

Potpourri

POTPOURRI

Department of Agriculture and Forestry Horticulture Commission

Annual Quarantine Listing—2007

In accordance with LAC 7:XV.107 and 109, we are hereby publishing the annual quarantine.

1.0 Sweetpotato Weevil (*Cylas formicarius elegantulus* Sum)

(a) In the United States: the states of Alabama, California, Florida, Georgia, Mississippi, North Carolina, South Carolina, Texas and any other state found to have the sweetpotato weevil.

(b) In the state of Louisiana:

1) The entire parishes of: Acadia, Allen, Ascension, Assumption, Avoyelles, Beauregard, Bienville, Bossier, Caddo, Calcasieu, Cameron, DeSoto, East Baton Rouge, East Feliciana, Evangeline, Grant, Iberia, Iberville, Jefferson, Jefferson Davis, Lafayette, Lafourche, Livingston, Natchitoches, Orleans, Plaquemines, Pointe Coupee, Rapides, Red River, Sabine, St. Bernard, St. Charles, St. Helena, St. James, St. John the Baptist, St. Landry, St. Martin, St. Mary, St. Tammany, Tangipahoa, Terrebonne, Vermilion, Vernon, Washington, Webster, West Baton Rouge, West Feliciana.

2.0 Pink Bollworm (*Pectinophora gossypiella* Saunders)

Pink bollworm quarantined areas are divided into generally infested and/or suppressive areas as described by USDA-PPQ.

ARIZONA

(1) Generally infested area: the entire state.

CALIFORNIA

(1) Generally infested area: The entire counties of: Imperial, Inyo, Los Angeles, Orange, Riverside, San Bernardino, and San Diego.

(2) Suppressive area: The entire counties of: Fresno, Kern, Kings, Madera, Merced, San Benito, and Tulare.

NEW MEXICO

(1) Generally infested area: The entire state.

TEXAS

(1) Generally infested area: The entire state.

3.0 Phytophagous Snails

The states of Arizona and California.

4.0 Sugarcane Pests and Diseases

All states outside of Louisiana.

5.0 Lethal Yellowing

The states of Florida and Texas.

6.0 Tristeza, Xyloporosis, Psorosis, Exocortis.

All citrus growing areas of the United States.

7.0 Burrowing Nematode (*Radopholus similis*)

The states of Florida and Hawaii and the Commonwealth of Puerto Rico.

8.0 Oak Wilt (*Ceratocystis fagacearum*)

ARKANSAS

Infected counties: Baxter, Benton, Boone, Carroll, Clay, Craighead, Crawford, Franklin, Fulton, Independence, Izard, Johnson, Lawrence, Logan, Madison, Marion, Mississippi, Nevada, Newton, Poinsett, Pope, Randolph, Scott, Searcy, Sharp, Stone, Washington, and Yell.

ILLINOIS

Entire state.

INDIANA

Entire state.

IOWA

Entire state.

KANSAS

Infected counties: Anderson, Atchison, Cherokee, Doniphan, Douglas, Franklin, Jackson, Jefferson, Johnson, Leavenworth, Linn, Miami, Neosho, Pottawatomie, Shawnee, and Wyandotte.

KENTUCKY

Infected counties: Adair, Allen, Ballard, Bath, Bell, Boyd, Breathitt, Breckinridge, Bullitt, Butler, Caldwell, Calloway, Carter, Casey, Christian, Clay, Clinton, Cumberland, Daviess, Edmonson, Elliott, Estill, Fleming, Floyd, Graves, Grayson, Green, Greenup, Hancock, Hardin, Harlan, Hart, Henderson,

Hopkins, Jefferson, Johnson, Knott, Knox, Lawrence, Lee, Leslie, Letcher, Lewis, Logan, McCracken, McLean, Magoffin, Marshall, Martin, Menifee, Metcalfe, Montgomery, Morgan, Muhlenberg, Nelson, Ohio, Oldham, Owsley, Perry, Pike, Powell, Pulaski, Rowan, Russell, Taylor, Todd, Trigg, Union, Warren, Wayne, and Webster.

MARYLAND

Infected Counties: Allegany, Frederick, Garrett, and Washington.

MICHIGAN

Infected counties: Barry, Barrien, Calhoun, Cass, Clare, Clinton, Grand Traverse, Kalamazoo, Kent, Lake, Livingston, Manistee, Missaukee, Muskegon, Oakland, Roscommon, St. Joseph, Van Buren, Washtenaw, Wyne, and Menominee.

MINNESOTA

Infected counties: Anoka, Aitkin, Blue Earth, Carver, Cass, Chicago, Crow Wing, Dakota, Dodge, Fillmore, Freeborn, Goodhue, Hennepin, Houston, Le Sueur, McLeod, Mille Lacs, Morrison, Mower, Nicollet, Olmsted, Ramsey, Rice, Scott, Sherburne, Sibley, Steele, Wabasha, Waseca, Washington, Winona, and Wright.

MISSOURI

Entire state.

NEBRASKA

Infected counties: Cass, Douglas, Nemaha, Otoe, Richardson, and Sarpy.

NORTH CAROLINA

Infected counties: Buncombe, Burke, Haywood, Jackson, Lenoir, Macon, Madison, and Swain.

OHIO

Entire state.

OKLAHOMA

Infected counties: Adair, Cherokee, Craig, Delaware, Haskell, Latimer, LeFlore, Mayes, McCurtain, McIntosh, Ottawa, Pittsburg, Rogers, Sequoyah, and Wagoner.

PENNSYLVANIA

Infected counties: Adams, Allegheny, Armstrong, Beaver, Bedford, Blair, Butler, Cambria, Centre, Clarion, Clinton, Cumberland, Erie, Fayette, Franklin, Fulton, Greene, Huntingdon, Indiana, Jefferson, Juniata, Lawrence, Mifflin, Perry, Somerset, Venango, Washington, and Westmoreland.

SOUTH CAROLINA

Infected counties: Chesterfield, Kershaw, Lancaster, Lee, and Richland.

