

Potpourri

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Department of Agriculture and Forestry Horticulture Commission

Landscape Architect Registration Exam

The next landscape architect registration examination will be given December 3-4, 2007, beginning at 7:45 a.m. at the College of Design Building, Louisiana State University Campus, Baton Rouge, LA. The deadline for sending the application and fee is as follows.

New Candidates: August 31, 2007
 Re-Take Candidates: September 21, 2007
 Reciprocity Candidates: November 9, 2007

Further information pertaining to the examinations may be obtained from Craig Roussel, Director, Horticulture Commission, P.O. Box 3596, Baton Rouge, LA 70821-3596, phone (225) 952-8100.

Any individual requesting special accommodations due to a disability should notify the office prior to August 31, 2007. Questions may be directed to (225) 952-8100.

Bob Odom
 Commissioner

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Department of Environmental Quality Office of the Secretary

Regulatory Permits—Advanced Notice of Rulemaking and Solicitation of Comments (LAC 33:III.301-311 and 501)(AQ274-AQ278)

Act 115 of the 2006 Regular Session of the Louisiana Legislature, which became effective on August 15, 2006, allows the department to develop regulatory permits for certain sources of air emissions pursuant to R.S. 30:2054(B)(9). Pursuant to R.S. 30:2054(B)(9)(b)(viii), all regulatory permits shall be promulgated in accordance with rulemaking procedures as provided in R.S. 30:2019 and R.S. 49:950 et seq.

The department seeks public comments on several rules under development for regulatory permits through this Advanced Notice of Proposed Rulemaking. The draft rules are for the general requirements for regulatory permits (AQ274) and for specific regulatory permits for oil and gas well testing (AQ275), release of natural gas from pipelines (AQ276), emergency engines (AQ277), and portable air curtain incinerators (AQ278). The following table identifies and describes each rule.

Rule Log #	Rule Title	LAC Cite
AQ274	Regulatory Permits	LAC 33:III.301, 303, and 501

Rule Log #	Rule Title	LAC Cite
	This proposed rule outlines the various requirements and limitations imposed by R.S. 30:2054(B)(9) on all regulatory permits to be developed by the department. This rule implements Act 115 of the 2006 Regular Session of the Louisiana Legislature, which allows the department to develop and promulgate regulatory permits for certain sources of air emissions.	
AQ275	Regulatory Permit for Oil and Gas Well Testing	LAC 33:III.305
	This regulatory permit will authorize the operation of temporary separators, tanks, meters, and fluid-handling equipment necessary to test the content of a subsurface stratum believed to contain crude oil or natural gas and/or to establish the proper design of a permanent fluid-handling facility. Releases of natural gas less than 2.5 MM ft ³ in volume require no controls; those greater than or equal to 2.5 MM ft ³ must be controlled by flaring. Authorization shall remain effective for 60 days following the date the administrative authority determines that the application is complete.	
AQ276	Regulatory Permit for Release of Natural Gas from Pipelines	LAC 33:III.307
	This regulatory permit will authorize the release of natural gas resulting from metering, purging, and maintenance operations associated with petroleum pipelines. Releases of natural gas less than 2.5 MM ft ³ in volume require no controls; those greater than or equal to 2.5 MM ft ³ must be controlled by flaring. Authorization shall remain effective for 60 days following the date the administrative authority determines that the application is complete.	
AQ277	Regulatory Permit for Emergency Engines	LAC 33:III.309
	This regulatory permit will authorize the installation and use of stationary emergency engines, including electrical power generators, firewater pumps, and air compressors, and the associated fuel storage tanks. The permit may be used to authorize both permanent and temporary emergency engines. Permanent engines must be incorporated into the facility's permit at next modification; temporary engines must be on site for no more than 12 months. Operating time of the engine will be limited to 500 hours per 12-consecutive-month period.	
AQ278	Regulatory Permit for Portable Air Curtain Incinerators	LAC 33:III.311
	This regulatory permit will authorize the installation and use of portable air curtain incinerators (ACIs), the engine that drives the fan mechanism, and the associated fuel storage tank. Each ACI must have a manufacturer's rated capacity less than or equal to 10 tons per hour and must not remain at a single operational site (not to include storage locations) for more than 90 consecutive days. Operations will be restricted to between 8 a.m. and 5 p.m. each day.	

Associated with each regulatory permit is a unique application with instructions. These documents can be accessed at <http://www.deq.louisiana.gov/portal/tabid/2787/Default.aspx>. The department also seeks comments on these documents.

