point as of July 1, 1999;

iv. \$134.54 per rating point as of July 1, 2002; and

v. \$148.00 per rating point as of July 1, 2003; and

b. for all other facilities:

i. \$179.16 per rating point through June 30, 1998;

ii. \$192.60 per rating point from July 1, 1998, through June 30, 1999;

iii. \$206.03 per rating point as of July 1, 1999;

iv. \$247.24 per rating point as of July 1, 2002; and

v. \$271.96 per rating point as of July 1, 2003.

B.4. - E.1.a. ...

b. \$244.56 from July 1, 1998, through June 30, 1999;

c. \$261.63 as of July 1, 1999;

d. \$314.00 as of July 1, 2002; and

e. \$345.00 as of July 1, 2003.

E.2. - 2.a. ...

b. \$101,587.50 from July 1, 1998, through June 30, 1999;

c. \$108,675 as of July 1, 1999;

d. \$130,410 as of July 1, 2002; and

e. \$143,451 as of July 1, 2003.

F. - M. ...

N. Other Fees

Table 1 (effective July 1, 2002 - June 30, 2003)	
Permit Type	Amount
Gen-LAG11-Concrete/Asphalt	\$293
Gen-LAG33-Coastal	\$2,400
Gen-LAG47-Auto Repair/Dealers	\$240
Gen-LAG119-Concrete/Asphalt (SW)	\$352
Gen-LAG78-C&D Landfills	\$600

Table 1 (effective July 1, 2002 - June 30, 2003)	
Permit Type	Amount
Gen-LAG89-Type D Truck Maintenance	\$600
Gen-LAG75-Exterior Vehicle Wash	\$240
Gen-LAG-Animal Waste	\$273
Gen-LAR-Baseline	\$90
Gen-LAG87-Bulk Terminals	\$293
Gen-LAR10-Construction	\$240
Gen-LAG67-Hydrostatic Test	\$273
Gen-LAG48-Light Commercial	\$314
Gen-LAR05-Multi-Sector	\$90
Gen-LAG38-Potable Water	\$314
Gen-LAG949-GW Remediation (SW)	\$900
Gen-LAG49-Sand and Gravel	\$600
Gen-LAG26-Territorial Seas	\$2,400
Gen-LAG30-UST Dewatering	\$90
Gen-LAG94-GW Remediation	\$900
Gen-LAG679-Hydrostatic Test (SW)	\$720
Gen-LAG759-Mobile Vehicle/Equipment Wash	\$288
Gen-LAG83- Petroleum UST Remediation	\$900
Gen-LAG839-Petroleum UST (SW)	\$2,400
Gen-LAG14-RR Classified Yards	\$293
Gen-LAG53-Sanitary Class I	\$90
Gen-LAG54-Sanitary Class II	\$240
Gen-LAG56-Sanitary Class III	\$450
Gen-LAG57-Sanitary Class IV	\$540
Gen-LAG309-UST Dewatering (SW)	\$774
Gen-LAG98-Vermilion Basin Sanitary	\$294

Table 2 (effective July 1, 2003)	
Permit Type	Amount
Gen-LAG11-Concrete/Asphalt	\$322
Gen-LAG33-Coastal	\$2,640
Gen-LAG47-Auto Repair/Dealers	\$264
Gen-LAG119-Concrete/Asphalt (SW)	\$387
Gen-LAG78-C&D Landfills	\$660
Gen-LAG89-Type D Truck Maintenance	\$660
Gen-LAG75-Exterior Vehicle Wash	\$264
Gen-LAG-Animal Waste	\$300
Gen-LAR-Baseline	\$99
Gen-LAG87-Bulk Terminals	\$322
Gen-LAR10-Construction	\$264
Gen-LAG67-Hydrostatic Test	\$300
Gen-LAG48-Light Commercial	\$345
Gen-LAR05-Multi-Sector	\$99
Gen-LAG38-Potable Water	\$345
Gen-LAG949-GW Remediation (SW)	\$990
Gen-LAG49-Sand and Gravel	\$660
Gen-LAG26-Territorial Seas	\$2,640
Gen-LAG30-UST Dewatering	\$99
Gen-LAG94-GW Remediation	\$990
Gen-LAG679-Hydrostatic Test (SW)	\$792
Gen-LAG759-Mobile Vehicle/Equipment Wash	\$317
Gen-LAG83- Petroleum UST Remediation	\$990
Gen-LAG839-Petroleum UST (SW)	\$2,640
Gen-LAG14-RR Classified Yards	\$322
Gen-LAG53-Sanitary Class I	\$99
Gen-LAG54-Sanitary Class II	\$264
Gen-LAG56-Sanitary Class III	\$495
Gen-LAG57-Sanitary Class IV	\$594
Gen-LAG309-UST Dewatering (SW)	\$851
Gen-LAG98-Vermilion Basin Sanitary	\$323

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq., and in particular 2014(B).

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Water Resources, LR 11:534 (May 1985), amended LR 14:626 (September 1988), LR 18:731 (July 1992), LR 21:798 (August 1995), amended by the Office of

Management and Finance, Fiscal Services Division, LR 22:19 (January 1996), amended by the Office of Water Resources, LR 24:326 (February 1998), amended by the Office of Management and Finance, Fiscal Services Division, LR 25:427 (March 1999), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 29:689 (May 2003).

§1507. Procedures For Issuance of Water Quality Certification

A. - A.1.n.iv. ...

2. Processing Fee

a. A one-time processing fee will be assessed all applicants to help defray the costs of this expanded program. The fee schedule will be as follows.

Table 1 (effective July 1, 2002 - June 30, 2003)	
Noncommercial Activities	\$30/application
Commercial Activities	\$318/application

Table 2 (effective July 1, 2003)	
Noncommercial Activities	\$33/application
Commercial Activities	\$350/application

b. Payment shall accompany the application for certification. The department shall consider the application incomplete and initiation of the application review process will not begin until payment of the processing fee is received. Payment shall be by check or money order to Department of Environmental Quality, Office of Management and Finance, Financial Services Division and shall be nonrefundable.

A.3. - H.2 ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2074(A)(3).

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Water Resources, LR 10:496 (July 1984), amended by the Office of the Secretary, LR 22:345 (May 1996), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2550 (November 2000), LR 29:690 (May 2003).

**Part XI. Underground Storage Tanks
Chapter 3. Registration Requirements, Standards,
and Fee Schedule**

§307. Fee Schedule

A. - B. ...

1. Fees are assessed according to the following schedule.

Table 1 (effective July 1, 2002 - June 30, 2003)		
Fee Number	Annual Registration Fee	Amount
001	All registered UST systems	\$54
Annual Maintenance and Monitoring Fees		
002	UST systems containing any substance defined in Section 101(14) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) of 1980 (but not including any substance regulated as a hazardous waste under the department's Hazardous Waste Regulations, LAC 33:V.Subpart 1)	\$600
003	UST systems at federal facilities (all categories except USTs defined in Fee Number 002, which shall be assessed the higher fee)	\$144

004	UST systems containing petroleum products not meeting the definition of motor fuels	\$144
005	UST systems containing new or used motor oil (except USTs identified in LAC 33:XI.1101.C and D)	\$275

Table 2 (effective July 1, 2003)		
Fee Number	Annual Registration Fee	Amount
001	All registered UST systems	\$54
Annual Maintenance and Monitoring Fees		
002	UST systems containing any substance defined in Section 101(14) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) of 1980 (but not including any substance regulated as a hazardous waste under the department's Hazardous Waste Regulations, LAC 33:V.Subpart 1)	\$660
003	UST systems at federal facilities (all categories except USTs defined in Fee Number 002, which shall be assessed the higher fee)	\$158
004	UST systems containing petroleum products not meeting the definition of motor fuels	\$158
005	UST systems containing new or used motor oil (except USTs identified in LAC 33:XI.1101.C and D)	\$275

B.2. - D. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001, 2014, 2195, and 2195.3 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Underground Storage Tank Division, LR 11:1139 (December 1985), amended LR 16:614 (July 1990), LR 17:658 (July 1991), LR 18:727 (July 1992), amended by the Office of Management and Finance, Fiscal Services Division, LR 22:19 (January 1996), LR 25:427 (March 1999), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 25:2400 (December 1999), LR 29:690 (May 2003).

Chapter 13. Certification Requirements for Persons Who Install, Repair, or Close Underground Storage Tank Systems

§1305. Categories of Certification and Requirements for Issuance and Renewal of Certificates

A. - C. ...

**Chapter 25. Fee Schedule
Appendix A**

Table 1 (effective July 1, 2002 - June 30, 2003)		
Appendix A Radiation Protection Program Fee Schedule		
	Application Fee	Annual Maintenance Fee
I. Radioactive Material Licensing		
A. Medical licenses:		
1. Therapy:		
a. Teletherapy	666	666
b. Brachytherapy	666	666
2. Nuclear medicine diagnostic only	822	822
3. Nuclear medicine diagnostic/therapy	882	882
4. Nuclear pacemaker implantation	330	330
5. Eye applicators	330	330
6. In-vitro studies or radioimmunoassays or calibration sources	330	330

D. Fees. The following fees are hereby established for certification and renewal:

1. examination fee for individual certification, \$120, effective July 1, 2002. Effective July 1, 2003, this fee will be \$132; and

2. certification renewal fee, \$120, effective July 1, 2002. Effective July 1, 2003, this fee will be \$132.

E. - H. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, LR 16:614 (July 1990), amended LR 17:658 (July 1991), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2562 (November 2000), LR 29:691 (May 2003).

Part XV. Radiation Protection

**Chapter 5. Radiation Safety Requirements for Industrial Radiographic Operations
Subchapter B. Personal Radiation Safety Requirements for Radiographers**

§579. Identification Cards for Radiographers or Radiographer Trainees

A. - A.3. ...

4. Any individual who wishes to replace his/her I.D. card shall submit to the Office of Environmental Services, Permits Division a written request for a replacement I.D. card, stating the reason a replacement I.D. card is needed. A non-refundable fee of \$24, effective July 1, 2002, shall be paid to the department for each replacement of an I.D. card. Effective July 1, 2003, this fee will be \$26. The prescribed fee shall be submitted with the written request for a replacement I.D. card. The individual shall maintain a copy of the request in his/her possession while performing industrial radiographic operations until a replacement I.D. card is received from the department.

B. - E.2. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Radiation Protection, Radiation Protection Division, LR 20:1000 (September 1994), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2584 (November 2000), LR 29:36 (January 2003), LR 29:691 (May 2003).

7.	Processing or manufacturing and distribution of radiopharmaceuticals	1,296	1,104
8.	Mobile nuclear medicine services	1,296	1,104
9.	"Broad scope" medical licenses	1,296	1,104
10.	Manufacturing of medical devices/sources	1,512	1,260
11.	Distribution of medical devices/sources	1,134	942
12.	All other medical licenses	366	366
B. Source material licenses:			
1.	For mining, milling, or processing activities, or utilization which results in concentration or redistribution of naturally occurring radioactive material	6,552	6,552
2.	For the concentration and recovery of uranium from phosphoric acid as "yellow cake" (powdered solid)	3,276	3,276
3.	For the concentration of uranium from or in phosphoric acid	1,638	1,638
4.	All other specific "source material" licenses	330	330
C. Special nuclear material (SNM) licenses:			
1.	For use of SNM in sealed sources contained in devices used in measuring systems	504	504
2.	SNM used as calibration or reference sources	330	330
3.	All other licenses or use of SNM in quantities not sufficient to form a critical mass, except as in I.A.4, I.C.1, and 2	330	330
D. Industrial radioactive material licenses:			
1.	For processing or manufacturing for commercial distribution	6,480	4,878
2.	For industrial radiography operations performed in a shielded radiography installation(s) or permanently designated areas at the address listed in the license	1,104	870
3.	For industrial radiography operations performed at temporary jobsite(s) of the licensee	3,252	2,448
4.	For possession and use of radioactive materials in sealed sources for irradiation of materials where the source is not removed from the shield and is less than 10,000 Curies	1,638	822
5.	For possession and use of radioactive materials in sealed sources for irradiation of materials when the source is not removed from the shield and is greater than 10,000 Curies, or where the source is removed from the shield	3,252	1,626
6.	For distribution of items containing radioactive material	1,638	1,638
7. Well-logging and subsurface tracer studies:			
a.	Collar markers, nails, etc. for orientation	330	330
b.	Sealed sources less than 10 Curies and/or tracers less than or equal to 500 mCi	978	978
c.	Sealed sources of 10 Curies or greater and/or tracers greater than 500 mCi but less than 5 Curies	1,638	1,638
d.	Field flood studies and/or tracers equal to or greater than 5 Curies	2,460	2,460
8.	Operation of a nuclear laundry	6,492	3,252
9.	Industrial research and development of radioactive materials or products containing radioactive materials	822	822
10.	Academic research and/or instruction	666	666
11. Licenses of broad scope:			
a.	Academic, industrial, research and development, total activity equal to or greater than 1 Curie	1,638	1,638
b.	Academic, industrial, research and development, total activity less than 1 Curie	978	978
12.	Gas chromatographs, sulfur analyzers, lead analyzers, or similar laboratory devices	330	330
13.	Calibration sources equal to or less than 1 Curie per source	330	330
14.	Level or density gauges	504	504
15.	Pipe wall thickness gauges	666	666
16.	Soil moisture and density gauges	504	504
17. NORM decontamination/maintenance:			
a.	at permanently designated areas at the location(s) listed in the license	3,780	3,150
b.	at temporary jobsite(s) of the licensee	3,780	3,780
18.	Commercial NORM storage	3,150	3,150
19.	All other specific industrial licenses except as otherwise noted	666	666
20.	Commercial NORM treatment	15,120	12,600
E. Radioactive waste disposal licenses:			
1.	Commercial waste disposal involving burial	850,500	850,500
2.	Commercial waste disposal involving incineration of vials containing liquid scintillation fluids	6,480	3,252
3.	All other commercial waste disposal involving storage, packaging and/or transfer	3,252	3,252
F. Civil defense licenses			
G. Teletherapy service company license			
H. Consultant licenses:			
1.	No calibration sources	162	94
2.	Possession of calibration sources equal to or less than 500 mCi each	240	162
3.	Possession of calibration sources greater than 500 mCi	330	240
4.	Installation and/or servicing of medical afterloaders	438	378
II. Electronic Product Registration			
1.	Medical diagnostic X-ray (per registration)	107	107
2. Medical therapeutic X-ray (per registration):			
a.	below 500 kVp	252	252
b.	500 kVp to 1 MeV (including accelerator and Van deGraaf)	504	504
c.	1 MeV to 10 MeV	756	756