TENNESSEE

Infected Counties: Blount, Carter, Cocke, Cumberland, Grainger, Greene, Hamblen, Hancock, Hardeman, Hawkins, Jefferson, Knox, Lincoln, Loudon, Montgomery, Rhea, Roane, Robertson, Sevier, Sullivan, Union, Washington, and White.

TEXAS

Infected counties: Bandera, Bastrop, Bexar, Blanco, Basque, Burnett, Dallas, Erath, Fayette, Gillespie, Hamilton, Kendall, Kerr, Lampasas, Lavaca, McLennan, Midland, Tarrant, Travis, Williamson.

VIRGINIA

Infected counties: Alleghany, Augusta, Bath, Botetoust, Clarke, Frederick, Giles, Highland, Lee, Loudoun, Montgomery, Page, Rockbridge, Rockingham, Scott, Shenandoah, Smyth, Warren, Washington, Wise, and Wythe.

WEST VIRGINIA

Infected counties: all counties except Tucker and Webster.

WISCONSIN

Infected counties: Adams, Brown, Buffalo, Chippewa, Clark, Columbia, Crawford, Dane, Dodge, Dunn, Eau Claire, Fond du Lac, Grant, Green, Green Lake, Iowa, Jackson, Jefferson, Juneau, Kenosha, La Crosse, Lafayette, Lincoln, Marquette, Milwaukee, Monroe, Oconto, Outagamie, Ozaukee, Pepin, Pierce, Polk, Portage, Racine, Richland, Rock, St. Croix, Sauk, Shawano, Trempealeau, Vernon, Walworth, Washington, Waukesha, Waupaca, Waushara, Winnebago, and Wood.

9.0 Phony Peach

ALABAMA

Entire state.

ARKANSAS

Counties of Arkansas, Ashley, Bradley, Chicot, Columbia, Crittendon, Cross, Desha, Drew, Hempstead, Howard, Jefferson, Lafayette, Lee, Lincoln, Little River, Miller, Monroe, Nevada, Phillips, Pike, Poinsett, St. Francis, Sevier, Union, and Woodruff.

FLORIDA

Entire state.

GEORGIA

Entire state.

KENTUCKY

County of McCracken.

LOUISIANA

Parishes of Bienville, Bossier, Caddo, Claiborne, DeSoto, Jackson, Lincoln, Morehouse, Natchitoches, Ouachita, Red River and Union.

MISSISSIPPI

Entire state.

MISSOURI

County of Dunklin.

NORTH CAROLINA

Counties of Anson, Cumberland, Gaston, Hoke, Polk and Rutherford.

SOUTH CAROLINA

Counties of Aiken, Allendale, Bamberg, Barnwell, Cherokee, Chesterfield, Edgefield, Greenville, Lancaster, Laurens, Lexington, Marlboro, Orangeburg, Richland, Saluda, Spartanburg, Sumter, and York.

TENNESSEE

Counties of Chester, Crockett, Dyer, Fayette, Hardman, Hardin, Lake, Lauderdale, McNairy, Madison, and Weakley.

TEXAS

Counties of Anderson, Bexar, Brazos, Cherokee, Freestone, Limestone, McLennan, Milan, Rusk, San Augustine, Smith, and Upshur.

10.0 Citrus Canker (*Xanthomonas axonopodis* pv. *citri*)

Any areas designated as quarantined under the Federal Citrus Canker quarantine 7 CFR 301.75 et seq.

11.0 Pine Shoot Beetle [*Tomicus piniperda* (L.)]

Any areas designated as quarantined under the Federal Pine Shoot Beetle quarantine 7 CFR 301.50 et seq.

Bob Odom

Commissioner

0704#009

POTPOURRI

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

Notification and Reportable Quantity List
(LAC 33:I.3908, 3919, 3925, and 3931)

Notice is given that the Department of Environmental Quality is hereby withdrawing the proposed rule, Log #OS071, which proposed to amend the Office of the Secretary regulations, LAC 33:I.3908, 3919, 3925, and 3931. The Notice of Intent for this proposed rule was published on pages 1471-1473 in the *Louisiana Register* on August 20, 2006. A public hearing was held on September 26, 2006, and comments were received. After review and consideration of these comments, substantive changes were made to the proposed rule. The proposed rule with substantive changes (OS071S) was published on pages 2495-2498 of the December 20, 2006, *Louisiana Register*. A public hearing on the substantive changes was held on January 24, 2007, and comments were received. After

review and consideration of all comments received, the Department has determined that another substantive change to this rule is needed. Therefore, the Department is withdrawing this proposed rule and intends to initiate rulemaking for a similar rule further revising certain provisions of LAC 33:I.Chapter 39. If you have any questions, please call Judith A. Schuerman, Ph.D., at (225) 219-3550.

Herman Robinson, CPM
Executive Counsel

0704#035

POTPOURRI

Department of Environmental Quality Office of the Secretary

Declaratory Ruling—Submittals of Annual Criteria Pollutant Emissions

Subject: Submittals of Annual Criteria Pollutant Emissions Inventory Data for Calendar Year 2006

Under the authority of the Environmental Quality Act, R.S. 30:2001 et seq., and in accordance with LAC 33:I.1125.A, the secretary hereby issues a declaratory ruling regarding submittals of Annual Criteria Pollutant Emissions Inventory Data for calendar year 2006.

Background

The Louisiana Department of Environmental Quality (Department) has initiated a project to update and enhance the existing emissions inventory reporting system. Due to unavoidable delays, however, the system will not be ready to receive data, nor will user training be completed, in time for users to meet all of the requirements associated with the March 31, 2007, criteria pollutant emissions inventory reporting deadline set forth in LAC 33:III.918 and 919. Some Department issued permits contained language that was more restrictive than that contained in LAC 33:III.918 and 919 with regard to reporting of emissions inventory data. The Department never intended this to be the case, and issues this ruling to ensure that facilities which report calendar year 2006 emissions by July 1, 2007 will be found compliant with LAC 33:III.918 and 919. To address this inconsistency, the Department issued Potpourri Notice 0612Pot4 on December 20, 2006, containing the alternative notification procedures for facilities to follow if their permit language was more restrictive than LAC 33:III.918 and 919.