Written comments regarding the draft regulations and associated forms are due no later than 4:30 p.m., November 1, 2007. Comments should be submitted to Judith A. Schuerman, Ph.D., Office of the Secretary, Legal Affairs Division, Box 4302, Baton Rouge, LA 70821-4302 or faxed to (225) 219-3582 or by e-mail to judith.schuerman@la.gov. Persons commenting should identify the comments by each particular rule log number. Copies of the draft regulations can be purchased by contacting the DEQ Public Records Center at (225) 219-3168. Check or money order is required in advance for each purchase. The draft regulations are

available with this Potpourri notice on the Internet at www.deq.louisiana.gov/portal/tabid/1669/default.aspx.

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 3. Regulatory Permits

[Rule Log #AQ274—§§301, 303, and 501]

§301. Purpose

A. This Chapter establishes regulatory permits as authorized by R.S. 30:2054(B)(9). Regulatory permits may be used to authorize emissions from the sources and activities identified in this Chapter by notifying the department of the planned activity using the appropriate form provided by the department. No construction, modification, or operation of a source or activity identified in this Chapter that ultimately may result in an initiation of, or an increase in, emission of *air contaminants* as defined in LAC 33:III.111 shall commence until the appropriate permit fee has been paid in accordance with LAC 33:III.Chapter 2 and the administrative authority has notified the applicant that the application (i.e., notification form) submitted in accordance with LAC 33:III.303.H has been determined to be complete.

B. Sources and activities not addressed by a regulatory permit must be authorized in accordance with LAC 33:III.Chapter 5.

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

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of the Secretary, Legal Affairs Division, LR 34:

§303. Scope

A. Regulatory permits cannot be used to authorize construction of a *major source*, as defined in LAC 33:III.502, or a *major modification*, as defined in LAC 33:III.504.K and 509.B.

B. Use of a regulatory permit may be precluded by specific permit conditions contained within a Part 70 Operating Permit.

C. Regulatory permits shall not authorize the maintenance of a nuisance or a danger to public health or safety.

D. All emissions control equipment specifically required by, or otherwise installed in order to comply with, the terms and conditions of a regulatory permit shall be maintained in good condition and operated properly.

E. Regulatory permits shall not preclude the administrative authority from exercising all powers and duties as set forth in R.S. 30:2011(D) including, but not limited to, the authority to conduct inspections and investigations and enter facilities, as provided in R.S. 30:2012, and to sample or monitor, for the purpose of assuring compliance with a regulatory permit or as otherwise authorized by the Louisiana Environmental Quality Act, the

Clean Air Act, or regulations adopted thereunder, any substance or parameter at any location.

F. Regulatory permits shall require compliance with all applicable provisions of the Louisiana air quality regulations and the Clean Air Act. Violation of the terms or conditions of a regulatory permit constitutes a violation of such regulation or Act.

G. Regulatory permits shall, as appropriate, prescribe emission limitations, any necessary control requirements, other enforceable conditions, and associated monitoring, recordkeeping, and reporting provisions necessary for the protection of public health and the environment.

H. Regulatory permits shall require any person seeking such a permit to submit a written notification describing the planned activity and any appropriate fee to the department. Submission of a written notification and appropriate fee shall be in lieu of submission of a permit application. The written notification shall be signed and certified by a responsible official. The certification shall state that, based on information and belief formed after reasonable inquiry, the statements and information contained in the notification are true, accurate, and complete. Any person who submits a written notification and appropriate fee shall be authorized to operate under the regulatory permit for which the notification was submitted when notified by the administrative authority that the notification was complete.

I. All regulatory permits promulgated by the department shall establish notification procedures, permit terms, and confirmation of notification by the administrative authority and shall be promulgated in accordance with the procedures provided in R.S. 30:2019.

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

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of the Secretary, Legal Affairs Division, LR 34:

[Rule Log #AQ275—§305]

§305. Regulatory Permit for Oil and Gas Well Testing

A. Applicability. This regulatory permit authorizes the operation of temporary separators, tanks, meters, and fluid-handling equipment necessary to test the content of a subsurface stratum believed to contain crude oil or natural gas and/or to establish the proper design of a permanent fluid-handling facility, subject to the requirements established herein, upon notification by the administrative authority that the application (i.e., notification form) submitted in accordance with Subsection C of this Section has been determined to be complete.

B. Control Requirements. For purposes of this Section, volumes of natural gas should be calculated at *standard conditions*, as defined in LAC 33:III.111.

1. Releases of natural gas less than 2.5 million (MM) cubic feet in volume require no controls.

2. Releases of natural gas greater than or equal to 2.5 MM cubic feet in volume shall be controlled by flaring. Flaring must continue until less than 0.25 MM cubic feet of gas remains to be released, at which time flaring is no longer required.

3. Notwithstanding the volumes specified in Paragraphs B.1 and 2 of this Section, releases that will result in total VOC emissions of 5,000 pounds or more; benzene emissions equal to or exceeding its minimum emission rate

(MER) established by LAC 33:III.5112, Table 51.1; or total benzene, toluene, ethylbenzene, and xylene (BTEX) emissions of 2,000 pounds or more shall be controlled by flaring. Flaring must continue until less than 0.25 MM cubic feet of gas remains to be released, at which time flaring is no longer required.