d. 10 MeV or greater	1,008	1,008
3. Dental X-ray (per registration)	95	88
4. Veterinary X-ray (per registration)	95	95
5. Educational institution X-ray (teaching unit, per registration)	156	95
6. Industrial accelerator (includes Van de Graaf machines and neutron generators)	504	504
7. Industrial radiography (per registration)	252	252
8. All other X-ray (per registration) except as otherwise noted	114	114
III. General Licenses		
A. NORM (Wellhead fee per field shall not exceed \$1,890 per operator. Operators reporting contamination by field will be invoiced for all wellheads in the field. Operators reporting contamination by wellhead will be invoiced only for contaminated units.)		
1. 1-5 contaminated wellheads	126	126
2. 6-20 contaminated wellheads	630	630
3. >20 contaminated wellheads	1,890	1,890
4. Stripper wells-contaminated (\$630 maximum for strippers per field):	126	126
a. 1 to 5 contaminated stripper wells	126	126
b. > 5 contaminated stripper wells	630	630
5. NORM locations (other than fields):		
a. gas plants, pipeyards, chemical plant, refinery	378	378
b. warehouses, pipeline, manufacturing plant, NORM equipment storage site, etc.	378	378
6. Interim container storage per NORM Waste Management Plan of an approved location		1,260
7. NORM location as otherwise defined in LAC 33:XV.1403 and not exempted by LAC 33:XV.1404, not included in III.A.1-6 of this Appendix	126	126
B. Tritium sign	90	0
C. All other general licenses which require registration	126	126
IV. Reciprocal Recognition		
The fee for reciprocal recognition of a license or registration from another state or the NRC is the annual fee of the applicable category. The fee covers activities in the state of Louisiana for one year from the date of receipt.		
V. Shielding Evaluation (per room)		
A. Diagnostic	126	*
B. Therapeutic (below 500 kVp)	190	*
C. Therapeutic (500 kVp to 1 MeV)	312	*
D. Therapeutic (1 MeV to 10 MeV)	438	*
E. Therapeutic (10 MeV or greater)	948	*
F. Industrial and industrial radiography	438	*
VI. Device, Product, or Sealed Source Evaluation		
A. Device evaluation (each)	882	*
B. Sealed source design evaluation (each)	570	*
C. Update sheet	190	*
VII. Testing		
Testing to determine qualifications of employees, per test administered	162	*
VIII. Nuclear Electric Generating Station		
Located in Louisiana		357,600
Located near Louisiana (Plume Exposure Pathway Emergency Planning Zone - includes area in Louisiana)		259,200
Uranium Enrichment Facility		63,000
IX. La. Radiation Protection Program Laboratory Analysis Fees		
Sample Type	Analysis	Unit Price
A. Air filters:		
1. Particulate	Gross beta	70
2. Charcoal cartridge	Gamma	198
	Gamma/I-131	198
B. Milk	Gamma	210
	I-131	228
C. Water	Gamma	228
	I-131	228
	H-3	84
D. Sediment	Gamma	240
E. Vegetation	Gamma	228
F. Fish	Gamma	240
G. Leak test	Gamma	198
	H-3	84
H. NORM sample:		
1. Soil	Gamma	210
2. Produced water	Gamma	228
* Fees are charged one time		

**Table 2
(effective July 1, 2003)**

**Appendix A
Radiation Protection Program Fee Schedule**

	Application Fee	Annual Maintenance Fee
I. Radioactive Material Licensing		
A. Medical licenses:		
1. Therapy:		
a. Teletherapy	733	733
b. Brachytherapy	733	733
2. Nuclear medicine diagnostic only	904	904
3. Nuclear medicine diagnostic/therapy	970	970
4. Nuclear pacemaker implantation	363	363
5. Eye applicators	363	363
6. In-vitro studies or radioimmunoassays or calibration sources	363	363
7. Processing or manufacturing and distribution of radiopharmaceuticals	1,426	1,214
8. Mobile nuclear medicine services	1,426	1,214
9. "Broad scope" medical licenses	1,426	1,214
10. Manufacturing of medical devices/sources	1,663	1,386
11. Distribution of medical devices/sources	1,247	1,036
12. All other medical licenses	403	403
B. Source material licenses:		
1. For mining, milling, or processing activities, or utilization which results in concentration or redistribution of naturally occurring radioactive material	7,207	7,207
2. For the concentration and recovery of uranium from phosphoric acid as "yellow cake" (powered solid)	3,604	3,604
3. For the concentration of uranium from or in phosphoric acid	1,802	1,802
4. All other specific "source material" licenses	363	363
C. Special nuclear material (SNM) licenses:		
1. For use of SNM in sealed sources contained in devices used in measuring systems	554	554
2. SNM used as calibration or reference sources	363	363
3. All other licenses or use of SNM in quantities not sufficient to form a critical mass, except as in I.A.4, I.C.1, and 2	363	363
D. Industrial radioactive material licenses:		
1. For processing or manufacturing for commercial distribution	7,128	5,366
2. For industrial radiography operations performed in a shielded radiography installation(s) or permanently designated areas at the address listed in the license	1,214	957
3. For industrial radiography operations performed at temporary jobsite(s) of the licensee	3,577	2,693
4. For possession and use of radioactive materials in sealed sources for irradiation of materials where the source is not removed from the shield and is less than 10,000 Curies	1,802	904
5. For possession and use of radioactive materials in sealed sources for irradiation of materials when the source is not removed from the shield and is greater than 10,000 Curies, or where the source is removed from the shield	3,577	1,789
6. For distribution of items containing radioactive material	1,802	1,802
7. Well-logging and subsurface tracer studies:		
a. Collar markers, nails, etc. for orientation	363	363
b. Sealed sources less than 10 Curies and/or tracers less than or equal to 500 mCi	1,076	1,076
c. Sealed sources of 10 Curies or greater and/or tracers greater than 500 mCi but less than 5 Curies	1,802	1,802
d. Field flood studies and/or tracers equal to or greater than 5 Curies	2,706	2,706
8. Operation of a nuclear laundry	7,141	3,577
9. Industrial research and development of radioactive materials or products containing radioactive materials	904	904
10. Academic research and/or instruction	733	733
11. Licenses of broad scope:		
a. Academic, industrial, research and development, total activity equal to or greater than 1 Curie	1,802	1,802
b. Academic, industrial, research and development, total activity less than 1 Curie	1,076	1,076
12. Gas chromatographs, sulfur analyzers, lead analyzers, or similar laboratory devices	363	363
13. Calibration sources equal to or less than 1 Curie per source	363	363
14. Level or density gauges	554	554
15. Pipe wall thickness gauges	733	733
16. Soil moisture and density gauges	554	554
17. NORM decontamination/maintenance:		
a. at permanently designated areas at the location(s) listed in the license	4,158	3,465
b. at temporary jobsite(s) of the licensee	4,158	4,158
18. Commercial NORM storage	3,465	3,465
19. All other specific industrial licenses except as otherwise noted	733	733
20. Commercial NORM treatment	16,632	13,860
E. Radioactive waste disposal licenses:		
1. Commercial waste disposal involving burial	935,550	935,550

2. Commercial waste disposal involving incineration of vials containing liquid scintillation fluids	7,128	3,577
3. All other commercial waste disposal involving storage, packaging and/or transfer	3,577	3,577
F. Civil defense licenses	436	363
G. Teletherapy service company license	1,802	1,802
H. Consultant licenses:		
1. No calibration sources	178	103
2. Possession of calibration sources equal to or less than 500 mCi each	264	178
3. Possession of calibration sources greater than 500 mCi	363	264
4. Installation and/or servicing of medical afterloaders	482	416
II. Electronic Product Registration		
1. Medical diagnostic X-ray (per registration)	117	117
2. Medical therapeutic X-ray (per registration):		
a. below 500 kVp	277	277
b. 500 kVp to 1 MeV (including accelerator and Van deGraaf)	554	554
c. 1 MeV to 10 MeV	832	832
d. 10 MeV or greater	1,109	1,109
3. Dental X-ray (per registration)	104	96
4. Veterinary X-ray (per registration)	104	104
5. Educational institution X-ray (teaching unit, per registration)	172	104
6. Industrial accelerator (includes Van de Graaf machines and neutron generators)	554	554
7. Industrial radiography (per registration)	277	277
8. All other X-ray (per registration) except as otherwise noted	125	125
III. General Licenses		
A. NORM (Wellhead fee per field shall not exceed \$2,079 per operator. Operators reporting contamination by field will be invoiced for all wellheads in the field. Operators reporting contamination by wellhead will be invoiced only for contaminated units.)		
1. 1-5 contaminated wellheads	139	139
2. 6-20 contaminated wellheads	693	693
3. >20 contaminated wellheads	2,079	2,079
4. Stripper wells-contaminated (\$693 maximum for strippers per field):	139	139
a. 1 to 5 contaminated stripper wells	139	139
b. > 5 contaminated stripper wells	693	693
5. NORM locations (other than fields):		
a. gas plants, pipeyards, chemical plant, refinery	416	416
b. warehouses, pipeline, manufacturing plant, NORM equipment storage site, etc.	416	416
6. Interim container storage per NORM Waste Management Plan of an approved location		1,386
7. NORM location as otherwise defined in LAC 33:XV.1403 and not exempted by LAC 33:XV.1404, not included in III.A.1-6 of this Appendix	139	139
B. Tritium sign	99	0
C. All other general licenses which require registration	139	139
IV. Reciprocal Recognition		
The fee for reciprocal recognition of a license or registration from another state or the NRC is the annual fee of the applicable category. The fee covers activities in the state of Louisiana for one year from the date of receipt.		
V. Shielding Evaluation (per room)		
A. Diagnostic	139	*
B. Therapeutic (below 500 kVp)	209	*
C. Therapeutic (500 kVp to 1 MeV)	343	*
D. Therapeutic (1 MeV to 10 MeV)	482	*
E. Therapeutic (10 MeV or greater)	1,043	*
F. Industrial and industrial radiography	482	*
VI. Device, Product, or Sealed Source Evaluation		
A. Device evaluation (each)	970	*
B. Sealed source design evaluation (each)	627	*
C. Update sheet	209	*
VII. Testing		
Testing to determine qualifications of employees, per test administered	178	*
VIII. Nuclear Electric Generating Station		
Located in Louisiana		393,360
Located near Louisiana (Plume Exposure Pathway Emergency Planning Zone - includes area in Louisiana)		285,120
Uranium Enrichment Facility		69,300
IX. La. Radiation Protection Program Laboratory Analysis Fees		
	Sample Type	Analysis
A. Air filters:		Unit Price
1. Particulate	Gross beta	77
2. Charcoal cartridge	Gamma	218
	Gamma/I-131	218

B. Milk	Gamma	231
	I-131	250
C. Water	Gamma	250
	I-131	250
	H-3	92
D. Sediment	Gamma	264
E. Vegetation	Gamma	250
F. Fish	Gamma	264
G. Leak test	Gamma	218
	H-3	92
H. NORM sample:		
1. Soil	Gamma	231
2. Produced water	Gamma	250
*Fees are charged one time		

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Radiation Protection, Radiation Protection Division, LR 18:719 (July 1992), repromulgated LR 18:956 (September 1992), amended LR 19:624 (May 1993), LR 21:792 (August 1995), repromulgated LR 21:944 (September 1995), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2607 (November 2000), LR 29:691 (May 2003).

James H. Brent, Ph.D.
Assistant Secretary

0305#017

RULE

Department of Environmental Quality Office of Environmental Assessment Environmental Planning Division

Hazardous Waste Site Cleanup Fund Prioritization (LAC 33:I.Chapter 41)(OS046)

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 has adopted Office of the Secretary regulations, LAC 33:I.Chapter 41 (Log #OS046).

The Rule sets standards for site prioritization of hazardous and nonhazardous waste sites. The Hazardous Waste Site Cleanup Fund (HWSCF) will be utilized to cover cost from abatement of sites determined to be a priority by these standards and approval of the secretary. This action is mandated by R.S. 30:2205.D, as amended by the 2002 Regular Session of the Legislature. The basis and rationale for this Rule are to set up regulations to prioritize sites requiring funds from the HWSCF.