Ruling

Facilities are required to submit the Criteria Pollutant Emissions Certification Statement certifying facility totals for calendar year 2006 emissions by March 31, 2007, or other date directed by the Secretary in accordance with LAC 33:III.919.D. For all facilities, including but not limited to the affected sources identified below, the Department has extended to July 1, 2007, the deadline for submitting calendar year 2006 emission point level data. Owners and operators who submit the aforementioned data in the format prescribed by the Department by the deadlines specified will be found compliant with LAC 33:III.918 and 919, regardless of any permit specific condition language to the contrary.

This change in the submittal schedule for emission inventory data is for reporting of calendar year 2006 data only.

Reasons for Ruling

This extension of the deadline for submittal of the emission point level data will enable facilities to submit data through the new emissions inventory reporting system and alleviate difficulties associated with reporting and processing data in the current, outdated system. Allowing the 90-day extension for facilities to submit emission point level data will not have a negative impact on data availability. The new system has been designed such that emission inventory data will be readily available for assessment and dissemination, while data submitted via the existing system was typically not available for six months or more following the March 31 submission date.

Affected Sources

Affected sources [listed under Declaratory Ruling 2007-001 at: www.deq.louisiana.gov/portal/Default.aspx?tabid=109] were identified in accordance with the procedures described in Potpourri Notice 0612Pot4, published in the *Louisiana Register* on December 20, 2006.

In accordance with LAC 33:I.1149.B.3, this declaratory ruling shall be published in the *Louisiana Register*.

Date: March 13, 2007

Signed: Mike D. McDaniel, Ph.D.
Secretary

For more information contact Jennifer Mouton, Office of Environmental Assessment, Air Quality Assessment Division, at (225) 219-3427.

Herman Robinson, CPM
Executive Counsel

0704#032

POTPOURRI

Department of Environmental Quality Office of the Secretary Legal Affairs Division

2006 State Implementation Plan (SIP) General Revisions

Under the authority of the Environmental Quality Act, R.S. 30:2051 et seq., the secretary gives notice of proposed general revisions to the air quality State Implementation Plan (SIP). The revisions include amendments to various air quality regulations in LAC 33:III.Chapters 1, 5, 6, 7, 9, and 23, which were previously promulgated in 2006, and which were not previously included in other revisions to the SIP.

A public hearing will be held on May 30, 2007, at 1:30 p.m. in the Galvez Building, Oliver Pollock Conference Room, 602 N. Fifth Street, Baton Rouge, Louisiana. Interested persons are invited to attend and submit oral comments on the proposed revisions. Should individuals with a disability need an accommodation in order to participate, contact Judith Schuerman, Office of the Secretary, Legal Affairs Division, Box 4302, Baton Rouge, LA 70821-4302 or at (225) 219-3550. Parking in the Galvez Garage is free with a validated parking ticket.

All interested persons are invited to submit written comments on the proposed 2006 SIP general revisions. Comments must be submitted no later than 4:30 p.m. on June 6, 2007. Comments should be mailed to Sandra Hilton, Office of Environmental Assessment, Plan Development Section, Box 4314, Baton Rouge, LA 70821-4314 or faxed to (225) 219-3582. Copies of this document can be purchased by contacting the DEQ Public Records Center at (225) 219-3168. A check or money order is required in advance for each copy of the document.

A copy of the general revisions to the SIP may be viewed Monday through Friday, from 8 a.m. to 4:30 p.m., at the following DEQ locations: 602 N. Fifth Street, Baton Rouge, LA 70802; 1823 Highway 546, West Monroe, LA 71292; State Office Building, 1525 Fairfield Avenue, Shreveport, LA 71101; 1301 Gadwall Street, Lake Charles, LA 70615; 645 N. Lotus Drive, Suite C, Mandeville, LA 70471; 111 New Center Drive, Lafayette, LA 70508; 110 Barataria Street, Lockport, LA 70374 or on the Internet at www.deq.louisiana.gov/portal/tabid/2644/Default.aspx.

Summary of Rules Promulgated in 2006			
LAC 33:III	Louisiana Register Citation	Description	Comments
§919	February 2006 LR 32:241 AQ 255	Emissions Inventory	Replaces the term 1-hour with the term 8-hour.
§111	September 2006 LR 32:1598 AQ 253	8-Hour Ambient Ozone Standard and Nonattainment New Source Review	Replaces 1-hour ozone standard with 8-hour standard and revises NNSR provisions.
§504	September 2006 LR 32:1598 AQ 253	8-Hour Ambient Ozone Standard and Nonattainment New Source Review	Revises NNSR provisions for parishes classified as severe under the 1-hour ozone standard to marginal under the 8-hour ozone standard.
§509	September 2006 LR 32:1598 AQ 253	8-Hour Ambient Ozone Standard and Nonattainment New Source Review	NO _x is added as a regulated pollutant for PSD.
§607	September 2006 LR 32:1598 AQ 253	8-Hour Ambient Ozone Standard and Nonattainment New Source Review	Replaces the 1-hour ozone standard with 8-hour standard.
§709	September 2006 LR 32:1598 AQ 253	8-Hour Ambient Ozone Standard and Nonattainment New Source Review	Adds PM _{2.5} as a primary ambient air quality standard.
§711	September 2006 LR 32:1598 AQ 253	8-Hour Ambient Ozone Standard and Nonattainment New Source Review	Adds PM _{2.5} as a primary ambient air quality standard.
§501	October 2006 LR 32:1847 AQ 240	New or Revised Emissions Estimation Methodologies	The department can review apparent discrepancies between permitted emissions and reported actual emissions.
§2301	October 2006 LR 32:1840 AQ 264	Control of Emissions from the Chemical Woodpulping Industry	Provides total reduced sulfur and opacity exemptions from LAC 33:III.2301 for sources subject to NSPS BB.
§513.A	October 2006 LR 32:1854 AQ267	General Permits, Temporary Sources, and Relocation of Portable Facilities	Clarifies that general permit requirements for minor sources do not require EPA review and publication of notice.
§505	October 2006 LR 32:1841 AQ 268	Public Notice and Affected State Notice	The term "draft permit" is replaced with the term "proposed permit."
§509	October 2006 LR 32:1842 OS 070	Cleanup Package (LAC 33:I.705 and 909; III.509; V.2299; IX.107 and 7107; XI.301; and XV.102 and 399)	Corrected an error in a citation.