C. Notification Requirements

1. The following information shall be submitted to the Office of Environmental Services using the appropriate form provided by the department:

- a. the name of the owner or operator;
- b. the physical location of the well;
- c. the date(s) and expected duration of the activity;
- d. a description of the processes and equipment involved, including control measures, if required; and
- e. the estimated emissions associated with the testing event, including the anticipated volume of natural gas to be flared or released and the amount of crude oil to be produced. Emissions of toxic air pollutants (TAPs) listed in LAC 33:III.5112, Tables 51.1 and 51.3, shall be speciated.

2. A copy of the notification required by Paragraph C.1 of this Section shall be submitted to the appropriate DEQ Regional Office.

3. A separate notification shall be submitted for each testing event.

4. The notification shall be submitted such that it is received by the department at least three working days prior to the testing event.

D. The authorization for the specific testing event addressed by the application submitted in accordance with Subsection C of this Section shall remain effective for 60 days following the date on which the administrative authority determines that the application is complete.

E. Operation of temporary separators, tanks, meters, and fluid-handling equipment beyond seven operating days shall not be authorized by this regulatory permit and must be approved by the administrative authority.

F. Recordkeeping and Reporting. The following information shall be recorded and submitted to the Office of Environmental Services no later than 30 calendar days after completion of the testing event:

1. the date(s) and duration of the testing event;
2. the actual volumes of natural gas flared and natural gas released, as well as the total amount of crude oil produced; and
3. the actual criteria pollutant and TAP emissions associated with the testing event.

G. In accordance with LAC 33:III.Chapter 2, the fee for this regulatory permit shall be \$300 (fee number 1710). There shall be no annual maintenance fee associated with this regulatory permit.

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

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of the Secretary, Legal Affairs Division, LR 34:

[Rule Log #AQ276—§307]

§307. Regulatory Permit for Release of Natural Gas from Pipelines and Associated Equipment

A. Applicability. This regulatory permit authorizes the release of natural gas resulting from metering, purging, and

maintenance operations associated with petroleum pipelines, subject to the requirements established herein, upon notification by the administrative authority that the application (i.e., notification form) submitted in accordance with Subsection C of this Section has been determined to be complete.

B. Control Requirements. For purposes of this Section, volumes of natural gas should be calculated at *standard conditions*, as defined in LAC 33:III.111.

1. Releases of natural gas greater than or equal to 1.0 million (MM) cubic feet, but less than 2.5 MM cubic feet, in volume require no controls.

2. Releases of natural gas greater than or equal to 2.5 MM cubic feet in volume shall be controlled by flaring. Flaring must continue until less than 0.25 MM cubic feet of gas remains to be released, at which time flaring is no longer required.

3. Notwithstanding the volumes specified in Paragraphs B.1 and 2 of this Section, releases that will result in total VOC emissions of 5,000 pounds or more; benzene emissions equal to or exceeding its minimum emission rate (MER) established by LAC 33:III.5112, Table 51.1; or total benzene, toluene, ethylbenzene, and xylene (BTEX) emissions of 2,000 pounds or more shall be controlled by flaring. Flaring must continue until less than 0.25 MM cubic feet of gas remains to be released, at which time flaring is no longer required.

4. Natural gas releases covered by this regulatory permit shall have a hydrogen sulfide (H₂S) content of no more than 0.25 grains per 100 standard cubic feet.

C. Notification Requirements

1. The following information shall be submitted to the Office of Environmental Services using the appropriate form provided by the department:

- a. the name of the owner or operator;
- b. the type of, and reason for, the activity;
- c. the physical location;
- d. the date(s) and expected duration of the activity;
- e. a description of the processes and equipment involved, including control measures, if required;
- f. the estimated emissions associated with the metering, purging, or maintenance operation, including the volume of natural gas to be flared or released. Emissions of toxic air pollutants (TAPs) listed in LAC 33:III.5112, Tables 51.1 and 51.3, shall be speciated; and
- g. approximate H₂S content in the natural gas.

2. A copy of the notification required by Paragraph C.1 of this Section shall be submitted to the appropriate DEQ Regional Office.

3. A separate notification shall be submitted for each metering, purging, or maintenance operation.

4. The notification shall be submitted such that it is received by the department at least three working days prior to the metering, purging, or maintenance event. In emergency situations, the department will waive the three-working day requirement.

D. The authorization for a release from the specific metering, purging, or maintenance operation addressed by the application submitted in accordance with Subsection C of this Section shall remain effective for 60 days following the date on which the administrative authority determines that the application is complete.