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.

Title 33 ENVIRONMENTAL QUALITY Part I. Office of the Secretary Subpart 2. Notification

Chapter 41. Hazardous Waste Site Cleanup Fund Site Prioritization

§4101. Purpose

A. The purpose of this Chapter is to establish procedures for prioritizing sites for funding from the Hazardous Waste Site Cleanup Fund.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq., in particular, 30:2205.D.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Environmental Assessment, Environmental Planning Division, LR 29:696 (May 2003).

§4103. Applicability

A. This Chapter applies to hazardous and nonhazardous sites to be funded by the Hazardous Waste Site Cleanup Fund and will become effective on May 20, 2003.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq., in particular, 30:2205.D.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Environmental Assessment, Environmental Planning Division, LR 29:696 (May 2003).

§4105. Prioritization Scheme

A. Each site shall be prioritized by a numerical ranking system based on:

1. health risks;
2. groundwater and surface water contamination;
3. owner/operator recalcitrance or refusal to comply with department-required actions;
4. site owner/operator financial abilities;
5. eligibility for any other viable funding mechanism;
6. availability of money within the fund; and
7. determination by the secretary that the fund should be used to facilitate actions in a timely manner to abate emergencies.

B. The goal of the prioritization scheme is to allow the department to maximize risk reduction in proportion to the fund dollars spent. The department will use the prioritization numerical ranking system as a tool to aid the department in managing risk reduction in proportion to the fund dollars spent.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq., in particular, 30:2205.D.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Environmental Assessment, Environmental Planning Division, LR 29:696 (May 2003).

James H. Brent, Ph.D.
Assistant Secretary

0305#018

RULE

**Department of Environmental Quality
Office of Environmental Assessment
Environmental Planning Division**

**Incorporation by Reference of 40 CFR Part 93
(LAC 33:III.1432)(AQ231*)**

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 has amended the Air regulations, LAC 33:III.1432 (Log #AQ231*).

This Rule is identical to federal regulations found in 40 CFR Part 93, Subpart A, July 1, 2002, and 67 FR 50808-50817, August 6, 2002, which are applicable in Louisiana. For more information regarding the federal requirement, contact the Regulation Development Section at (225) 765-0399 or Box 82178, Baton Rouge, LA 70884-2178. No fiscal or economic impact will result from the Rule; therefore, the Rule will be promulgated in accordance with R.S. 49:953.F.(3) and (4).

This Rule incorporates by reference into the state transportation conformity Rule the latest edition of 40 CFR Part 93, dated July 1, 2002, and EPA amendments to the federal transportation conformity Rule that were finalized August 6, 2002. The EPA Rule amendments change two provisions of the transportation conformity Rule that will provide state and local governments with additional time in the transportation conformity process. The changes are that areas designated nonattainment for the first time have a one-year grace period following the effective date of their nonattainment designation before conformity applies and conformity is required within 18 months of EPA's finding that SIP motor vehicle emission budgets are adequate for use in the conformity process. The Rule is effective upon the date of promulgation. The basis and rationale for this Rule are to mirror the federal transportation conformity regulations as amended through August 6, 2002.

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.

**Title 33
ENVIRONMENTAL QUALITY
Part III. Air**

**Chapter 14. Conformity
Subchapter B. Conformity to State or Federal
Implementation Plans of Transportation
Plans, Programs, and Projects Developed,
Funded, or Approved under Title 23
U.S.C. or the Federal Transit Act**

§1432. Incorporation by Reference

A. 40 CFR Part 93, Subpart A, July 1, 2002, and amended Sections 102-104 in the *Federal Register*, Volume 67, No. 151, August 6, 2002, pages 50808-50817, are hereby incorporated by reference with the exclusion of Section 105.

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

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Radiation Protection, Air Quality Division, LR 24:1280 (July 1998), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 27:2229 (December 2001), LR 28:994 (May 2002), LR 29:697 (May 2003).

James H. Brent, Ph.D.
Assistant Secretary

0305#015

RULE

**Department of Environmental Quality
Office of Environmental Assessment
Environmental Planning Division**

**Incorporation by ReferenceC 2002
(LAC 33:I.3931; III.507, 2160, 3003,
5116, 5122, 5311, 5901; V.Chapter 30;
IX.2301, 2531, 2533; and XV.1517)(OS047*)**

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 has amended the Environmental Quality regulations, LAC 33:I.3931; III. 507, 2160, 3003, 5116, 5122, 5311, and 5901; V.Chapter 30.Appendices A-L; IX.2301, 2531, and 2533; and XV.1517 (Log #OS047*).

This Rule is identical to federal regulations found in 10 CFR 71, Appendix A, January 1, 2002; 40 CFR Parts 51, Appendix M, 60, 61, 63, 68, 70.6(a), 117.3, 136, 266, Appendices I-IX and XI-XIII, 302.4, 401, and 405-471, July 1, 2002; and 67 FR 58997, September 19, 2002 and 67 FR 64260 - 64268, October 17, 2002, which are applicable in Louisiana. For more information regarding the federal requirement, contact the Regulation Development Section at (225) 765-0399 or Box 82178, Baton Rouge, LA 70884-2178. No fiscal or economic impact will result from the Rule; therefore, the Rule will be promulgated in accordance with R.S. 49:953.F.(3) and (4).

This Rule incorporates by reference into LAC 33:I, III, V, IX, and XV the corresponding regulations in 10 CFR 71, Appendix A, January 1, 2002; 40 CFR Parts 51, Appendix M, 60, 61, 63, 68, 70.6(a), 117.3, 136, 266, Appendices I-IX and XI-XIII, 302.4, 401, and 405-471, July 1, 2002; and amendments to Part 420 in 67 FR 58997, September 19, 2002 and Part 430 in 67 FR 64260 - 64268, October 17, 2002. In order for Louisiana to maintain equivalency with federal regulations, the most current Code of Federal Regulations must be adopted into the LAC. This rulemaking is necessary to maintain delegation, authorization, etc., granted to Louisiana by EPA. This incorporation by reference package is being promulgated to keep Louisiana's regulations current with their federal counterparts. The basis and rationale for this Rule are to mirror the federal regulations in order to maintain equivalency.

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.

**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. ...

1. 40 CFR 117.3, July 1, 2002, Table 117.3C Reportable Quantities of Hazardous Substances Designated Pursuant to Section 311 of the Clean Water Act; and

2. 40 CFR 302.4, July 1, 2002:

a. Table 302.4C List of Hazardous Substances and Reportable Quantities; and

b. Appendix A to §302.4C Sequential CAS Registry Number List of CERCLA Hazardous Substances.

B. - Note @. ...

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

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of the Secretary, LR 11:770 (August 1985), amended LR 19:1022 (August 1993), LR 20:183 (February 1994), amended by the Department of Environmental Quality, the Office of Air Quality and Radiation Protection, Air Quality Division, LR 21:944 (September 1995), LR 22:341 (May 1996), amended by the Department of Environmental Quality, Office of the Secretary, LR 24:1288 (July 1998), amended by the Department of Environmental Quality, the Office of Environmental Assessment, Environmental Planning Division, LR 27:2229 (December 2001), LR 28:994 (May 2002), LR 29:698 (May 2003).

Part III. Air

Chapter 5. Permit Procedures

§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, 2002. 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. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2011, 2023, 2024 and 2054.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Nuclear Energy, Air Quality Division, LR 13:741 (December 1987), amended by the Department of Environmental Quality, Office of Air Quality and Radiation Protection, Air Quality Division, LR 19:1420 (November 1993), LR 20:1375 (December 1994), amended by the Department of Environmental Quality, Office of Environmental Assessment, Environmental Planning Division, LR 26:2447 (November 2000), LR 27:2229 (December 2001), LR 28:994 (May 2002), LR 29:698 (May 2003).

Chapter 21. Control of Emission of Organic Compounds

Subchapter N. Method 43C Capture Efficiency Test Procedures

§2160. Procedures

A. Except as provided in Subsection C of this Section, the regulations at 40 CFR Part 51, Appendix M, July 1, 2002, are hereby incorporated by reference.

B. - C.2.b.iv. ...

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

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Radiation Protection, Air Quality Division, LR 17:653 (July 1991), amended LR 22:1212 (December 1996), LR 23:1680 (December 1997), LR 24:1286 (July 1998), amended by the Department of Environmental Quality, Office of Environmental Assessment, Environmental Planning Division, LR 27:1224 (August 2001), LR 29:698 (May 2003).

Chapter 30. Standards of Performance for New Stationary Sources (NSPS)

Subchapter A. Incorporation by Reference (IBR)

§3003. IBR 40 Code of Federal Regulations (CFR)

Part 60

A. Except 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, 2002, are hereby incorporated by reference as they apply to the state of Louisiana.

B. - C. ...

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

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Radiation Protection, Air Quality Division, LR 22:1212 (December 1996),

amended LR 23:1681 (December 1997), LR 24:1287 (July 1998), LR 24:2238 (December 1998), LR 25:1239 (July 1999), LR 25:1797 (October 1999), amended by the Department of Environmental Quality, Office of Environmental Assessment, Environmental Planning Division, LR 26:1607 (August 2000), LR 26:2460 (November 2000), LR 26:2608 (November 2000), LR 27:2229 (December 2001), LR 28:994 (May 2002), LR 28:2179 (October 2002), LR 29:316 (March 2003), LR 29:698 (May 2003).

Chapter 51. Comprehensive Toxic Air Pollutant Emission Control Program
Subchapter B. Incorporation by Reference of 40 CFR Part 61 (National Emission Standards for Hazardous Air Pollutants)

§5116. Incorporation by Reference of 40 CFR Part 61 (National Emission Standards for Hazardous Air Pollutants)

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, 2002, and specifically listed in the following table are hereby incorporated by reference as they apply to sources in the state of Louisiana.

40 CFR 61	Subpart/Appendix Heading

[See Prior Text in Subpart A – Appendix C]	

B. - C. ...

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

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Radiation Protection, Air Quality Division, LR 23:61 (January 1997), amended LR 23:1658 (December 1997), LR 24:1278 (July 1998), LR 25:1464 (August 1999), LR 25:1797 (October 1999), amended by the Department of Environmental Quality, Office of Environmental Assessment, Environmental Planning Division, LR 26:2271 (October 2000), LR 27:2230 (December 2001), LR 28:995 (May 2002), LR 28:2179 (October 2002), LR 29:699 (May 2003).

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, 2002, are hereby incorporated by reference as they apply to major sources in the state of Louisiana.

B. - C.2. ...

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

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Radiation Protection, Air Quality Division, LR 23:61 (January 1997), amended LR 23:1659 (December 1997), LR 24:1278 (July 1998), LR 24:2240 (December 1998), LR 25:1464 (August 1999), LR 25:1798 (October 1999), amended by the Department of Environmental Quality, Office of Environmental Assessment, Environmental Planning Division, LR 26:690 (April 2000), LR

26:2271 (October 2000), LR 27:2230 (December 2001), LR 28:995 (May 2002), LR 28:2180 (October 2002), LR 29:699 (May 2003).

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, 2002, and specifically listed in the following table are hereby incorporated by reference as they apply to area sources in the state of Louisiana.

40 CFR 63	Subpart/Appendix Heading

[See Prior Text in Subpart A – M]	
Subpart N	National Emission Standards for Chromium Emissions From Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks
Subpart O	Ethylene Oxide Emissions Standards for Sterilization Facilities
Subpart T	National Emission Standards for Halogenated Solvent Cleaning

[See Prior Text in Subpart X]	
Subpart EEE	National Emission Standards for Hazardous Air Pollutants from Hazardous Waste Combustors
Subpart LLL	National Emission Standards for Hazardous Air Pollutants From the Portland Cement Manufacturing Industry
Subpart VVV	National Emission Standards for Hazardous Air Pollutants: Publicly Owned Treatment Works

B. - C. ...

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

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Radiation Protection, Air Quality Division, LR 23:63 (January 1997), amended LR 23:1660 (December 1997), LR 24:1279 (July 1998), LR 25:1464 (August 1999), amended by the Department of Environmental Quality, Office of Environmental Assessment, Environmental Planning Division, LR 27:2230 (December 2001), LR 28:995 (May 2002), LR 28:2180 (October 2002), LR 29:699 (May 2003).

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, 2002.

B. - C.6. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2054 and 2063.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Radiation Protection, Air Quality Division, LR 20:421 (April 1994), amended LR 22:1124 (November 1996), repromulgated LR 22:1212 (December 1996), amended LR 24:652 (April 1998), LR 25:425

(March 1999), amended by the Department of Environmental Quality, Office of Environmental Assessment, Environmental Planning Division, LR 26:70 (January 2000), LR 26:2272 (October 2000), LR 28:463 (March 2002), LR 29:699 (May 2003).

Part V. Hazardous Waste and Hazardous Materials

Subpart 1. Department of Environmental Quality—Hazardous Waste

Chapter 30. Hazardous Waste Burned in Boilers and Industrial Furnaces
Appendices

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

A. 40 CFR 266, Appendix I, July 1, 2002, is hereby incorporated by reference.

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

A. 40 CFR 266, Appendix II, July 1, 2002, is hereby incorporated by reference.

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

A. 40 CFR 266, Appendix III, July 1, 2002, is hereby incorporated by reference.

Appendix D. Reference Air Concentrations

A. 40 CFR 266, Appendix IV, July 1, 2002, 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 Appendix E of this Chapter, respectively.