Herman Robinson, CPM
Executive Counsel

0704#034

POTPOURRI

**Department of Environmental Quality
Office of the Secretary
Legal Affairs Division**

New Orleans Area Ozone Maintenance Plan

Under the authority of the Louisiana Environmental Quality Act, R. S. 30:2001 et seq., the secretary gives notice that the Office of Environmental Assessment, Plan Development Section, will submit a proposed revision to the ozone maintenance plan for the New Orleans Area, which

includes the parishes of Jefferson, Orleans, St. Bernard, and St. Charles. This revision to the State Implementation Plan (SIP) is mandated under Section 110(a)(1) requirements of the 1990 Clean Air Act Amendments (CAAA).

According to EPA guidance issued May 20, 2005, areas that are designated attainment for the 8-hour ozone National Ambient Air Quality Standards (NAAQS) and are designated attainment for the 1-hour ozone NAAQS with an approved maintenance plan must submit a revision to the SIP.

A public hearing will be held at 1:30 p.m. on May 30, 2007, in the Galvez Building, Oliver Pollock Conference Room, 602 N. Fifth Street, Baton Rouge, LA. Should individuals with a disability need an accommodation in order to participate, please contact Vivian H. Aucoin at (225) 219-3575 or at the address listed below. Interested persons are invited to attend and submit oral comments on the proposal.

All interested persons are invited to submit written comments concerning the SIP revision no later than 4:30 p.m., June 6, 2007, to Vivian H. Aucoin, Office of Environmental Assessment, Box 4314, Baton Rouge, LA 70821-4314 or to FAX (225) 219-3582 or by e-mail to vivian.aucoin@la.gov.

A copy of the SIP revision for the New Orleans Area may be viewed from 8 a.m. to 4:30 p.m. in the DEQ Public Records Center, Room 127, 602 N. Fifth Street, Baton Rouge, LA, or at the Southeast Regional Office, located at 645 N. Lotus Drive, Suite C, Mandeville, LA 70471. The document is available on the Internet at www.deq.louisiana.gov/portal/Default.aspx?tabid=2381.

Herman Robinson, CPM
Executive Counsel

0704#033

POTPOURRI

Department of Environmental Quality Office of the Secretary Legal Affairs Division

Toxic Air Pollutant Ambient Air Standards (LAC 33:III.5112)

The Louisiana Department of Environmental Quality is developing revisions to the ambient air standards (AAS) for toxic air pollutants (TAPs) in LAC 33:III.Chapter 51, and specifically found in LAC 33:III.5112.Table 51.2 (AQ281). In this advanced notice of rulemaking, the department proposes to:

- retain methyl ethyl ketone (MEK) as a state TAP on the supplemental list even though MEK has been delisted as a federal hazardous air pollutant;
- establish more stringent AAS for 16 TAPs;
- establish less stringent AAS for 6 TAPs;
- reclassify 7 TAPs; and

- list a short term (8-hour) average for the first time, in addition to a long term (annual) average, for many Class 1 TAPs.

The department requests all interested parties to submit comments on the advanced draft rule prior to formal proposal of this rule. In addition to the technical content of the document, the department is requesting comments on the estimated cost to implement this regulation as written.

Comments are due no later than 4:30 p.m., May 21, 2007, and should be submitted to James Orgeron, Office of Environmental Assessment, Plan Development Section, Box 4314, Baton Rouge, LA 70821-4314 or faxed to (225) 219-3582 or by e-mail to james.orgeron@la.gov. Persons commenting should reference this document as AQ281. If you have any questions regarding this document please contact James Orgeron at (225) 219-3578. The draft regulation is available on the Internet at www.deq.louisiana.gov/portal/tabid/1669/default.aspx.

Copies of the draft regulation can be purchased by contacting the DEQ Public Records Center at (225) 219-3168. Check or money order is required in advance for each copy of AQ281.

The draft regulations are available for inspection at the following DEQ office locations from 8 a.m. until 4:30 p.m.: 602 N. Fifth Street, Baton Rouge, LA 70802; 1823 Highway 546, West Monroe, LA 71292; State Office Building, 1525 Fairfield Avenue, Shreveport, LA 71101; 1301 Gadwall Street, Lake Charles, LA 70615; 645 N. Lotus Drive, Suite C, Mandeville, LA 70471; 111 New Center Drive, Lafayette, LA 70508; 110 Barataria Street, Lockport, LA 70374.

Title 33

ENVIRONMENTAL QUALITY

Part III. Air

Chapter 51. Comprehensive Toxic Air Pollutant Emission Control Program

Subchapter A. Applicability, Definitions, and General Provisions

§5112. Tables—51.1, 51.2, 51.3

Table 51.1 Minimum Emission Rates Toxic Air Pollutants Class I. Known and Probable Human Carcinogens			
Compounds	CAS Number	Synonyms	Minimum Emission Rate (Pounds/year)
Acrylamide	79-06-1	Acrylic amide	25.0
* * *			
[See prior text in Acrylonitrile – Benzene]			
Beryllium (and compounds) [1]	7440-41-7	Glucinum	25.0
1,3-Butadiene	106-99-0	Biethylene	97.5
Cadmium (and compounds) [1]	7440-43-9		25.0
* * *			
[See prior text in Chromium VI (and compounds) [1][12] – Vinyl chloride]			