E. This regulatory permit does not authorize releases from metering, purging, or maintenance operations associated with pipelines carrying refined petroleum products (e.g., ethylene, propylene, 1,3-butadiene).

F. Conducting metering, purging, and maintenance operations beyond seven operating days at a single location shall not be authorized by this regulatory permit and must be approved by the administrative authority.

G. Resetting of flow meters (changing orifice plates, etc.) and calibration of meters are considered routine activities and are not classified as purging or maintenance operations.

H. Recordkeeping and Reporting. The following information shall be recorded and submitted to the Office of Environmental Services no later than 30 calendar days after completion of the metering, purging, or maintenance operation:

1. the date(s) and duration of the metering, purging, or maintenance operation;

2. the actual volumes of natural gas flared and natural gas released; and

3. the actual criteria pollutant and TAP emissions associated with the metering, purging, or maintenance operation.

I. In accordance with LAC 33:III.Chapter 2, the fee for this regulatory permit shall be \$300 (fee number 1710). There shall be no annual maintenance fee associated with this regulatory permit.

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

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of the Secretary, Legal Affairs Division, LR 34:

[Rule Log #AQ277—§309]

§309. Regulatory Permit for Emergency Engines

A. Applicability

1. This regulatory permit authorizes the installation and use of stationary emergency engines, including electrical power generators, firewater pumps, and air compressors, subject to the requirements established herein, upon notification by the administrative authority that the application (i.e., notification form) submitted in accordance with Subsection L of this Section has been determined to be complete. This regulatory permit also authorizes the associated fuel storage tanks.

2. This regulatory permit may be used to authorize the use of both permanent and temporary emergency engines.

3. This regulatory permit does not apply to:

a. emergency electrical power generators deemed insignificant in accordance with item B.45 in the insignificant activities list in LAC 33:III.501.B.5; and

b. *nonroad engines*, as defined at 40 CFR 1068.30.

4. This regulatory permit cannot be used to authorize use of an emergency engine that combusts noncommercial fuels, including used crankcase oil or any other used oil; facility byproducts; or any other type of waste material.

5. This regulatory permit cannot be used to authorize use of an emergency engine that, when considering potential emissions from the engine and potential emissions from the remainder of the stationary source, would result in the creation of a major source of criteria pollutants, hazardous air pollutants, or toxic air pollutants.

6. This regulatory permit cannot be used to authorize use of an emergency engine that would result in a *major modification*, as defined in LAC 33:III.504.K or 509.B.

B. Definitions

Emergency Engine—any stationary internal combustion engine (ICE) whose operation is limited to emergency situations (e.g., involuntary power curtailment, power unavailability, maintenance activity that requires the main source of power to be shut down) and required readiness testing and maintenance checks.

C. Opacity

1. Limitations

a. *Smoke*. The emission of smoke shall be controlled so that the shade or appearance of the emission is not darker than 20 percent average opacity.

b. *Particulate Matter*. The emission of particulate matter shall be controlled so that the shade or appearance of the emission is not denser than 20 percent average opacity, except that the emissions may have an average opacity in excess of 20 percent for not more than one 6-minute period in any 60 consecutive minutes.

c. When the presence of uncombined water is the only reason for failure of an emission to meet the requirements of this Subsection, this Subsection will not apply.

2. Monitoring and Recordkeeping

a. The permittee shall inspect each emergency engine's stack for visible emissions once each month or at each readiness testing event if the engine is tested at a frequency less than monthly.

b. If visible emissions are detected for a period longer than 6 consecutive minutes, the permittee shall conduct a 6-minute opacity reading in accordance with Method 9 of 40 CFR 60, Appendix A, during the next required visible emissions check.

c. If the shade or appearance of the emission is darker than 20 percent average opacity (per Method 9), the permittee shall take corrective action to return the engine to its proper operating condition, and the 6-minute opacity reading in accordance with Method 9 shall be repeated. The permittee shall notify the Office of Environmental Compliance no later than 30 calendar days after any Method 9 reading in excess of 20 percent average opacity. This notification shall include the date the visual check was performed, results of the Method 9 testing, and a record of the corrective action employed.

d. Records of visible emissions checks shall include the emergency engine's ID number, the engine's serial number, the date the visual check was performed, a record of emissions if visible emissions were detected for a period longer than 6 consecutive minutes, the results of any Method 9 testing conducted, and a record of any corrective action employed. These records shall be kept on-site and available for inspection by the Office of Environmental Compliance.

D. Fuel Sulfur Content

1. The permittee shall not combust distillate oil that contains greater than 0.5 weight percent sulfur.

2. A statement from the fuel oil supplier that each shipment of distillate oil delivered to the facility complies with the specifications of this Subsection shall be kept on-site and available for inspection by the Office of Environmental Compliance.