Appendix E. Risk Specific Doses (10⁻⁵)

A. 40 CFR 266, Appendix V, July 1, 2002, 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, 2002, is hereby incorporated by reference.

Appendix G. Health-Based Limits for Exclusion of Waste-Derived Residues

A. 40 CFR 266, Appendix VII, July 1, 2002, 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 Chapter 22.Table 2, respectively.

Appendix H. Organic Compounds for Which Residues Must be Analyzed

A. 40 CFR 266, Appendix VIII, July 1, 2002, is hereby incorporated by reference.

Appendix I. Methods Manual for Compliance with the BIF Regulations

A. 40 CFR 266, Appendix IX, July 1, 2002, is hereby incorporated by reference, except as follows.

1. - 3. ...

4. Repealed.

B. ...

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

A. 40 CFR 266, Appendix XI, July 1, 2002, is hereby incorporated by reference.

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, 2002, 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, 2002, is hereby incorporated by reference, except that in regulations incorporated thereby, 40 CFR 261, Appendix VIII shall mean LAC 33:V.3105.Table 1.

Part IX. Water Quality

Chapter 23. The LPDES Program

Subchapter A. Definitions and General 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, 2002 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).

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Water Resources, LR 21:945 (September 1995), amended LR 23:199 (February 1997), LR 23:722 (June 1997), LR 25:1467 (August 1999), amended by the Department of Environmental Quality, Office of Environmental Assessment, Environmental Planning Division, LR 26:1609 (August 2000), LR 27:2231 (December 2001), LR 28:996 (May 2002), LR 29:700 (May 2003).

Subchapter N. Incorporation by Reference

§2531. 40 CFR Part 136

A. 40 CFR Part 136, July 1, 2002, Guidelines Establishing Test Procedures for the Analysis of Pollutants, is hereby incorporated by reference in its entirety.

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

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Water Resources, LR 21:945 (September 1995), amended LR 23:958 (August 1997), LR 25:1467 (August 1999), amended by the Department of Environmental Quality, Office of Environmental Assessment, Environmental Planning Division, LR 26:1609 (August 2000), LR 27:2231 (December 2001), LR 28:996 (May 2002), LR 29:700 (May 2003).

§2533. 40 CFR Chapter I, Subchapter N

A. 40 CFR, Chapter I, Subchapter N, Effluent Guidelines and Standards, Parts 401 and 405 – 471, July 1, 2002, and amendments to Part 420 in 67 FR 58997, September 19, 2002 and Part 430 in 67 FR 64260-64268, October 17, 2002, are hereby incorporated by reference.

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

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Water Resources, LR 21:945 (September 1995), amended LR 23:958 (August 1997), LR 25:1467 (August 1999), amended by the Department of Environmental Quality, Office of Environmental Assessment, Environmental Planning Division, LR 26:1609 (August 2000), LR 27:2232 (December 2001), LR 28:996 (May 2002), LR 29:700 (May 2003).

Part XV. Radiation Protection

Chapter 15. Transportation of Radioactive Material

§1517. Incorporation by Reference

A. The department incorporates by reference 10 CFR Part 71, Appendix A, January 1, 2002.

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

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Environmental Assessment, Environmental Planning Division, LR 26:1270 (June 2000), LR 27:2233 (December 2001), LR 28:997 (May 2002), LR 29:701 (May 2003).

James H. Brent, Ph.D.
Assistant Secretary

0305#014

RULE

**Department of Environmental Quality
Office of Environmental Assessment
Environmental Planning Division**

**Postponement of Permit Deadline for Oil
and Gas Construction Activities
(LAC 33:IX.2341)(WQ047*)**

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 has amended the Water Quality regulations, LAC 33:IX.2341 (Log #WQ047*).

This Rule is identical to federal regulations found in 40 CFR 122.26, as amended in 68 FR 11325 - 11330, March 10, 2003, which are applicable in Louisiana. For more information regarding the federal requirement, contact the Regulation Development Section at (225) 765-0399 or Box 82178, Baton Rouge, LA 70884-2178. No fiscal or economic impact will result from the Rule; therefore, the Rule will be promulgated in accordance with R.S. 49:953.F.(3) and (4).

The Rule will allow operators at construction sites related to oil and gas exploration, production, processing, or treatment operations, or transmission facilities that disturb equal to or greater than one acre and less than five acres of land to legally conduct those construction activities without being permitted until March 10, 2005, the federal permit authorization deadline for those construction activities. The Louisiana Pollutant Discharge Elimination System (LPDES) program delegation agreement with EPA requires consistency with the federal NPDES program. EPA has postponed the permit authorization deadline for NPDES storm water permits for oil and gas related construction activities in this category until March 10, 2005. The basis and rationale for 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.

Title 33

ENVIRONMENTAL QUALITY

Part IX. Water Quality

Chapter 23. The LPDES Program

**Subchapter B. Permit Application and Special LPDES
Program Requirements**

§2341. Storm Water Discharges

A. - E.7.c. ...

8. Any storm water discharge associated with small construction activity identified in Subparagraph B.15.a of this Section, other than discharges associated with small construction activity at oil and gas exploration, production, process, and treatment operations or transmission facilities, requires permit authorization by March 10, 2003, unless designated for coverage before then. Discharges associated with small construction activity at such oil and gas sites require permit authorization by March 10, 2005.

E.9. - G.4.d. ...

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

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Water Resources, LR 21:945 (September 1995), amended LR 23:957 (August 1997), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2273 (October 2000), LR 26:2552 (November 2000), repromulgated LR 27:40 (January 2001), amended LR 28:467 (March 2002), LR 29:701 (May 2003).

James H. Brent, Ph.D.
Assistant Secretary

0305#016

RULE

**Department of Environmental Quality
Office of Environmental Assessment
Environmental Planning Division**

**Procedures for Public Records Requests
(LAC 33:I.2303-2309)(OS048)**

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 has amended the Office of the Secretary regulations, LAC 33:I.2303-2309 (Log #OS048).

The Rule modifies the uniform fee schedule by adding rates for color copies and reproduced audiotapes and videotapes, setting an hourly rate fee and reduced rate for generating computer reports, and noting no fees for certification of copies or viewing records. These changes establish fees for record copy formats now available, clarifying the cost of the extended staff time required for producing reports from databases. The uniform fee schedule table has been reconstructed to display the regular and reduced fees in separate columns for clarity. The Rule modifies the procedure to allow receiving public record requests in electronic form so that requesters have a quick, easy method of delivering requests. The Rule continues to exclude requests as e-mail attachments as protection against computer viruses. The Rule extends exceptions to the standard operating procedures. There is a waiver for

requiring LDEQ Form ISD-0005-01 for copies prepared for sale to the public. If records must leave the premises, they can be accompanied by someone designated by the department. This allows the Custodian of Records to appoint Records Management contract staff, who have many records management responsibilities, to go with the record to the outside source copy provider. The Custodian of Records' approval is changed from required to may be required for copies delivered by facsimile.

When Rules were last promulgated, no clearly-defined records management program existed in DEQ. Now that the functioning records management system is an integral part of DEQ business, we have identified changes needed, including the different fees required because of the distinct nature of some record copy requests. The basis and rationale for this Rule are to bring the regulations up to date with the department's record management system capabilities and procedures, particularly dealing with electronic records and information, and expanding services for public records requests.

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.

Title 33

ENVIRONMENTAL QUALITY

Part I. Office of the Secretary

Subpart 1. Departmental Administrative Procedures

Chapter 23. Procedures for Public Record Requests

§2303. Policy

A. The department shall implement the fee schedule in LAC 33:I.2309 when providing copies of public records requested by the public.

AUTHORITY NOTE: Promulgated in accordance with R.S. 49:950 et seq., 44:1 et seq., and 30:2043 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Management and Finance, Fiscal Services Division, LR 25:429 (March 1999), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 29:702 (May 2003).

§2305. Standard Operating Procedures

A. All requests for copies of public records, including discovery requests and subpoenas duces tecum for production of public records, shall be made using LDEQ Form ISD-0005-01. A certification on LDEQ Form ISD-0005-02 shall be submitted with the request for free or reduced rate copies. Completed forms may be submitted in person, by mail, by facsimile, or other approved method. No other request will be honored. Copies of the forms may be obtained through the department's website at www.deq.state.la.us or from the department's custodian of records.

B. - C. ...

D. In order to ensure the preservation of department records, no records shall leave the premises, whether accompanied by agency personnel or otherwise.

AUTHORITY NOTE: Promulgated in accordance with R.S. 49:950 et seq. and 44:1 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Management and Finance, Fiscal Services Division, LR 25:429 (March 1999), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2442 (November 2000), LR 29:702 (May 2003).

§2307. Exceptions to Standard Operating Procedures

A. The following procedures shall apply to persons requesting copies of public records under an exception to standard operating procedures.

1. Requests for exceptions to standard operating procedures shall be approved in advance by the department's custodian of records.

2. All requests for copies of public records shall be made using LDEQ Form ISD-0005-01 unless the records were prepared for sale to the public, e.g., Environmental Regulatory Code.

B. Specific Exceptions

1. Exception to LAC 33:I.2305.C. Copies of public records may be requested and delivered by facsimile. The copies may be sent upon receipt of a facsimile of the payment check or money order, pending receipt of the actual payment.

a. Custodian of records' approval and credit approval may be required prior to providing copies by facsimile.

b. If payment is not received within 10 working days, the requester's name will appear on an Accounts Receivable Past Due report maintained by the Office of Management and Finance, Financial Services Division.

c. No copies shall be provided to any requester who appears on the Accounts Receivable Past Due report until all past due amounts have been paid.

2. Exception to LAC 33:I.2305.D. Oversize and color records that must be duplicated by an outside source copy provider, due to unavailability of suitable copying equipment within the department, may leave the premises by approval of the custodian of records.

a. The document shall be accompanied by an official, employee, agent, or contractor of the agency who shall remain with the document until its return.

b. The requester shall be responsible for all costs of reproduction. The requester shall:

i. make payment or arrangements for payment with the outside source copy provider in advance of the request for the exception; and

ii. include a statement of such arrangements as part of the request.

c. The department reserves the right to approve the outside source copy provider and to refuse the release of public records to an outside source copy provider.

AUTHORITY NOTE: Promulgated in accordance with R.S. 49:950 et seq. and 44:1 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Management and Finance, Fiscal Services Division, LR 25:429 (March 1999), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2442 (November 2000), LR 29:702 (May 2003).

§2309. Uniform Fee Schedule

Item	Regular Fee	Reduced Fee
Copy	\$.25 per one-sided page	\$.05 per one-sided page
	\$.50 per two-sided page	\$.10 per two-sided page
Copy, Color	\$1.00 per one-sided page	\$.50 per one-sided page
Copy of existing electronic file	\$.25 per one-sided page paper copy	\$.05 per page paper copy
	\$.50 per two-sided page paper copy	\$.10 per page paper copy
(Disk/CD will be provided by the department)	Cost of disk/CD for electronic copy	Cost of disk/CD for electronic copy
Computer-generated report/map that requires data processing time* (Disk/CD will be provided by the department) *Cost to include personnel, supplies, etc.	\$25.00 per hour + cost of disk/CD	\$5.00 per hour + cost of disk/CD
Copies printed and produced by outside sources at the request of the department (LSU Press, DOA Printing, etc.)	As determined by the cost statement	As determined by the cost statement
Facsimile, per page **A cover sheet and an invoice shall be included in the faxed material at no charge.	\$1.00 per page**	\$1.00 per page**
Reproduced videotape	Cost of tape	Cost of tape
Reproduced audiotape	Cost of tape	Cost of tape
Postage & Handling	Actual cost	Actual cost
Viewing records, certification of record copies, or copies of Requests for Proposal (RFP)	No charge	No charge

AUTHORITY NOTE: Promulgated in accordance with R.S. 49:950 et seq. and 44:1 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Management and Finance, Fiscal Services Division, LR 25:430 (March 1999), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 29:703 (May 2003).

James H. Brent, Ph.D.
Assistant Secretary

0305#019

RULE

**Office of the Governor
Used Motor Vehicle and Parts Commission**

**Repossession of Vehicles
(LAC 46:V.3005)**

In accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., and in accordance with R.S. 32:772.E, the Office of the Governor, Used Motor Vehicle and Parts Commission, the Used Motor Vehicle and Parts Commission has adopted Rules and regulations governing Repossessions of Vehicles on Rent with Option to Purchase Programs in accordance with R.S. 32:773.B.

**Title 46
PROFESSIONAL AND OCCUPATIONAL
STANDARDS**

Part V. Automotive Industry

**Subpart 2. Used Motor Vehicle and Parts Commission
Chapter 30. Rent with Option to Purchase Program**

§3005. Repossession of Vehicles

A. Every dealer participating in a rent with option to purchase program is required to provide to the purchaser notice and an opportunity to cure any default prior to making an attempt to repossess the vehicle. Such notice shall be mailed by registered or certified mail to the last known address furnished by the purchaser on the rent with option to purchase documents, and it shall give the purchaser the 15 days opportunity to cure any default in payments. Only after such time has passed, may the dealer attempt to take repossession of the vehicle.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:772.E.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Used Motor Vehicle and Parts Commission, LR 29:703 (May 2003).