Table 51.1 Minimum Emission Rates Toxic Air Pollutants Class II. Suspected Human Carcinogens and Known or Suspected Human Reproductive Toxins			
Compounds	CAS Number	Synonyms	Minimum Emission Rate (Pounds/year)
Acetaldehyde	75-07-0	Acetic aldehyde	700.0
Allyl chloride	107-05-1	3-chloropropene	25.0
Aniline	62-53-3	Aminobenzene, Phenylamine	600.0
Bis (2-chloroethyl) ether	111-44-4	Dichloroethyl ether	2,180.0
Biphenyl	92-52-4	1,1-biphenyl, Xenene	97.5
Carbon disulfide	75-15-0	Carbon bisulfide	2,400.0

Table 51.1 Minimum Emission Rates Toxic Air Pollutants Class II. Suspected Human Carcinogens and Known or Suspected Human Reproductive Toxins			
Compounds	CAS Number	Synonyms	Minimum Emission Rate (Pounds/year)
* * *			
[See prior text in Carbon tetrachloride – Xylene (mixed isomers) [9]]			

Table 51.1 Minimum Emission Rates Toxic Air Pollutants Class III. Acute and Chronic (Non-Carcinogenic) Toxins			
Compounds	CAS Number	Synonyms	Minimum Emission Rate (Pounds/year)
Acetonitrile	75-05-8	Cyanomethane, Methyl cyanide	5,000.0
Acrolein	107-02-8	Acrylic aldehyde	25.0
Acrylic acid	79-10-7	Acroleic acid, Propene acid	400.0
Ammonia [10]	7664-41-7		1,200.0
Antimony (and compounds) [1]	7440-36-0		37.5
Barium (and compounds) [1]	7440-39-3		37.5
* * *			
[See prior text in n-Butyl alcohol - Hydrochloric acid]			
Hydrofluoric acid	7664-39-3	Hydrogen fluoride	63.0
Hydrogen cyanide	74-90-8	Cyclon	800.0
Hydrogen sulfide	7783-06-4		1,000.0
Maleic anhydride	108-31-6	Cis-Butenedioic anhydride	70.0
Methanol	67-56-1	Methyl alcohol	20,000.0
Methyl isobutyl ketone	108-10-1	MIBK	15,000.0
* * *			
[See Prior Text in Methyl methacrylate - Zinc (and compounds) [1][12]]			

Explanatory Notes:
[1]. - [12]. ...

Table 51.2 Louisiana Toxic Air Pollutant Ambient Air Standards				
Compounds	CAS Number	Class	Ambient Air Standard	
			($\mu\text{g}/\text{m}^3$ *) (8 Hour Avg.)	($\mu\text{g}/\text{m}^3$ **) (Annual Avg.)
Acetaldehyde	75-07-0	II		45.50 [14]
Acetaldehyde	75-07-0	II		9.00 [15]
Acetonitrile	75-05-8	III	810.00 [14]	
Acrolein	107-02-8	III	5.40	
Acrylamide	79-06-1	I	7.14 [15]	0.08
Acrylic acid	79-10-7	III	140.0	
Acrylonitrile	107-13-1	I	103.10 [15]	1.47
Allyl chloride	107-05-1	II	71.40	
Ammonia [11]	7664-41-7	III	405.00 [15]	
Ammonia [11]	7664-41-7	III	640.00 [14]	
Aniline	62-53-3	II	181.00	
Antimony (and compounds) [1]	7440-36-0	III	11.90	
Arsenic (and compounds) [1] [15]	7440-38-2	I	0.24 [15]	0.02
Barium (and compounds) [1]	7440-39-3	III	11.90	
Benzene	71-43-2	I		12.00 [14]
Benzene	71-43-2	I	71.43 [15]	30.00 [15]
Beryllium (and compounds) [1]	7440-41-7	I	0.05 [15]	0.04
Biphenyl	92-52-4	II	23.80	
Bis (2-chloroethyl) ether	111-44-4	II		0.30
1,3-Butadiene	106-99-0	I		0.92 [14]
1,3-Butadiene	106-99-0	I	104.76 [15]	2.00 [15]
n-Butyl alcohol	71-36-3	III	3,620.00 [14]	
n-Butyl alcohol	71-36-3	III	1452.00 [15]	
Cadmium (and compounds) [1]	7440-43-9	I	0.12 [15]	0.06
Carbon disulfide	75-15-0	II	71.40	
Carbon tetrachloride	56-23-5	II		6.67
* * *				
[See prior text in Carbonyl sulfide – Chlorine dioxide]				
Chlorobenzene	108-90-7	II	1,100.00	
Chloroethane	75-00-3	II	6,290.00	

**Table 51.2
Louisiana Toxic Air Pollutant Ambient Air Standards**

Compounds	CAS Number	Class	Ambient Air Standard	
			($\mu\text{g}/\text{m}^3$) (8 Hour Avg.)	($\mu\text{g}/\text{m}^3$) (Annual Avg.)
Chloroform	67-66-3	II		4.30
Chloromethane	74-87-3	II		55.56 [14]
Chloromethane	74-87-3	II		90.00 [15]
Chloroprene	126-99-8	II	857.00	
Chromium VI (and compounds) [1] [15]	7440-47-3	I	2.38 [15]	0.01
Copper (and compounds) [1]	7440-50-8	II	23.80	
Cresol [4]	1319-77-3	III	238.00 [14]	
Cresol [4]	1319-77-3	III	300.00 [15]	
Cumene	98-82-8	III	5,860.00	
Diaminotoluene	25376-45-8	II	181.00	
1,2-Dibromoethane	106-93-4	I		0.45 [14]
1,2-Dibromoethane	106-93-4	I	3642.86 [15]	0.17 [15]
Dibutyl phthalate	84-74-2	II	119.00	
1,4-Dichlorobenzene	106-46-7	II	1,430.00	
1,2-Dichloroethane	107-06-2	II		3.85