E. Operating Time

1. Operating time of each emergency engine shall be limited to 500 hours per 12-consecutive-month period.

2. Operating time of each emergency engine shall be monitored by any technically-sound means, except that a run-time meter shall be required for all permanent units.

3. Operating time of each emergency engine shall be recorded each month, as well as its operating time for the last 12 months. These records shall be kept on-site and available for inspection by the Office of Environmental Compliance.

F. New Source Performance Standards

1. Each emergency stationary compression ignition (CI) internal combustion engine (ICE) that commences construction after July 11, 2005, and that meets any of the following conditions must comply with the applicable provisions of 40 CFR 60, Subpart IIII—Standards of Performance for Stationary Compression Ignition Internal Combustion Engines, unless exempted as described in 40 CFR 60.4200(d):

a. the stationary CI ICE is manufactured after April 1, 2006, and is not a fire pump engine;

b. the stationary CI ICE is manufactured as a certified National Fire Protection Association (NFPA) fire pump engine after July 1, 2006; or

c. the stationary CI ICE is modified or reconstructed after July 11, 2005.

2. The date that construction commences is the date the engine is ordered by the owner or operator.

3. Terms used in this Subsection are defined in 40 CFR 60.4219, except that *modification* is defined in 40 CFR 60.2 and further described in 40 CFR 60.14, and *reconstruction* is defined in 40 CFR 60.15.

G. National Emissions Standards for Hazardous Air Pollutants

1. Each emergency stationary reciprocating internal combustion engine (RICE) that commences construction or reconstruction on or after December 19, 2002, and that is located at a major source of hazardous air pollutant emissions shall comply with the initial notification requirements of 40 CFR 63, Subpart ZZZZ—National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines.

a. In accordance with 40 CFR 63.6645(d), the notification shall include the information in 40 CFR 63.9(b)(2)(i) - (v), a statement that the stationary RICE has no additional requirements, and an explanation of the basis of the exclusion (i.e., that it operates exclusively as an emergency stationary RICE).

b. A stationary RICE is reconstructed if the definition of *reconstruction* in 40 CFR 63.2 is satisfied.

2. In accordance with 40 CFR 63.6590(b)(3), no initial notification is necessary for an existing emergency stationary RICE. A stationary RICE is "existing" if construction or reconstruction of the stationary RICE commenced before December 19, 2002. A change in ownership of an existing stationary RICE does not make that stationary RICE a new or reconstructed stationary RICE.

3. Terms used in this Subsection are defined in 40 CFR 63.6675.

H. Temporary Emergency Engines. For each temporary emergency engine brought on-site, record the date the unit is

delivered; its make, model, and manufacturer's rated horsepower; the fuel type; and the date the unit was removed from the site. These records shall be kept on-site and available for inspection by the Office of Environmental Compliance. The authorization for the use of any emergency engine identified as being temporary shall remain effective for 12 months following the date on which the administrative authority determines that the application submitted in accordance with Subsection L of this Section is complete.

I. Permanent Emergency Engines. Permanent emergency engines authorized by this regulatory permit shall be included in the next renewal or modification of the facility's existing permit, if a permit is required pursuant to LAC 33:III.501.

J. Gasoline storage tanks associated with an emergency engine and with a nominal capacity of more than 250 gallons shall be equipped with a submerged fill pipe.

K. Emissions Inventory. Each facility subject to LAC 33:III.919 shall include emissions from all emergency engines, including temporary units, authorized by this regulatory permit in its annual emissions statement.

L. Notification Requirements. Written notification describing the planned activity shall be submitted to the Office of Environmental Services using the appropriate form provided by the department. A separate notification shall be submitted for each emergency engine.

M. In accordance with LAC 33:III.Chapter 2, the fee for this regulatory permit is \$713.00 (fee number 1722). In accordance with LAC 33:III.209 and 211, the annual maintenance fee associated with this regulatory permit shall be \$143.

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

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of the Secretary, Legal Affairs Division, LR 34:

[Rule Log #AQ278—§311]

§311. Regulatory Permit for Portable Air Curtain Incinerators

A. Applicability

1. This regulatory permit authorizes the installation and use of portable air curtain incinerators, subject to the requirements established herein, upon notification by the administrative authority that the application (i.e., notification form) submitted in accordance with Subsection E of this Section has been determined to be complete. This regulatory permit also authorizes the engine that drives the fan mechanism and the associated fuel storage tank.

2. This regulatory permit does not apply to an air curtain incinerator that:

a. has a manufacturer's rated capacity greater than 10 tons per hour;

b. is operated at a commercial, industrial, or institutional facility;

c. combusts 100 percent yard waste, defined as grass, grass clippings, bushes, shrubs, and clippings from bushes and shrubs, originating from residential, commercial/retail, institutional, or industrial sources as part of maintaining yards or other private or public lands;

d. incinerates waste collected from the general public; collected from residential, commercial, institutional,

or industrial sources; or otherwise generated at a location other than the operational site; or

e. remains at a single operational site (not to include storage locations) for more than 90 consecutive days.