John M. Torrance
Executive Director

0305#007

RULE

**Department of Health and Hospitals
Board of Examiners of Psychologists**

**Ethical Standards of Psychologists
(LAC 46:LXIII.Chapter 13)**

Notice is hereby given in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., the Board of Examiners of Psychologists has amended §1301 and repealed §§1303-1319.

**Title 46
PROFESSIONAL AND OCCUPATIONAL
STANDARDS**

Part LXIII. Psychologists

**Chapter 13. Ethical Standards of Psychologists
§1301. Ethical Principles and Code of Conduct**

A. The Board of Examiners of Psychologists incorporates by reference and maintains that Psychologists shall follow the APA Ethical Principles of Psychologists and Code of Conduct as adopted by the American Psychological Association's Council of Representatives during its meeting, August 21, 2002, and made effective beginning June 1, 2003. The Ethics Code and information regarding the code can be found on the APA web site, <http://www.apa.org/ethics>, or from the LSBEP web site at <http://www.lsbep.org>.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2353.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Examiners of Psychologists, LR 6:66 (February 1980), amended LR 10:791 (October 1984), amended by the Department of Health and Hospitals, Board of Examiners of Psychologists, LR 29:703 (May 2003).

§1303. Competence

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2353.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Examiners of Psychologists, LR 6:66 (February 1980), amended LR 10:791 (October 1984), repealed by the Department of Health and Hospitals, Board of Examiners of Psychologists, LR 29:704 (May 2003).

§1305. Moral and Legal Standards

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2353.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Examiners of Psychologists, LR 6:66 (February 1980), amended LR 10:792 (October 1984), repealed by the Department of Health and Hospitals, Board of Examiners of Psychologists, LR 29:704 (May 2003).

§1307. Public Statements

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2353.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Examiners of Psychologists, LR 6:66 (February 1980), amended LR 10:792 (October 1984), repealed by the Department of Health and Hospitals, Board of Examiners of Psychologists, LR 29:704 (May 2003).

§1309. Confidentiality

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2353.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Examiners of Psychologists, LR 6:66 (February 1980), amended LR 10:793 (October 1984), repealed by the Department of Health and Hospitals, Board of Examiners of Psychologists, LR 29:704 (May 2003).

§1311. Welfare of the Consumer

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2353.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Examiners of Psychologists, LR 6:66 (February 1980), amended LR 10:793 (October 1984), repealed by the Department of Health and Hospitals, Board of Examiners of Psychologists, LR 29:704 (May 2003).

§1313. Professional Relationships

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2353.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Examiners of Psychologists, LR 6:66 (February 1980), amended LR 10:793 (October 1984), repealed by the Department of Health and Hospitals, Board of Examiners of Psychologists, LR 29:704 (May 2003).

§1315. Assessment Techniques

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2353.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Examiners of Psychologists, LR 6:66 (February 1980), amended LR 10:794

(October 1984), repealed by the Department of Health and Hospitals, Board of Examiners of Psychologists, LR 29:704 (May 2003).

§1317. Research with Human Participants

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2353.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Examiners of Psychologists, LR 6:66 (February 1980), amended LR 10:794 (October 1984), repealed by the Department of Health and Hospitals, Board of Examiners of Psychologists, LR 29:704 (May 2003).

§1319. Care and Use of Animals

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2353.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Examiners of Psychologists, LR 6:66 (February 1980), amended LR 10:795 (October 1984), repealed by the Department of Health and Hospitals, Board of Examiners of Psychologists, LR 29:704 (May 2003).

Brenda C. Ward
Executive Director

0305#004

RULE

**Department of Health and Hospitals
Office of the Secretary
Bureau of Community Supports and Services**

**Home and Community-Based Services Waiver Program
Children's Choice Crisis Designation
(LAC 50:XXI.11703)**

The Department of Health and Hospitals, Office of the Secretary, Bureau of Community Supports and Services promulgates the following Rule under the Medical Assistance Program as authorized by R.S. 36:254 and pursuant to Title XIX of the Social Security Act. This Rule is promulgated in accordance with the Administrative Procedure Act, R.S. 49:950 et seq.

Title 50

**PUBLIC HEALTHC MEDICAL ASSISTANCE
Part XXI. Home and Community-Based Services
Waivers**

Subpart 9. Children's Choice

Chapter 117. Crisis Provisions

§11703. Crisis Designation Criteria

A.1. - 4. ...

5. the child's condition deteriorates to the point where the plan of care is inadequate.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and Title XIX of the Social Security Act.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Bureau of Community Supports and Services, LR 28:1986 (September 2002), amended LR 29:704 (May 2003).

David W. Hood
Secretary

0305#047

RULE

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

Abortion Facility Licensure
(LAC 48:I.Chapter 44)

The Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing promulgates the following Rule as authorized by R.S. 40:2175.1 et seq. This Rule is promulgated in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq.

Title 48

PUBLIC HEALTHCGENERAL

Part I. General Administration

Subpart 3. Licensing and Certification

Chapter 44. Abortion Facilities

§4401. Definitions

*Abortion*Cany surgical procedure performed after pregnancy has been medically verified with the intent to cause the termination of the pregnancy other than for the purpose of:

1. producing a live birth;
2. removing an ectopic pregnancy; or
3. removing a dead fetus caused by a spontaneous abortion.

*Department*CDepartment of Health and Hospitals, (DHH).

*Existing Outpatient Abortion Facility*Cany outpatient abortion facility, as defined in this §4401, in operation at the time that the licensing standards governing outpatient abortion facilities are promulgated and published.

*First Trimester*Cthe time period from 6 to 14 weeks after the first day of the last menstrual period.

*General Anesthesia*Cany drug, element, or other material which, when administered, results in a controlled state of unconsciousness accompanied by a partial or complete loss of protective reflexes, including a loss of ability to independently maintain an airway and respond purposefully to physical stimuli or verbal command.

*Gestational Age*Cthe duration of a pregnancy as estimated from the first day of a woman's last menstrual period (LMP) or fertilization date plus two weeks.

*Licensed Physicians Assistant*Ca person who:

1. is a graduate of a program accredited by the Committee on Allied Health Education and Accreditation or its successors; and
2. has successfully passed the national certificate examination administered by the National Commission on the Certification of Physician's Assistants or its predecessors; and
3. is approved and licensed by the Louisiana State Board of Medical Examiners to perform medical services under the supervision of a physician or group of physicians who are licensed by and registered with the board to supervise such assistant.

*Licensee*Cthe person, partnership, corporation, association, organization or professional entity on whom rests the ultimate responsibility and authority for the conduct of the outpatient abortion facility.

*Licensing Agency*Cthe Louisiana Department of Health and Hospitals.

*Local Anesthesia*Cthose anesthetizing agents administered to affect a very small localized area.

*Medical Director*Ca physician licensed to practice medicine in Louisiana who is responsible for the direction of the medical services, nursing services, and health-related services provided to patients at an outpatient abortion facility.

*Outpatient Abortion Facility*Cany outpatient facility, other than a hospital as defined in R.S. 40:2102 or an ambulatory surgical center as defined in R.S. 40:2133, in which any second trimester or five or more first trimester abortions per month are performed.

*Patient*Cthe woman receiving services from an outpatient abortion facility.

*Products of Conception*Cplacenta, amniotic sac or membrane, embryo, or fetal elements that result from a human pregnancy.

*Second Trimester*Cthe time period from 14 to 23 weeks after the first day of the last menstrual period.

*Secretary*Cthe secretary of the Louisiana Department of Health and Hospitals.

*Telecommunications*Cany means of transmitting messages at a distance, including but not limited to telephones, cell phones, pagers, or other similar devices which foster communication.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:2175.1 et seq.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing, LR 29:705 (May 2003).

§4403. Licensing Requirements

A. An outpatient abortion facility may not be established or operated in this state without an appropriate license issued by the licensing agency.

B. Initial License Application

1. Initial applicants and existing outpatient abortion facilities shall submit a set of architectural plans and specifications to the Office of State Fire Marshal and Division of Engineering and Architectural Services of the department for review and approval.

2. When an architectural requirement on an existing outpatient abortion facility would impose a hardship, financial or otherwise, but would not adversely affect the health and safety of any patient, the existing outpatient abortion facility may submit a request for exception (waiver) to the department, with supporting documentation. The issuance of a waiver by the department does not apply to the Office of State Fire Marshal requirements for approval, which must be addressed exclusively with the Office of State Fire Marshal.

3. An application for license shall be completed and returned to the Health Standards Section by the applicant on forms supplied by the department.

a. Existing outpatient abortion facilities must secure and return a completed licensing application packet to the department within six months from promulgation and publication of the outpatient abortion facility licensing standards.

b. Existing outpatient abortion facilities shall be allowed to continue to operate without a license until such time as their initial application is acted upon by the

department and until any and all appeals processes associated with that initial license have been completed, or the time within which any appeal process may be undertaken and completed has expired, whichever is later.

4. The application must be accompanied with a nonrefundable licensing fee set in accordance with R.S. 40:2006.

5. The department will respond to the applicant within 45 days of submitting the completed application.

6. Announced on-site inspections will be performed and the facility must be in substantial compliance with the requirements of the following offices prior to the issuance of an initial license:

- a. Office of State Fire Marshal
- b. Office of Public Health
- c. DHH Health Standards Section

C. Renewal Application

1. Application for license renewal shall be completed and returned to the Health Standards Section prior to the expiration date of the current license on forms supplied by the department. The application must be accompanied by the annual renewal fee set in accordance with R.S. 40:2006.

2. Inspection and approval by the State Fire Marshal and Office of Public Health are required annually.

3. The licensing agency may perform an unannounced on-site inspection upon annual renewal. If the outpatient abortion facility continues to meet the requirements established in R.S. 40:2175.1 et seq., and the licensing standards adopted in pursuance thereof, a license shall be issued which is valid for one year.

D. Other on-site inspections may be performed to investigate complaints in accordance with R.S. 40:2009.13-2009.20 and perform follow-up surveys as deemed necessary to ensure compliance with these licensing standards.

E. Issuance of License

1. Following receipt of the application and the licensing fee, the department shall issue a license if, after an on-site inspection, it finds that the outpatient abortion facility is in full compliance with the requirements established in accordance with R.S. 40:2175.1 et seq., and the licensing standards adopted in pursuance thereof.

2. A provisional license may be issued in cases where additional time is needed for the outpatient abortion facility to comply fully with the requirements established in accordance with R.S. 40:2175.1 et seq., and the licensing standards adopted in pursuance thereof. The licensing agency may issue a provisional license to an outpatient abortion facility for a period not to exceed six months only if the failure to comply is not detrimental to the health or safety of the women seeking treatment in the outpatient abortion facility. The deficiencies that preclude the outpatient abortion facility from being in full compliance must be cited at the time the provisional license is issued.

3. A license issued to an outpatient abortion facility:

- a. is valid for only one location;
- b. shall be valid for one year from the date of issuance; unless revoked prior to that date;
- c. is not transferable or assignable;
- d. shall be posted in a conspicuous place on the licensed premises.

F. Denial, Suspension or Revocation of License. The procedure for denial, suspension and revocation of a license and appeals resulting from these actions will be the same as provided in the licensing regulations for hospitals, and as contained in R.S. 40:2110.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:2175.1 et seq.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing, LR 29:705 (May 2003).

§4405. Governing Body

A. The abortion facility must have a governing body which meets at least annually. The governing body is the ultimate authority of the facility, and as such, it shall approve and adopt all bylaws, rules, policies, and procedures formulated in accordance with these licensing standards. All bylaws, rules, policies, and procedures formulated in accordance with these licensing standards shall be in writing, revised as necessary, and reviewed annually. If, due to type of ownership or other reasons, it is not possible or practical to establish a governing body, as such, then documents shall reveal the person(s) who are legally responsible for the conduct of the facility and are also responsible for carrying out the functions and obligations contained herein pertaining to the governing body.

B. The responsibilities of the governing body shall include, but not be limited to:

1. organization and administration of the facility;
2. acting upon recommendations from the medical staff relative to medical staff appointments;
3. designation of an administrator who has the responsibility to carry out the day-to-day operations of the facility;
4. designation of a medical director who has responsibility for the direction of medical services, nursing services, and health-related services provided to patients;
5. maintenance of the physical plant;
6. ensuring that the facility is equipped and staffed to meet the needs of the patients in the facility; and
7. establishing a system for periodic evaluation of its operation (quality assurance).

C. The governing body shall establish formal lines of communication with the medical staff through a liaison committee or other acceptable methods. This committee will address problems and programs of mutual concern regarding topics including, but not limited to, patient care, cost containment and improved practice.

D. Minutes of meetings of the governing body shall be maintained to adequately reflect the discharging of its duties and responsibilities.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:2175.1 et seq.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing, LR 29:706 (May 2003).

§4407. Administration

A. The administrator is the person who has been designated to carry out the day-to-day operations of the facility which include, but are not limited to the following functions:

1. employing qualified staff to provide the medical and clinical services to meet the needs of the patients being served;

2. assigning duties and functions to each employee commensurate with his/her licensure, certification, and experience and competence;

3. retaining a readily accessible written protocol for managing medical emergencies and the transfer of patients requiring further emergency care to a hospital. The written protocol shall identify which emergency equipment and medications the facility will use to provide for basic life support until emergency transportation can arrive and assume care of those in need of service. The facility shall ensure that when a patient is in the facility for an abortion, there is one physician present who has admitting privileges or has a written transfer agreement with a physician(s) who has admitting privileges at a local hospital to facilitate emergency care;

4. developing disaster plans for both internal and external occurrences. Annual drills shall be held in accordance with the plan. Documentation of these drills shall be recorded;

5. ensuring that a CPR-certified staff member who is currently trained in the use of emergency equipment is on the premises at all times when abortion services are being performed in the facility.