[See prior text in Dichloromethane - 1,2-Dichloropropane]				
1,3-Dichloropropylene	542-75-6	II	107.00	
2,4-Dinitrotoluene [5]	121-14-2	II	4.76	
2,6-Dinitrotoluene [5]	606-20-2	II	4.76	
1,4-Dioxane	123-91-1	II	2,140.00 [14]	
1,4-Dioxane	123-91-1	II	107.00 [15]	
Epichlorohydrin	106-89-8	I	452.38 [15]	1.00 [15]
Epichlorohydrin	106-89-8	I		83.00 [14]
Ethyl acrylate	140-88-5	II	476.00	
Ethyl benzene	100-41-4	II	10,300.00	
Ethylene glycol	107-21-1	III	2,380.00	
Ethylene Oxide	75-21-8	I	42.86 [15]	1.00
Formaldehyde	50-00-0	I	21.90 [15]	7.69

[See prior text in Glycol ethers [6] – Hydrazine]				
Hydrochloric acid	7647-01-0	III	180.00 [14]	
Hydrochloric acid	7647-01-0	III	71.00 [15]	
Hydrofluoric acid	7664-39-3	III	61.90 [14]	
Hydrofluoric acid	7664-39-3	III	9.80 [15]	
Hydrogen cyanide	74-90-8	III	260.00 [14]	
Hydrogen cyanide	74-90-8	III	120.00 [15]	
Hydrogen sulfide	7783-06-4	III	330.00	
Maleic anhydride	108-31-6	III	23.80 [14]	
Maleic anhydride	108-31-6	III	9.50 [15]	
Manganese (and compounds) [1]	7439-96-5	II	4.76	
Mercury (and compounds) [1]	7439-97-6	II	1.19 [14]	
Mercury (and compounds) [1]	7439-97-6	II	0.24 [15]	

[See prior text in Methanol - Methyl isobutyl ketone]				
Methyl methacrylate	80-62-6	III	9,760.00 [14]	
Methyl methacrylate	80-62-6	III	4881.00 [15]	
Naphthalene (and Methyl naphthalenes) [12]	91-20-3	II	1,190.00	
Nickel (and compounds) [1]	7440-02-0	I	23.81 [15]	0.21
Nickel (refinery dust) [1]	7440-02-0	I	35.71 [15]	0.42

[See prior text in Nitric acid - Polynuclear aromatic hydrocarbons [7]]				
Propionaldehyde	123-38-6	III	4,290.00 [14]	
Propionaldehyde	123-38-6	III	1143.00 [15]	
Propylene oxide	75-56-9	I	5714.29 [15]	27.00
Pyridine	110-86-1	III	381.00 [14]	
Pyridine	110-86-1	III	74.00 [15]	
Selenium (and compounds) [1]	7782-49-2	II	4.76	
Styrene	100-42-5	II	5,070.00	
Sulfuric acid	7664-93-9	III	23.80 [14]	
Sulfuric acid	7664-93-9	III	4.76 [15]	

[See prior text in 1,1,2,2 Tetrachloroethane – Trichloroethylene]				
Vinyl acetate	108-05-4	III	830.00 [14]	

Compounds	CAS Number	Class	Ambient Air Standard	
			($\mu\text{g}/\text{m}^3$ *) (8 Hour Avg.)	($\mu\text{g}/\text{m}^3$ ***) (Annual Avg.)
Vinyl acetate	108-05-4	III	446.00 [15]	
Vinyl chloride	75-01-4	I		1.19 [14]
Vinyl chloride	75-01-4	I	61.90 [15]	11.36 [15]
Vinylidene chloride	75-35-4	II		2.00 [14]
Vinylidene chloride	75-35-4	II		200.00 [15]
Xylene (mixed isomers) [9]	1330-20-7	II	10,300.00	
Zinc (and compounds) [1] [10] [15]	7440-66-6	III	119.00	

Explanatory Notes:

* Based on one forty-second of the selected occupational exposure level, or other data determined to be superior by the administrative authority.

** Based on unit risk factors and a residual risk of one in ten thousand, or other data determined to be superior by the administrative authority.

[1] Includes any unique chemical substance that contains the listed metal as part of that chemical's infrastructure, excluding barium sulfate. Barium sulfate has been delisted as a toxic air pollutant and should not be included as part of the metals and compound emissions. Concentrations based on $\mu\text{g}(\text{x})/\text{m}^3$, where x is the elemental form of the metal.

[2]. - [11]. ...

[12] Includes the following compounds: Naphthalene (CAS Number 91-20-3), Methylnaphthalene (CAS Number 1321-94-4), 1-Methylnaphthalene (CAS Number 90-12-0), 2-Methylnaphthalene (CAS Number 91-57-6).

[13] Zinc chromates and zinc arsenates are Class I TAPs regulated as carcinogens under Chromium VI (and compounds) and arsenic (and compounds) TAP categories.

[14] Effective until [insert date 3 years from promulgation of this rule].

[15] Effective starting date is [insert date 3 years from promulgation of this rule]. Compliance with the revised ambient air standards is to be addressed in the permitting process after the effective date.

Compounds	CAS Number	Class	Synonyms
* * *			
[See prior text in Acetamide – Methyl bromide]			
Methyl ethyl ketone [5]	78-93-3	III	MEK
* * *			
[See prior text in Methyl hydrazine – Vinyl bromide]			

Explanatory Notes:

* – [4]. ...

[5] Effective starting date is [insert date of promulgation of this rule].

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 and 2060 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Radiation Protection, Air Quality Division, LR 21:1331 (December 1995), amended LR 22:278 (April 1996), LR 24:1277 (July 1998), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 25:1237 (July 1999), LR 26:2004 (September 2000), amended by the Office of the Secretary, Legal Affairs Division, LR 33:

Herman Robinson, CPM
Executive Counsel

0704#031

POTPOURRI

**Board of Commissioners of the
Lake Charles Harbor and Terminal District**

Port Directive 2007-001—Activity in
Calcasieu Ship Channel

Preamble: Under the authority of La. R.S. 34:201 et al, the provisions of Port of Lake Charles Tariff No. 012 as amended (the Tariff) and by Gubernatorial Designation, the Lake Charles Harbor and Terminal District (the Port) has been authorized and empowered by the State of Louisiana to act as the State's Representative and the Local Sponsor for the Calcasieu River and Pass Channel (the Channel) for the purposes of "... construction, operation and maintenance of

the aforesaid navigation project." The Gubernatorial Designation declares that the Calcasieu River and Pass Channel is of "... inestimable value to the immediate area in which it is situated and through which it passes" and to the "State of Louisiana and the City of Lake Charles, Louisiana, the Lake Charles Harbor and Terminal District; and Cameron Parish and Town of Cameron, Louisiana." Thus, it is clear from the Gubernatorial Designation that the Port is expected to participate in the "construction, operation and maintenance" of the channel in a manner that inures to the benefit of all who share in its value.