B. Definitions

Air Curtain Incinerator (ACI)—an incinerator that operates by forcefully projecting a curtain of air across an open chamber or pit in which combustion occurs. Incinerators of this type can be constructed above or below ground and with or without refractory walls and floor.

Institutional Facility—a facility operated by an organization having a governmental, educational, civic, or religious purpose, such as a school, hospital, prison, military installation, church, or other similar establishment.

C. Operating Requirements

1. Visible Emissions

a. Opacity from the ACI shall not exceed 20 percent, except for a 30-minute start-up period once per day during which opacity shall not exceed 35 percent.

b. The emission of smoke, suspended particulate matter, or uncombined water, or any air contaminants or combinations thereof, that passes onto or across a public road and creates a traffic hazard by *impairment of visibility*, as defined in LAC 33:III.111, or intensifies an existing traffic hazard condition is prohibited.

c. The owner or operator shall conduct a 6-minute opacity reading in accordance with Method 9 of 40 CFR 60, Appendix A, upon request of the department. Results shall be kept on-site and available for inspection by the Office of Environmental Compliance.

2. Approved Wastes

a. The ACI shall be used to burn only untreated wood, wood refuse, untreated wood products (i.e., crates, pallets, etc.), trees, branches, leaves, grass, and/or other vegetable matter.

b. The owner or operator shall use only clean oils (e.g., diesel fuel, No. 2 fuel oil, kerosene) to ignite waste.

3. Operating Locations

a. The owner or operator shall not locate the ACI at any permitted municipal or sanitary landfill.

b. The ACI must be situated at least 1,000 feet from any dwelling other than a dwelling or structure located on the property on which the burning is conducted, unless the location has been approved by the appropriate DEQ Regional Office.

c. Relocation. The owner or operator shall notify the appropriate DEQ Regional Office at least three working days prior to moving the ACI to a new operating site. Approval must be obtained before operations at the new site can commence.

4. The owner or operator shall restrict incineration to the time period from 8 a.m. to 5 p.m. each day. Piles of combustible material should be of such size as to allow complete reduction in this time interval.

5. The owner or operator shall obtain all necessary permits from local and/or state agencies.

6. The owner or operator shall install on the ACI a manufacturer's nameplate giving the manufacturer's name and the unit's model number and capacity.

7. The owner or operator shall maintain the ACI to design standards and shall not operate the ACI if any equipment is malfunctioning.

8. The owner or operator shall use care to minimize the amount of dirt on the material being burned.

9. Material shall not be added to the ACI in such a manner as to be stacked above the air curtain.

10. An operator shall remain with the ACI at all times when it is operating.

11. Annual operation of the ACI shall be limited to no more than 1,500 hours per year.

D. Recordkeeping and Reporting

1. A daily record of the hours of operation shall be kept on-site and available for review by the Office of Environmental Compliance. Daily records shall include the time combustion commences and the time the fire is completely extinguished.

2. Annual hours of operation for the preceding calendar year shall be reported to the Office of Environmental Compliance annually by February 15.

E. Notification Requirements. Written notification describing the planned activity shall be submitted to the Office of Environmental Services using the appropriate form provided by the department. A separate notification shall be submitted for each air curtain incinerator.

F. In accordance with LAC 33:III.Chapter 2, the fee for this regulatory permit is \$2,394 (fee number 1520). If emissions from the ACI are such that it qualifies for a small source permit as described in LAC 33:III.503.B.2, the fee is \$713 (fee number 1722), in accordance with LAC 33:III.211.B.13.e. In accordance with LAC 33:III.209 and 211, the annual maintenance fee associated with this regulatory permit shall be \$478, if fee number 1520 is applicable, or \$143, if fee number 1722 is applicable.

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

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of the Secretary, Legal Affairs Division, LR 34:

Chapter 5. Permit Procedures

[Rule Log #AQ274, cont.—§501]

§501. Scope and Applicability

A. - B.7. ...

C. Scope

1. Except as specified in LAC 33:III.Chapter 3, for each source to which this Chapter applies, the owner or operator shall submit a timely and complete permit application to the Office of Environmental Services as required in accordance with the procedures delineated herein. Permit applications shall be submitted prior to construction, reconstruction, or modification unless otherwise provided in this Chapter.

2. Except as specified in LAC 33:III.Chapter 3, no construction, modification, or operation of a facility which ultimately may result in an initiation of, or an increase in, emission of *air contaminants* as defined in LAC 33:III.111 shall commence until the appropriate permit fee has been paid (in accordance with LAC 33:III.Chapter 2) and a permit (certificate of approval) has been issued by the permitting authority.