B. Personnel Files

1. Personnel folders shall be maintained on each employee. Contents shall include:

- a. application;
- b. current license (when required);
- c. health screening reports;
- d. documentation of areas covered in orientation;

and

e. other pertinent information as deemed necessary by the facility.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:2175.1 et seq.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing, LR 29:706 (May 2003).

§4409. Personnel

A. Medical Staff

1. The medical staff of the facility shall consist of at least one physician who is licensed to practice medicine in Louisiana and is responsible to the governing body of the facility for the quality of all medical care provided to patients in the facility and for the ethical and professional practices of its members.

2. The medical staff shall formulate and adopt bylaws, rules, and policies for the proper conduct of its activities and recommend to the governing body physicians who are considered eligible for membership on the medical staff. Such bylaws, rules, and policies must be in writing and must be approved by the governing body.

3. All applications for membership to the medical staff shall be reviewed by the medical staff and recommendations for appropriate action shall be made to the governing body. The governing body's bylaws shall establish time frames for response to the recommendations of the medical staff.

4. An abortion shall be performed only by a physician who is licensed to practice in Louisiana.

5. A physician must be either present in the facility or immediately available by telecommunications to the staff when there is a patient in the facility.

6. A physician must remain in the facility until all patients are assessed to be stable.

B. Nursing Personnel

1. The nursing services shall be provided under the direction of a qualified registered nurse or medical director.

2. There shall be a plan of administrative authority with delineation of responsibilities and duties for each category of nursing personnel.

3. The number of nursing personnel on duty shall be sufficient to meet the needs of the patient(s) in the facility, as determined by the governing body, medical director, or registered nurse.

4. All nurses employed by the facility to practice professional nursing shall have a current and valid Louisiana nursing license as a registered nurse (RN) or licensed practical nurse (LPN), as appropriate.

5. Nursing care policies and procedures shall be in writing and be consistent with accepted nursing standards. Policies shall be developed for all nursing service procedures provided at the facility. The procedures shall be periodically reviewed and revised as necessary.

6. A formalized program of in-service training shall be developed for all categories of nursing personnel. Training related to required job skills shall be provided to nursing personnel.

C. General Staffing

1. When a patient is in the facility for an abortion, there shall be at least two staff members present, one of which must be either a licensed physician, RN, or LPN.

2. All employees shall be provided orientation and training related to the facility's policies, philosophy, job responsibilities of all staff, and emergency procedures.

D. Health Screening. The facility must have policies governing health screening on personnel in accordance with federal, state and local health laws.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:2175.1 et seq.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing, LR 29:707 (May 2003).

§4411. Pre-Operative Procedures

A. Verification of Pregnancy. The presence of an intrauterine pregnancy shall be verified by one of the following:

1. urine or serum pregnancy test performed on-site;
2. detection of fetal heart tones; or
3. ultrasonography.

B. Duration of Pregnancy. Gestational age shall be estimated by the following methods pre-operatively:

1. date of last menstrual period, if known; and
2. pelvic examination; or
3. ultrasonography.

C. The following laboratory tests shall be performed and documented within 30 days prior to the performance of abortion:

1. hematocrit or hemoglobin determination; and
2. Rh Factor status.

D. Information and Informed Consent. Prior to an Abortion:

1. a written informed consent shall be obtained in accordance with R.S. 40:1299.35.6(B);
2. the clinical record shall reflect informed consent for general anesthesia, if it is to be administered, as well as an

indication of the patient's history of negative or positive response (for example, allergic reactions) to medications or any anesthesia to be given;

3. the patient shall be made aware of the importance of her post-operative care and follow-up to ensure that the procedure was properly completed and no long-term sequelae have ensued.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:2175.1 et seq.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing, LR 29:707 (May 2003).

§4413. Post-Operative Care and Procedures

A. The patient's recovery shall be supervised by a licensed physician, a nurse trained in post-operative care, or a licensed physician's assistant. A patient in the post-operative or recovery room shall not be left unattended.

B. The patient shall be given written post-operative instructions for follow-up care. A contact for post-operative care from the facility shall be available to the patient on a 24-hour basis.

C. A licensed physician or nurse shall assess the patient to be awake, alert and medically stable before she is discharged in accordance with policies established by the medical director.

D. Upon completion of an abortion procedure, the physician shall immediately perform a gross examination of the uterine contents and shall document the findings in the patient's chart. If no products of conception are visible, a high-risk protocol for continuing pregnancy or ectopic pregnancy shall be followed.

E. Products of conception shall be disposed in compliance with Occupational Safety and Health Administration (OSHA), Environmental Protection Agency (EPA) and other state and local standards covering the treatment of medical waste.

F. Rh immunoglobulin administration shall be offered to Rh-negative women and documented. If Rh immunoglobulin is not administered in the facility, one of the following is required:

1. informed waiver signed by a patient who refuses RH immunoglobulin; or

2. documentation of other arrangements for administration.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:2175.1 et seq.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing, LR 29:708 (May 2003).

§4415. Patient Records and Reports

A. Retention of Patient Records

1. An abortion facility shall establish and maintain a medical record on each patient. The facility shall maintain the record to assure that the care and services provided to each patient is completely and accurately documented, and that records are readily available and systematically organized to facilitate the compilation and retrieval of information. Safeguards shall be established to maintain confidentiality and protection from fire, water, or other sources of damage.

2. The department is entitled to access all books, records, or other documents maintained by or on behalf of the facility to the extent necessary to ensure compliance with

this Chapter 44. Ensuring compliance includes permitting photocopying by the department or providing photocopies to the department of any records or other information by or on behalf of the department as necessary to determine or verify compliance with this Chapter.

3. Patient records shall be under the custody of the facility for a period of seven years from the date of discharge. Patient records shall be maintained on the premises for at least one year and shall not be removed except under court orders or subpoenas. Any patient record maintained off-site after the first year shall be provided to the department for review no later than 24 hours from the time the department requests the medical record.

B. Content of Medical Record

1. The following minimum data shall be kept on all patients:

- a. identification data;
- b. date of procedure;
- c. medical and social history;
- d. physical examination;
- e. chief complaint or diagnosis;
- f. clinical laboratory reports (when appropriate);
- g. pathology report (when appropriate);
- h. physician's orders;
- i. radiological report (when appropriate);
- j. consultation reports (when appropriate);
- k. medical and surgical treatment;
- l. progress notes, discharge notes, and summary;
- m. nurses' records of care given, including medication administration records;
- n. authorizations, consents or releases;
- o. operative report;
- p. anesthesia report, including post-anesthesia report; and
- q. special procedures reports.

2. Signatures. Clinical entries shall be signed by the physician as appropriate, i.e., attending physician, consulting physician, anesthesiologist, pathologist, etc. Nursing notes and observations shall be signed by the nurse.

3. Nurses' Notes. All pertinent observations, treatments and medications given shall be entered in the nurses' notes. All other notes relative to specific instructions from the physician shall be recorded.

4. Completion of the medical record shall be the responsibility of the attending physician.

C. Nothing in this §4415 is intended to preclude the use of automated or centralized computer systems or any other techniques for the storing of medical records, provided the regulations stated herein are met.

D. Other Reports. An abortion facility shall maintain a daily patient roster of all patients receiving abortion services. This daily patient roster shall be retained for a period of three years.

E. Confidentiality

1. If the department, in the course of carrying out its licensing responsibilities under this Chapter 44, obtains any patient identifiable health information regarding a patient from an abortion facility, it shall keep such information strictly confidential and shall not disclose it to any outside person or agency, except as follows:

a. to the patient who is the subject of the patient identifiable health information;

b. pursuant to and in compliance with a valid written authorization executed by the patient who is the subject of the patient identifiable health information; or

c. when required by the secretary of the U.S. Department of Health and Human Services to investigate or determine DHH's compliance with the requirements of the *Code of Federal Regulations*, Title 45, Part 164, Subpart E.

2. Any person who knowingly discloses such patient identifiable information in violation of Subsection A shall be subject to punishment pursuant to 42 U.S.C. §1320d-6 as follows:

a. a fine of not more than \$50,000, or imprisonment for not more than one year, or both;

b. if the violation is committed under false pretenses, a fine of not more than \$100,000, or imprisonment for not more than five years, or both; and

c. if the violation is committed with intent to sell, transfer, or use individually identifiable health information for commercial advantage, personal gain, or malicious harm, a fine of not more than \$250,000, or imprisonment for not more than 10 years, or both.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:2175.1 et seq.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing, LR 29:708 (May 2003).

§4417. Physical Environment

A. The facility shall have a safe and sanitary environment that is properly constructed, equipped and maintained to protect the health and safety of patients and staff at all times.

1. Abortions shall be performed in a segregated procedure room, removed from general traffic lines with a minimum of 120 square feet, exclusive of vestibule, toilets or closets.

2. There shall be a hand washing fixture within each procedure room.

3. The facility shall have a separate recovery room or area with a minimum clear area of 2 feet, 6 inches around the three sides of each stretcher or lounge chair for work and circulation.

4. The following equipment and supplies shall be maintained to provide emergency medical care for problems that may arise and be immediately available to the procedure and recovery room(s):

a. surgical or gynecologic table;

b. surgical instruments for the performance of abortion;

c. emergency drugs (designated as such by the medical director);

d. oxygen;

e. intravenous fluids; and

f. sterile dressing supplies.

5. All openings to the outside shall be maintained to protect against the entrance of insects and animals.

6. A nurse's station with a countertop, space for supplies, provisions for charting and a communication system shall be provided.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:2175.1 et seq.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing, LR 29:709 (May 2003).

§4419. Infection Control

A. The facility shall have policies and procedures that address:

1. decontamination;

2. disinfection;

3. sterilization; and

4. storage of sterile supplies.

B. The facility shall make adequate provisions for furnishing properly sterilized supplies, equipment, utensils and solutions.

1. It is expected that some disposable goods shall be utilized; but when sterilizers and autoclaves are used, they shall be of the proper type and necessary capacity to adequately meet the needs of the facility.

2. Procedures for the proper use of equipment and standard procedures for the processing of various materials and supplies shall be in writing and readily available to personnel responsible for sterilizing procedures.

3. Acceptable techniques for handling sterilized and contaminated supplies and equipment shall be established to avoid contamination.

4. Medically necessary surgical instruments used to enter the uterine cavity shall be sterilized for each abortion procedure.

C. There shall be a separate sink for cleaning instruments and disposal of liquid waste.

D. Each facility shall develop, implement, and enforce written policies and procedures for the handling, processing, storing and transporting of clean and dirty laundry.

1. If the facility provides an in-house laundry, the areas shall be designed in accordance with acceptable hospital laundry design in that a soiled laundry area will be provided and separated from the clean laundry area. Dirty and/or contaminated laundry shall not be stored or transported through the clean laundry area.

2. For an in-house laundry, special cleaning and decontaminating processes shall be used for contaminated linens.

E. The facility shall provide housekeeping services that shall assure a safe and clean environment.

1. Housekeeping procedures shall be in writing and followed.

2. Housekeeping supplies shall be provided to adequately maintain the facility.

F. All garbage and waste materials shall be collected, stored and disposed of in a manner designed to prevent the transmission of contagious diseases, and to control flies, insects, and animals.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:2175.1 et seq.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing, LR 29:709 (May 2003).

§4421. Pharmaceutical Services

A. The facility shall provide pharmacy services and these services shall be commensurate with the needs of the patients and in conformity with state and federal laws.

B. There shall be policies and procedures for the storage, distribution, and handling and administration of drugs and biologicals in the facility.

C. The facility shall provide facilities for proper storage, safeguarding and distribution of drugs.

1. Drug cabinets must be constructed and organized to assure proper handling and safeguard against access by unauthorized personnel.

2. Storage areas shall have proper controls for ventilation, lighting and temperature.

3. Locked areas shall be designed to conform with state and federal laws.

D. In accordance with all applicable laws, records shall be kept on:

1. all ordering, purchasing, dispensing, and distribution of drugs; and

2. the disposal of unused drugs.

E. Records for prescription drugs dispensed to each patient shall contain the:

1. full name of the patient;

2. name of the prescribing physician;

3. name and strength of the drug;

4. quantity dispensed; and

5. date of issue.

F. Provision shall be made for emergency pharmaceutical service.

G. All outpatient abortion facilities shall have a site-specific Louisiana controlled dangerous substance license and United States Drug Enforcement Administration controlled substance registration for the facility in accordance with the Louisiana Uniform Controlled Dangerous Substance Act and Title 21 of the *United States Code*.

H. Drugs and biologicals shall be administered in compliance with an order from an individual who has prescriptive authority under the laws of Louisiana. Such orders shall be in writing and signed by the individual with prescriptive authority under the laws of Louisiana.

I. There shall be a supply of drugs for stabilizing and/or treating medical and surgical complications.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:2175.1 et seq.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing, LR 29:709 (May 2003).

§4423. Anesthesia Services

A. The facility shall have policies and procedures pertaining to the administration of general and local anesthesia that are approved by the medical director.