As part of its responsibility to the channel beneficiaries and users, the port has expended significant funds to secure dredging rights of way and dredged material disposal easements, and has cost shared with the U.S. Army Corps of Engineers in projects that inure to the benefit of all channel beneficiaries and users. The port's recently adopted five year strategic plan anticipates spending millions of dollars more on projects to improve the channel for all beneficiaries and users.

In the past, certain activities have taken place in the channel that pose an inordinate risk to normal, efficient channel operations and threaten the investment made by the port in the channel and the investment made by other channel beneficiaries and users in facilities along the channel, to wit: operations that involve the submerging of a vessel or structure within the navigation channel or the salvage of a vessel that has experienced a casualty outside of the channel. In many cases submersible vessels make use of an area known as the Cameron Hole, a deep area of the channel located at approximately Mile 3 on the inland portion of the channel. This is the proposed location for the Creole Trail LNG Terminal and, as such, submersible

operations in this area will pose an even greater risk to Channel operations than in the past.

Port Directive: In accordance with law and the Tariff, specifically Item 324, and in order to minimize the dangers to Channel operations posed by these and other inherently risky operations, the Port issues the following regulation:

No activity which involves submerging a vessel or structure within the Channel or close enough to the Channel where a casualty could impact normal Channel operations is permitted without the prior written permission of the Port Director of the Lake Charles Harbor and Terminal District.

No activity which involves the salvage of a vessel that has experienced a casualty outside the channel shall take place within the channel or close enough to the channel where a further casualty could impact normal channel operations is permitted without the prior written permission of the Port Director of the Lake Charles Harbor and Terminal District.

No activity involving an unseaworthy vessel shall take place within the channel or close enough to the channel where a casualty could impact normal channel operations is permitted without the prior written permission of the Port Director of the Lake Charles Harbor and Terminal District.

No activity of any vessel that could reasonably be assumed to potentially have a negative impact on the channel, except normal and ordinary transits of seaworthy vessels, shall take place within the channel or close enough to the channel where a casualty could impact normal channel operations is permitted without the prior written permission of the Port Director of the Lake Charles Harbor and Terminal District.

Requests for permission to engage in the activities outline herein must be made in writing to the Director of Navigation and Security for the Port.

The Port Director will grant or deny permission to engage in the activities outline herein in consultation with the Director of Navigation and Security for the Port.

Nothing herein shall apply to a vessel in distress where the application of this directive may reasonably be assumed to cause, or increase, a threat to life or the catastrophic loss of property, provided no other alternatives to preventing the loss of life or the catastrophic loss of property are readily available.

Enforcement: The Port Director is authorized to issue and enforce this directive in accordance with Items 324, 325 and 340 of the Tariff. Additionally, the Port Director, in his or her discretion, may seek, without further action or approval of the Board of Commissioners of the Lake Charles Harbor & Terminal District, appropriate judicial enforcement of the provisions of this directive.

Done and signed this 26th day of February in the year 2007.

R. Adam McBride
Port Director

0704#072

POTPOURRI

**Department of Natural Resources
Office of Conservation**

Orphaned Oilfield Sites

Office of Conservation records indicate that the Oilfield Sites listed in the table below have met the requirements as set forth by Section 91 of Act 404, R.S. 30:80 et seq., and as such are being declared Orphaned Oilfield Sites.

Operator	Field	District	Well Name	Well Number	Serial Number
Tripower Resources Inc.	East Cameron Block 17	L	SL 15410	1	156996
Tripower Resources Inc.	East Cameron Block 17	L	SL 15410	2	193038

James H. Welsh
Commissioner

0704#041

POTPOURRI

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

Reported Underwater Obstructions

In accordance with the provisions of R.S. 56:700.1 et seq., notice is given that 20 claims in the amount of \$76,119.26 were received for payment during the period March 1, 2007 - March 31, 2007.

There were 19 claims paid and 1 claim denied.

Latitude/Longitude Coordinates of reported underwater obstructions are:

2904.047	9047.845	Terrebonne
2904.673	9014.618	Lafourche
2909.574	9005.772	Jefferson
2914.341	9004.740	Lafourche
2918.200	8945.700	Plaquemine
2920.214	9043.957	Terrebonne
2921.058	8909.578	Plaquemines
2922.193	8941.083	Port Sulphur
2923.546	8958.189	Jefferson
2925.385	9136.885	St. Mary
2941.548	8921.938	St. Bernard
2941.799	9021.196	Lafourche
2942.816	8934.757	St. Bernard
2943.054	8938.583	St. Bernard
2943.429	8930.900	St. Bernard
2948.630	8950.500	St. Bernard
2949.754	8916.602	Orleans
2950.467	8938.220	St. Bernard
2953.661	8946.082	St. Bernard
2958.286	8956.396	St. Bernard

A list of claimants and amounts paid can be obtained from Marjorie McClinton, Administrator, Fishermen's Gear Compensation Fund, P.O. Box 44277, Baton Rouge, LA 70804 or you can call (225)342-0122.

Scott A. Angelle
Secretary

0704#013

POTPOURRI

**Department of Public Safety and Corrections
State Uniform Construction Code Council**

Uniform Construction Code—Substantive Changes Hearing
(LAC 55:VI.905)

In accordance with the provisions of R.S. 49:968(H)(2), the Louisiana State Uniform Construction Code Council will hold a public hearing in accordance with the following:

Date: Monday, May 21, 2007

Time: 10:00 a.m.