3. - 13. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2011 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 Office of Air Quality and Radiation Protection, Air Quality Division, LR 16:613 (July 1990), LR 17:478 (May 1991), LR 19:1420 (November 1993), LR 20:1281 (November 1994), LR 20:1375 (December 1994), LR 23:1677 (December 1997), amended by the Office of the Secretary, LR 25:660 (April 1999), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2445 (November 2000), LR 28:997 (May 2002), amended by the Office of Environmental Assessment, LR 31:1063 (May 2005), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2436 (October 2005), LR 32:1842 (October 2006), LR 34:

Herman Robinson, CPM
Executive Counsel

0709#032

POTPOURRI

Department of Environmental Quality Office of the Secretary

Risk/Cost/Benefit Statement,
Toxic Air Pollutant Ambient Air Standards
(LAC 33:III.5112)(AQ281)

Introduction

The Louisiana Department of Environmental Quality is proposing to revise ambient air standards (AAS), reclassify several toxic air pollutants (TAPs), and add a short term AAS for many Class I TAPs in LAC 33:III.5112, Tables 51.1 and 51.2 (AQ281). The Toxic Air Pollutant Emission Control Program is authorized under R.S. 30:2060. This Rule addresses the requirement at LAC 33:III.5109.B.5 to periodically review and update the ambient air standards for each TAP in LAC 33:III.5112, Table 51.2.

This document has been prepared to satisfy the requirements of R.S. 30:2019(D) and R.S. 49.953(G) (Acts 600 and 642 of the 1995 Louisiana Legislature, respectively). However, this document is not a quantitative analysis of cost, risk, or economic benefit, although potential costs are identified to the extent practical. A potpourri was published in the April 20, 2007, issue of the *Louisiana Register* with an advanced notice of this proposed rulemaking and a request for comments on the estimated cost to implement this regulation as written. The department received comment that the cost would be in excess of \$1,000,000 and a cost/benefit analysis would be required; however no additional specific cost data was provided by commenters. The statutes allow a qualitative analysis of economic and environmental benefit where a more quantitative analysis is not practical.

Therefore, the qualitative approach is taken with this analysis. Retaining methyl ethyl ketone as a toxic air pollutant, raising the AAS for six toxic air pollutants, and reclassifying seven toxic air pollutants will not increase costs to industry. Introducing a short term standard for Class I toxic air pollutants may result in some increased cost, which cannot be determined. The department believes that establishing more stringent standards for 15 AAS is likely to impose the most significant cost to the regulated industry. As discussed below, all the revisions to the air toxics regulation provide environmental benefits by protecting Louisiana citizens from health related exposures to toxic air pollutants.

The dollar benefits of this avoided environmental risk cannot be determined. In addition, the department maintains that the direct environmental benefits to be derived from this Rule will, in the judgment of reasonable persons, outweigh any costs associated with the implementation of the rule and that the rule is the most cost-effective alternative to achieve these benefits.

Risks Addressed by the Rule

According to the Louisiana Environmental Quality Act, the purpose of the Louisiana Air Control Law is "...to promote an environment free from pollution that jeopardizes the health and welfare of the citizens of the state..." (R.S. 30:2052). Therefore, the department asserts that all Louisiana toxic air pollutant ambient air standards (AAS) should represent concentration levels of toxic air pollutants that are insufficient to cause damaging effects to humans when exposed to such levels over the appropriate length of time. For many toxic air pollutants, the department employs the use of occupational exposure guidelines and values that have been adjusted to account for continuous exposure versus an 8- or 10-hour period and for sensitive populations, such as women and children, versus male workers. The environmental agencies in several states do likewise.

In light of the discussion above, a child exposed for a continuous 8-hour period or longer to any n-butyl alcohol concentration below the current regulatory value of 3620 $\mu\text{g}/\text{m}^3$, as listed in LAC 33:III.5112, Table 51.2, should experience no adverse health effects. However, a review of occupational exposure limits for n-butyl alcohol now indicates that the current value of 3620 $\mu\text{g}/\text{m}^3$ should be replaced with a value of 1452 $\mu\text{g}/\text{m}^3$, which is 60.1 percent more stringent (see table below). In other words, if this standard is not revised, then citizens of Louisiana that become exposed to concentrations of n-butyl alcohol less than 3620 $\mu\text{g}/\text{m}^3$, but greater than 1452 $\mu\text{g}/\text{m}^3$, may experience adverse health effects, although the facility responsible for the concentration above 1452 $\mu\text{g}/\text{m}^3$ will probably still be in compliance. For n-butyl alcohol, these adverse health effects include hypoactivity and ataxia.

The table below represents the toxic air pollutants whose health effects review, similar to the example given above for n-butyl alcohol, has indicated that a revision to a lower level is due and the percentage decrease of the AAS.