B. Local anesthesia, nitrous oxide, and intravenous sedation shall be administered by the treating physician or by qualified personnel under the orders and supervision of the treating physician, as allowed by law.

C. General anesthesia, if used, shall be given by an anesthesiologist, certified registered nurse-anesthetist (CRNA), or a physician trained in the administration of general anesthesia.

D. The physician who will perform the abortion shall be present in the facility before anesthesia is administered.

E. A physician shall be present in the facility during the post anesthesia recovery period until the patient is fully reacted and stable.

F. When there is a general anesthesia patient present in the facility, personnel trained in the use of all emergency equipment required shall be present on the premises.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:2175.1 et seq.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing, LR 29:710 (May 2003).

David W. Hood
Secretary

0305#049

RULE

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

EligibilityC Incurred Medical Expenses

The Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing promulgates the following Rule in the Medical Assistance Program as authorized by R.S. 36:254 and pursuant to Title XIX of the Social Security Act. This Rule is promulgated in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq.

Rule

The Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing amends the provisions of the May 20, 1996 Rule governing the treatment of medical expenses incurred by long term care facility residents in the determination of patient liability. Deductions for incurred medical expenses must be budgeted, just as income is budgeted, in the month that it is incurred.

Long Term Care

A. Allowable Deductions. The following criteria apply to all incurred medical expenses.

1. Deductions must be for an expense incurred by a long term care facility resident who is, or was, eligible for Medicaid vendor payment to a long term care facility during the month the expense was incurred.

2. Each deduction must be for a service or item prescribed by a medical professional (e.g., a physician, a dentist, optometrist, etc.) as medically necessary, and approved by the attending physician to be included as part of the facility's plan of care for the resident.

3. Documentation and receipts for the medical expenses shall contain:

a. the resident's name;

b. the date of the service and/or purchase;

c. the facility's name;

d. the resident's Medicaid ID number; and

e. an itemization of the medical service and/or purchase.

B. Non-Allowable Deductions. Deductions shall not be allowed for the following incurred medical expenses:

1. medical expenses incurred during a month in which the individual is/was not a resident of a long term care facility and eligible for vendor payment to the long term care facility;

2. prescription drugs not covered under the Medicaid Program, unless the prescribing physician has been notified that the drug is not covered by the Medicaid Program and has stated that an equivalent alternative that is covered cannot be prescribed;

3. expenses which are payable under Medicaid, except when documentation is presented to verify that the expense was denied by Medicaid due to service limitations;

4. expenses for services, equipment and supplies denied by Medicaid as not medically necessary;

a. services, equipment or supplies that require prior authorization for Medicaid payment must be submitted to the prior authorization unit for consideration;

5. expenses for services, equipment or supplies denied by Medicare as not medically necessary;

6. expenses for services, equipment or supplies provided as part of the long term care facility reimbursement rate (i.e., personal care needs, medical supplies, transportation, incontinent supplies, including disposable briefs or adult diapers, etc.);

7. expenses for cosmetics and over-the-counter skin care products;

8. expenses for supplies purchased for the convenience or preference of the long term care facility or the resident's family; or

9. cosmetic/elective procedures (i.e., face lifts or liposuction).

C. Deduction Limitations. The following deduction limitations apply to those medically necessary incurred expenses cited.

1. Dental Services. Deductions for dental services shall be limited to the maximum allowed under the established fee schedule that will be reassessed annually. The fee schedule is based on the BlueCross/BlueShield of Louisiana Key Dental Network Fee Schedule. Denture and denture repairs are subject to the service limits of the Adult Denture Program, unless exceptional medical necessity can be demonstrated. Exceptions to the seven year rule may be allowed as an incurred medical expense deduction when medical necessity can be shown. These exceptions are only allowed when traumatic injuries, surgery to the jaws or a disease causes a dramatic change to the oral condition that makes the original dentures unserviceable.

2. Eyeglasses. Deductions for eyeglasses not otherwise covered by the Medicaid Program are limited to \$150 annually. The deduction amount will be reassessed annually.

3. Hearing Aids

a. A one-time deduction, not to exceed \$800, is allowed. The deduction amount will be reassessed annually.

b. Hearing aids are approved only when there is a significant hearing loss documented by audiometric or electro physiologic data provided by a licensed physician. A prescription written by a physician or a licensed audiologist is required for the hearing aid (but not for ear molds or hearing aid repairs). The prescription must be dated within the previous six months and must contain medical clearance that use of a hearing aid device by the resident is not medically contra-indicated. The physician or licensed audiologist must also furnish a report including an audiogram, if applicable, all test results and the degree and type of hearing loss. A hearing loss greater than 20 decibels average hearing level is considered significant in hearing range 500-2000Hz frequency. Additional medical and social information in the report shall include:

- i. the recipient's age;
- ii. whether he/she has previously used a hearing aid;
- iii. whether he/she is currently using an aid and whether it can be repaired;
- iv. how long his/her hearing has been impaired; and
- v. any other pertinent information.

c. Hearing aids can be purchased from either a licensed audiologist or from a licensed hearing aid dispenser. A provision for training the recipient in the proper use and care of the hearing aid shall be a part of the purchase.

D. Facility Responsibilities and Limitations

1. Nursing facilities will be considered a third party with presumptive liability for residents who report that medical items or equipment (i.e. dentures, hearing aids etc.) were lost or damaged in the facility. The facility shall be required to file a claim against its own insurance to recoup for the loss. When a nursing facility accepts a resident, they assume responsibility for the person as well as those personal items that are necessary for the resident's individual functioning.

2. Nursing facilities are prohibited from entering into profit sharing agreements with other providers for any services, supplies or equipment provided for under the incurred medical expenses deduction.

David W. Hood
Secretary

0305#048

RULE

Department of Public Safety and Corrections Office of State Police

Motor Carrier Safety and Hazardous Materials (LAC 33:V.10303)

The Department of Public Safety and Corrections, Office of State Police, Transportation and Environmental Safety Section, hereby amends LAC 33:V.10303 pertaining to Motor Carrier Safety and Hazardous Material requirements to restate the revision date of the previously adopted parts of 49 CFR and to update the titles of the various parts as authorized by R.S. 32:1501 et seq.

Title 33

ENVIRONMENTAL QUALITY

Part V. Hazardous Waste and Hazardous Materials Subpart 2. Department of Public Safety and Corrections Hazardous Materials Chapter 103. Motor Carrier Safety and Hazardous Materials §10303. Federal Motor Carrier Safety and Hazardous Materials

A. The following federal motor carrier safety regulations and hazardous materials regulations promulgated by the United States Department of Transportation, revised as of October 1, 2002 and contained in the following parts of 49 CFR as now in effect or as hereafter amended, are made a part of this Chapter.

Hazardous Material Regulations	
Part 171	General Information, Regulations, and Definitions
Part 172	Hazardous Materials Table, Special Provisions, and Hazardous Materials Communications, Emergency Response Information, and Training Requirements
Part 173	ShippersCGeneral Requirements for Shipments and Packagings
Part 177	Carriage by Public Highways
Part 178	Specifications for Packagings
Part 180	Continuing Qualification and Maintenance of Packagings
Motor Carrier Safety Regulations	
Part 382	Controlled Substances and Alcohol Use and Testing
Part 383	Commercial Driver's License Standards; Requirements and Penalties
Part 385	Safety Fitness Procedures
Part 390	Federal Motor Carrier Safety Regulations; General
Part 391	Qualifications of Drivers
Part 392	Driving of Commercial Motor Vehicles
Part 393	Parts and Accessories Necessary for Safe Operation
Part 395	Hours of Service of Drivers
Part 396	Inspection, Repair, and Maintenance
Part 397	Transportation of Hazardous Materials; Driving and Parking Rules

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:1501 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Police, LR 14:31 (January 1988), amended LR 17:1115 (November 1991), LR 19:351 (March 1993), LR 10:58 (January 1994), LR 24:956 (May 1998), LR 24:2321 (December 1998), LR 29:711 (May 2003).

Chris Keaton
Undersecretary

0305#011

RULE

Department of Social Services Office of Community Services

Refugee Resettlement Program (LAC 67:V.Chapter 5)

In accordance with R.S. 49:950 et seq., of the Administrative Procedure Act, the Department of Social Services, Office of Community Services, has adopted the following Rule relative to the Refugee Resettlement Program, effective May 20, 2003. Additionally, the Department of Social Services, Office of Community Services, has developed and implemented policy in response to changes in 45 CFR 400 revised October 1, 2000, and specifically, to the change in 45 CFR 400.56-63 regarding services to public/private Refugee Cash Assistance (RCA) recipients.

The Refugee Resettlement Program is federally administered and funded by the U.S. Department of Health and Human Services, Administration for Children and Families, Office of Refugee Resettlement. The program includes three components: Refugee Cash Assistance, Refugee Medical Assistance, and Refugee Social Services. The Refugee Cash Assistance services and the Social Services service components are delivered by the Office of Community Services. The department entered into Memoranda of Understanding with the Department of Social Services, Office of Family Support, and the Department of

Health and Hospitals, to deliver the Refugee Medical Assistance services component.

Title 67

SOCIAL SERVICES

Part V. Office of Community Services

Subpart 2. Community Services

Chapter 5. Refugee Resettlement Program

Subchapter A. Goals and Services

§501. Authority

A. The State of Louisiana administers the Refugee Resettlement Program through the Department of Social Services, Office of Community Services in accordance with federal regulations including 45 CFR 400. The Office of Community Services is responsible for the administration and delivery of services through direct provision, memoranda of understanding with other state agencies, and purchase of services.

AUTHORITY NOTE: Promulgated in accordance with R.S.36:474(3)

HISTORICAL NOTE: Promulgated by the Department of Social Services, Office of Family Support, LR 17:1226 (December 1991), Department of Social Services, Office of Community Services, LR 29:712 (May 2003).

§503. Program Goals

A. The Refugee Resettlement Program is designed to effectively resettle refugees and to promote economic self-sufficiency for refugees within the shortest possible time after their entrance into the State. Those considered for receipt of the Refugee Resettlement Program services and benefits include individuals with the following Immigration and Naturalization Services statuses:

1. refugees;
2. asylees;
3. Cuban and Haitian entrants;
4. certain Amerasians from Vietnam; and
5. victims of a severe form of trafficking who receive certification from the Office of Refugee Resettlement.

AUTHORITY NOTE: Promulgated in accordance with R.S.36:474(3).

HISTORICAL NOTE: Promulgated by the Department of Social Services, Office of Community Services, LR 29:712 (May 2003).

§505. Program Services

A. Services provided in the Refugee Resettlement Program are defined in the Louisiana State Plans for the Administration of the Refugee Resettlement Program and the Public Private Partnership/Refugee Cash Assistance Program which comply with 45 CFR 400 as amended. There are three components of the Refugee Resettlement Program. They are: Refugee Cash Assistance, Refugee Medical Assistance and Refugee Social Services.

AUTHORITY NOTE: Promulgated in accordance with R.S.36:474(3).

HISTORICAL NOTE: Promulgated by the Department of Social Services, Office of Community Services, LR 29:712 (May 2003).

Subchapter B. Refugee Cash Assistance

§507. Application, Eligibility, and Incentive Bonuses for Refugee Cash Assistance

A. Application. The Office of Community Services will administer a Public Private Partnership/Refugee Cash Assistance program by contracting with local private resettlement agencies to provide direct cash assistance to

eligible refugee clients. Any individual wishing to apply for benefits may do so. A determination of eligibility must be made within 30 days of the date of application.

B. Eligibility

1. General eligibility requirements for refugee cash assistance is limited to those who:

a. are new arrivals to the United States whose residence in the country is within the Refugee Cash Assistance (RCA) eligibility period determined by the Office of Refugee Resettlement Director;

b. are asylees recently granted asylum whose time since the date being granted asylum is within the RCA eligibility period determined by the Office of Refugee Resettlement Director;

c. are ineligible for TANF and SSI;

d. meet immigration status and identification requirements in Subpart D of 45 CFR Part 400, or who are the dependent children of, and part of the same family unit as, individuals who meet the requirements, subject to the limitation in Sec. 400.208 with respect to non-refugee children;

e. are not full-time students in institutions of higher education, as defined by the Office of Refugee Resettlement Director;

f. are residents of Louisiana in the jurisdiction of the local resettlement agency handling the application; and

g. meet the following financial eligibility requirements.

2. Financial eligibility requirements are as follows.

a. The family unit will have gross income at or below 200 percent of the federal poverty level.

b. There will be a total earned income disregard for the first four months of their time eligibility period.

c. There will be a \$200 earned income disregard for the fifth month through the last month of their eligibility period.

3. Incentive Bonuses

a. Incentive bonuses will be available to eligible individuals up to a capped maximum of the standard payment amount times the months of the established eligibility period and are as follows:

i. a \$200 one time bonus per eligible individual for accepting a full time job and staying on that job for at least ten working days (\$100 bonus for part time employment);

ii. a \$200 one time bonus per eligible individual for remaining employed on the 90th day after being placed in a job and the ninety day retention date must be within the period of eligibility;

iii. an employable eligible individual may have the local resettlement agency make payment toward the cost of driving lessons, up to \$200, to an accredited driving instruction school, if driving lessons are needed by the individual, the individual is eligible to apply for a valid driver's license, and learning to drive is part of the employability plan for the individual.