Location: Department of Public Safety and Corrections
7979 Independence Blvd., Baton Rouge, La. 70806
Third Floor, Suite 308, Training Room.

The original Notice of Intent may be viewed on page 586 of the March 20, 2007 *Louisiana Register*. The proposed amendments to §905 will read as follows.

Title 55

PUBLIC SAFETY

Part VI. Uniform Construction Code

Chapter 9. Temporary Exemption to Certification Requirement

§905. Third Party Providers.

A. Third party providers who are Louisiana licensed architects or engineers and who obtain a certificate of registration after January 1, 2007, shall be granted a provisional certificate for registration without certification by a recognized code organization. This provisional certificate shall expire on December 31, 2007. Thereafter, any third party provider renewing this Certification of Registration shall satisfy the certification requirement(s) as set forth in §703.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1730.22(C) and (D).

HISTORICAL NOTE: Promulgated by the Department of Public Safety, State Uniform Construction Code Council, LR 33:

Anyone wishing to obtain further information regarding this public hearing may contact Paeton Burkett at (225) 922-0788.

Jill Boudreaux
Acting Undersecretary

0704#070

POTPOURRI

**Department of Revenue
Policy Services Division**

Natural Gas Severance Tax Rate

The natural gas severance tax rate effective July 1, 2007 through June 30, 2008 has been set at 26.9 cents per thousand cubic feet (MCF) measured at a base pressure of 15.025 pounds per square inch absolute and at the temperature base of 60 degrees Fahrenheit.

This tax rate is set each year by multiplying the natural gas severance tax base rate of 7 cents per MCF by the "gas base rate adjustment" determined by the Secretary of the Department of Natural Resources in accordance with R.S. 47:633(9)(d)(i). The "gas base rate adjustment" is a fraction, of which the numerator is the average of the New York Mercantile Exchange (NYMEX) Henry Hub settled price on the last trading day for the month, as reported in the Wall Street Journal for the previous 12-month period ending on March 31, and the denominator is the average of the monthly average spot market prices of gas fuels delivered into the pipelines in Louisiana as reported by the Natural Gas Clearing House for the 12-month period ending March 31, 1990 (1.7446 \$/MMBTU).

Based on this computation, the Secretary of the Department of Natural Resources has determined the natural gas severance "gas base rate adjustment" for April 1, 2006, through March 31, 2007, to be 383.78 percent. Applying this gas base rate adjustment to the base tax rate of 7 cents per MCF produces a tax rate of 26.9 cents per MCF effective July 1, 2007, through June 30, 2008. The reduced natural gas severance tax rates provided for in R.S. 47:633(9)(b) and (c) remain the same.

The "gas base rate adjustment" and the "gas tax rate" are being published as required by R.S. 47:633(9)(d)(i). Questions concerning the natural gas severance tax rate should be directed to the Taxpayer Services Division, Severance Tax Section at 225-219-7656, Option 3.

Cynthia Bridges
Secretary

0704#047

POTPOURRI

**Department of Revenue
Policy Services Division**

Oil Spill Contingency Fee

The Oil Spill Prevention and Response Act, R.S. 30:2451 et seq., provides a two cent per barrel oil spill contingency fee on crude oil at the time that it is transferred to or from a

vessel at a marine terminal within the state. R.S. 30:2486 provides that the fee is to be collected until the Oil Spill Contingency Fund reaches \$7 million, at which time collection will be suspended until the balance in the fund falls below \$5 million. Collection of the fee has been suspended since May 1, 2003. On March 19, 2007, the State Treasurer notified the Secretary of the Department of Revenue that the Oil Spill Contingency Fund balance has fallen below \$5 million. Therefore, collection of the fee will resume May 1, 2007. Returns must be filed quarterly on or before the last day of the month following the calendar quarter to which the fee applies. The first return, covering the second quarter of 2007, is due by July 31, 2007.

Marine terminal operators within the state collect the fee from the crude oil owners when the oil is transferred to or from the vessel at the marine terminal. This fee is imposed on foreign and domestic oil transferred in the state, regardless of its origination or destination. The fee is only collected once on the same crude oil. If more than one marine terminal facility handles the same oil, the other marine terminal operators must obtain an affidavit certifying payment of the fee to the Department of Revenue from the marine terminal operator who paid the fee.

For the purposes of the Act, marine terminals are defined as "any terminal facility within the state of Louisiana used for transferring crude oil to or from vessels" and vessels are defined to include "every description of watercraft or other contrivance used or capable of being used as a means of transportation on water, whether self-propelled or otherwise, including barges."

The reinstatement of the oil spill contingency fee is being published as required by R.S. 30:2487(A). Questions concerning the oil spill contingency fee should be directed to

the Taxpayer Services Division, Severance Tax Section at (225) 219-7656, Option 3.

Cynthia Bridges
Secretary

0704#050

POTPOURRI

Department of Revenue Policy Services Division

Withholding Tax at the Source (LAC 61:I.1511)

The Notice of Intent which proposes to adopt LAC 61:I.1511 to address withholding of income tax at the source was published in the March 2007 publication of the Louisiana Register. A public hearing is scheduled for Wednesday, April 25, 2007, at 1:30 p.m. in the Calcasieu Room located on the second floor of the LaSalle Building, 617 North Third Street, Baton Rouge, LA 70802.

However, several requests have been received requesting more time to fully ascertain the effects of this rule, therefore the department will hold a second public hearing, Thursday, May 24, 2007 at 1:30 p.m. in the Calcasieu Room located on the second floor of the LaSalle Building, 617 North Third Street, Baton Rouge, LA 70802.

Any interested person may submit written data, views, arguments or comments regarding this proposed Rule to Michael D. Pearson, Senior Policy Consultant, Policy Services Division, Office of Legal Affairs by mail to P.O. Box 44098, Baton Rouge, LA 70804-4098. All comments must be submitted no later than 4:30 p.m., Wednesday, May 23, 2007.

Cynthia Bridges
Secretary

0704#048