C. Participants receiving RCA will also be eligible to receive employment, language training, and related support services under the Refugee Social Services Program.

AUTHORITY NOTE: Promulgated in accordance with R.S.36:474(3).

HISTORICAL NOTE: Promulgated by the Department of Social Services, Office of Community Services, LR 29:712 (May 2003).

§509. Amount of Refugee Cash Assistance

A. The cash assistance standard payment amounts per month for the period of eligibility are as follows.

Size of Family Unit	Payment Amount
1	\$260
2	\$335
3	\$400
4	\$455
Incremental	\$50

AUTHORITY NOTE: Promulgated in accordance with R.S.36:474(3).

HISTORICAL NOTE: Promulgated by the Department of Social Services, Office of Community Services, LR 29:713 (May 2003).

§511. Mandatory Participation in Employment Services

A. All non-exempt eligible members of a family unit must participate in an employment plan developed by the local resettlement agency in conjunction with the non-exempt eligible member in order to be eligible for cash assistance.

AUTHORITY NOTE: Promulgated in accordance with R.S.36:474(3).

HISTORICAL NOTE: Promulgated by the Department of Social Services, Office of Community Services, LR 29:713 (May 2003).

Subchapter C. Refugee Medical Assistance

§513. Eligibility and Furnishing of Services for Refugee Medical Assistance

A. The Office of Community Services will administer Refugee Medical Assistance (RMA) in accordance with program regulations for Title XIX of the Social Security Act as reflected in the Louisiana approved Medicaid and SCHIP State Plans. Eligibility requirements for RMA will be in accordance with 45 CFR 400.94, 400.100-104. If a refugee who is receiving RMA receives earnings from employment, the earnings shall not affect the refugees continued medical assistance eligibility. RMA services will be delivered by the Office of Family Support (OFS) and the Department of Health and Hospitals (DHH) through Memoranda of Understanding. The OFS will conduct the eligibility determination and the DHH will administer the provision of medical services.

AUTHORITY NOTE: Promulgated in accordance with R.S.36:474(3).

HISTORICAL NOTE: Promulgated by the Department of Social Services, Office of Community Services, LR 29:713 (May 2003).

Subchapter D. Refugee Social Services

§515. Application, Eligibility, and Furnishing of Refugee Social Services

A. Applications for services must be completed for all individuals and households who are referred for services or request services under this program prior to the delivery of services. Application forms should be completed as soon as possible after the initial request or referral for services but no later than 30 calendar days after the request or referral.

B. To be eligible for social services, an applicant must provide proof in the form of documentation issued by the Immigration and Naturalization Service of one of the following statuses under the Immigration and Nationality Act as a condition of eligibility:

1. paroled as a refugee or asylee under Section 212(d)(5);
2. admitted as a refugee under Section 207;
3. granted asylum under Section 208;
4. admitted as a Cuban or Haitian Entrant in accordance with requirements in 45 CFR part 401;
5. admitted as an Amerasian from Vietnam pursuant to Section 584 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1988 as contained in Section 101(e) of Public Law 100-202 and amended by the 9th proviso under Migration and Refugee Assistance in Title II of the Foreign Operation, Export Financing, and Related program Appropriations Acts, 1989, (Public Law 100-461 as amended).

C. Recipients of employment services and language training services must be sixteen years of age or older and not full-time students in elementary or secondary school, except that such a student may be provided services in order to obtain part-time or temporary (e.g. summer) employment while a student or full-time permanent employment upon completion of schooling.

D. Services to be provided include:

1. Employment services which are defined as the provision of assistance for individuals to obtain and maintain suitable paid employment.

2. English as a Second Language (ESL) which is defined as the provision of formal or informal English instruction with emphasis on survival and/or vocational English or assistance in obtaining such from other established English programs.

3. Social Adjustment Services which are defined as the provision of therapeutic, educational, cultural and social enrichment activities to promote acculturation and inter/intra personal functioning.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:474(3).

HISTORICAL NOTE: Promulgated by the Department of Social Services, Office of Family Support, LR 17:1226 (December 1991), Department of Social Services, Office of Community Services, LR 29:713 (May 2003).

Gwendolyn P. Hamilton
Secretary

0305#034

RULE

Department of Social Services Office of Family Support

Refugee Cash Assistance (RCA) Program
(LAC 67:III.Chapters 35 and 37)

The Department of Social Services, Office of Family Support, has repealed Title 67, Part III, Chapters 35 and 37, the Refugee Cash Assistance Program.

Pursuant to options offered to states by the United States Department of Health and Human Services, Administration for Children and Families, Office of Refugee Resettlement through regulations at 45 CFR Part 400, the agency has

opted to provide services for RCA through a public/private partnership whereby the state will contract with refugee resettlement agencies that will provide refugee cash assistance benefits. The program, Public Private Partnership/Refugee Cash Assistance Program, will be administered through contracts with various resettlement agencies. These local resettlement agencies are current providers for the Refugee Social Services Program which is administered by the Office of Community Services (OCS). Therefore, in order to allow the agency responsible for the initial resettlement of refugees to directly handle their application for cash assistance benefits, administration of the RCA Program has been transferred to OCS. OCS has promulgated Rules to establish regulations governing the program under Title 67, Part V, of the Louisiana Administrative Code effective January 1, 2003.

Repeal of Part III, Chapters 35 and 37 was effected January 1, 2003 by a Declaration of Emergency which was published in the January 2003 issue of the *Louisiana Register*.

Title 67

SOCIAL SERVICES

Part III. Office of Family Support Subpart 7. Refugee Cash Assistance

Chapter 35. Administration

§3501. Authority

Repealed.

AUTHORITY NOTE: Promulgated in accordance with applicable sections of 45 CFR.

HISTORICAL NOTE: Promulgated by the Department of Social Services, Office of Family Support, LR 17:1226 (December 1991), repealed LR 29:714 (May 2003).

Chapter 37. Application, Eligibility and Furnishing Assistance

Subchapter A. Coverage and Conditions of Eligibility

§3701. Eligibility Determination

Repealed.

AUTHORITY NOTE: Promulgated in accordance with 45 CFR 400(E), R.S. 36:474.

HISTORICAL NOTE: Promulgated by the Department of Social Services, Office of Family Support, LR 24:353 (February 1998), repealed LR 29:714 (May 2003).

§3703. Eligibility Periods

Repealed.

AUTHORITY NOTE: Promulgated in accordance with 45 CFR 400.202.

HISTORICAL NOTE: Promulgated by the Department of Social Services, Office of Family Support, LR 17:954 (October 1991), LR 18:22 (January 1992), repealed LR 29:714 (May 2003).

§3704. Application Time Limit and Initial Payment

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:474.

HISTORICAL NOTE: Promulgated by the Department of Social Services, Office of Family Support, LR 24:353 (February 1998), repealed LR 29:714 (May 2003).

§3705. Coverage and Conditions

Repealed.

AUTHORITY NOTE: Promulgated in accordance with 45 CFR 400.62(3).

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Office of Family Security, LR 10:401 (May 1984), repealed by the Department of Social Services, Office of Family Support, LR 24:353 (February 1998), repealed LR 29:714 (May 2003).

§3707. Resources

Repealed.

AUTHORITY NOTE: Promulgated in accordance with 45 CFR 400.61.

HISTORICAL NOTE: Promulgated by the Department of Social Services, Office of Family Support, LR 24:354 (February 1998), repealed LR 29:715 (May 2003).

§3708. Income

Repealed.

AUTHORITY NOTE: Promulgated in accordance with 45 CFR 400.61.

HISTORICAL NOTE: Promulgated by the Department of Social Services, Office of Family Support, LR 24:354 (February 1998), repealed LR 29:715 (May 2003).

§3709. Ineligibility Based on Lump Sum Income

Repealed.

AUTHORITY NOTE: Promulgated in accordance with 45 CFR 400.61.

HISTORICAL NOTE: Promulgated by the Department of Social Services, Office of Family Support, LR 24:354 (February 1998), repealed LR 29:715 (May 2003).

§3710. Earned Income Deductions

Repealed.

AUTHORITY NOTE: Promulgated in accordance with 45 CFR 400.61 and 233.20(a)(11).

HISTORICAL NOTE: Promulgated by the Department of Social Services, Office of Family Support, LR 24:354 (February 1998), repealed LR 29:715 (May 2003).

Gwendolyn P. Hamilton
Secretary

0305#032

RULE

**Department of Social Services
Office of Family Support**

TANF Initiatives

(LAC 67:III.5501, 5503, 5505, 5513, 5515, 5517 and 5519)

In accordance with R.S.49:950 et seq., the Administrative Procedure Act, the Department of Social Services, Office of Family Support, has repealed LAC 67:III, Subpart 15, Chapter 55, §§5503, 5515, 5517, and 5519 and amended §§5501, 5505, and 5513.

The agency has made changes in order to clarify the goals of some programs and to prevent the duplication of services between others.

Title 67

SOCIAL SERVICES

Part III. Family Support

**Subpart 15. Temporary Assistance to Needy Families
(TANF) Initiatives**

Chapter 55. TANF Initiatives

**§5501. Starting Points Early Childhood Development
Program**

A. ...

B. These services meet the TANF goal of encouraging the formation and maintenance of two-parent families by providing at-risk families with quality early childhood education to 4-year-old children, as well as providing support to the parents in obtaining higher literacy levels, crisis intervention, and positive parenting skills resulting in greater financial and familial stability. Children placed in quality education programs at an early age are more likely to

become contributing members of society by developing responsible behaviors and an interest in learning that will eventually lead to graduation. These services also meet the TANF goal to prevent and reduce the incidence of out-of-wedlock births by providing high quality pre-school programs for at-risk children which have been shown to result in more positive outcomes relative to academic achievement, resistance to substance abuse and other criminal activities, lower levels of teen pregnancy, and good mental health.

C. - D. ...

AUTHORITY NOTE: Promulgated in accordance with 42 U.S.C. 601 et seq., R.S. 46:231 and R.S. 36:474; Act 12, 2001 Reg. Session.

HISTORICAL NOTE: Promulgated by the Department of Social Services, Office of Family Support, LR 27:2265 (December 2001), amended LR 29:715 (May 2003).

§5503. Emergency Energy Assistance

Repealed.

AUTHORITY NOTE: Promulgated in accordance with 42 U.S.C. 601 et seq., R.S. 36:474 and 46:231; and Act 12, 2001 Reg. Session.

HISTORICAL NOTE: Promulgated by the Department of Social Services, Office of Family Support, LR 28:103 (January 2002), repealed LR 29:715 (May 2003).

**§5505. Nonpublic School Early Childhood Development
Program**

A. ...

B. These services meet the TANF goals to encourage the formation and maintenance of two-parent families and to reduce the incidence of out-of-wedlock births by placing children in learning environments at the pre-school level to foster an interest in learning, increase literacy levels, and increase the likelihood of developing responsible behavior.

C. - D. ...

AUTHORITY NOTE: Promulgated in accordance with 42 U.S.C. 601 et seq., R.S. 46:231 and R.S. 36:474; Act 12, 2001 Reg. Session.

HISTORICAL NOTE: Promulgated by the Department of Social Services, Office of Family Support, LR 28:350 (February 2002), amended LR 29:715 (May 2003).

§5513. Post-Release Skills Program

A. The Office of Family Support shall enter into a Memorandum of Understanding with the Department of Public Safety and Corrections to fund transitional services to former offenders.

B. These services meet the TANF goal to encourage the formation and maintenance of two-parent families by reducing the rate of recidivism. This goal will be accomplished by providing nonmedical substance abuse treatment and counseling, GED and academic enhancement, training in conflict resolution and communication skills, job training, and job placement assistance.

C. Eligibility for services is limited to released offenders who are parents or caretaker relatives of minor children.

D. Services are considered non-assistance by the agency.

AUTHORITY NOTE: Promulgated in accordance with 42 U.S.C. 601 et seq., R.S. 46:231 and R.S. 36:474; Act 12, 2001 Reg. Session.

HISTORICAL NOTE: Promulgated by the Department of Social Services, Office of Family Support, LR 28:351 (February 2002), amended LR 29:715 (May 2003).

§5515. Job Skills Program

Repealed.

AUTHORITY NOTE: Promulgated in accordance with 42 U.S.C. 601 et seq.; R.S. 46:231 and R.S. 36:474; Act 12, 2001 Reg. Session.

HISTORICAL NOTE: Promulgated by the Department of Social Services, Office of Family Support, LR 28:351 (February 2002), repealed LR 29:715 (May 2003).

§5517. Project Metamorphosis

Repealed.

AUTHORITY NOTE: Promulgated in accordance with 42 U.S.C. 601 et seq.; R.S. 46:231 and R.S. 36:474; Act 12, 2001 Reg. Session.

HISTORICAL NOTE: Promulgated by the Department of Social Services, Office of Family Support, LR 28:351 (February 2002), repealed LR 29:716 (May 2003).

§5519. Concordia Correctional Life Skills Pre-Release Program at the Concordia Parish Detention Facility

Repealed.

AUTHORITY NOTE: Promulgated in accordance with 42 U.S.C. 601 et seq.; R.S. 46:231 and R.S. 36:474; Act 12, 2001 Reg. Session.

HISTORICAL NOTE: Promulgated by the Department of Social Services, Office of Family Support, LR 28:351 (February 2002), repealed LR 29:716 (May 2003).

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