Proposed 8-Hour Average Standard Changes	
Compound	Percent Decrease of Current AAS
n-Butyl alcohol	59.9%
Hydrochloric acid	60.6%
1,4-Dioxane	95.0%
Hydrofluoric acid	84.2%
Hydrogen cyanide	53.8%
Maleic anhydride	60.0%
Mercury	80.0%
Methyl methacrylate	50.0%
Propionaldehyde	73.4%
Pyridine	80.6%
Sulfuric acid	80.0%
Vinyl acetate	46.3%
Proposed Annual Average Standard Changes	
Compound	Percent Decrease of Current AAS
Acetaldehyde	80.2%
1,2-Dibromoethane	62.2%
Epichlorohydrin	98.8%

From the table above, there are 15 toxic air pollutants whose AAS is proposed to be set at a more stringent level based upon the review of occupational health standards or the EPA's integrated risk information system (IRIS).

Environmental and Health Benefits of the Rule

The benefit of this proposed regulatory action is that no Louisiana citizen will experience adverse health effects from exposure to any of the toxic air pollutants listed in LAC 33:III.5112, Table 51.2, and that the revised AAS will fulfill the purpose of the Louisiana Air Control Law.

Economic Costs

The department estimates that approximately 110 Louisiana facilities have the potential to emit any one of these toxic air pollutants and may be required to install additional controls as a result of the more stringent AAS. The upper limit of the number of controls to be installed would be no larger than 1650 (110 x 15) instances of new control equipment or new ductwork installed on an already existing control. For the cost estimate, the assumption is that 1/3 of the facilities will require new control equipment and 2/3 can route these emissions to existing control equipment by installing new ductwork. Equipment costs shown below are estimated with the assistance of the EPA Air Pollution Cost Control Manual, January 2002, http://www.epa.gov/ttn/catc/dir1/c_allchs.pdf. These costs are not facility-specific and may only provide an order of magnitude.

Control Equipment Type	Estimated Average Total Capital Cost ¹	Estimated Average Annual Operating Cost ¹
Carbon absorption	\$300,000	\$80,000
Condenser	\$80,000	No estimate—some costs recouped
Incinerator	\$500,000 - \$1,200,000	\$300,000 - \$400,000
Wet scrubber	\$80,000	\$275,000
Electrostatic precipitator (ESP)	\$2,000,000	\$550,000
Install new ductwork	\$20,000	Negligible

¹ Cost in 1993 dollars

The equation below assumes that 2/3 of the facilities install new ductwork to direct emissions to an existing control.

$\frac{2}{3} \times 1650 \times \$20,000 = \$22,000,000$ (estimated cost for installing new ductwork to existing control devices)

Assume the remaining 1/3 facilities chose control equipment types uniformly; that is, equal numbers chose carbon absorption units, condensers, incinerators, wet scrubbers, or ESPs. The number of facilities choosing each control equipment option would be 1/3 x 1/5 x 1650. For example:

$\frac{1}{3} \times \frac{1}{5} \times 1650 \times \$300,000 = \$33,000,000$ (estimated cost for installation of carbon absorbers)
--

Control Equipment Type	Estimated Total Capital Cost	Estimated Annual Operating Cost per Facility
Install new ductwork	\$22,000,000	Negligible
Carbon absorbers	\$33,000,000	\$80,000
Condensers	\$8,800,000	No estimate—some costs recouped

Control Equipment Type	Estimated Total Capital Cost	Estimated Annual Operating Cost per Facility
Incinerators	\$55,000,000 - \$132,000,000	\$300,000 - \$400,000
Wet scrubbers	\$8,800,000	\$275,000
ESPs	\$220,000,000	\$550,000

For all facilities combined, the estimated total capital cost ranges from \$347,600,000 to \$424,600,000, with estimated annual operating expenses of \$132,550,000 to \$143,550,000 (110 x (80,000 + (300,000 to 400,000) + 275,000 + 550,000).

The department conducted screening modeling which indicates that only 28 facilities or 34 facility-AAS combinations (since some facilities failed the department's screening modeling for more than one pollutant) may be required to install additional controls to meet the revised standards for any one toxic air pollutant. Previously it was determined that 1650 represented the maximum number of Louisiana facility-AAS combinations. The screening modeling eliminates all of the 1650 except for 34. Therefore, 34/1650 x the range of capital cost, or \$7,162,667 to \$8,749,333, and 34/1650 x the range of annual operating cost, or \$2,731,333 to \$2,958,000, provides an estimate of the total cost for compliance with the revised standards. Converting to present day dollars, the range of capital costs becomes \$9,993,036 to \$12,206,682 and the range of operating costs becomes \$3,810,635 to \$4,126,870.

The facilities that cannot meet the revised AAS at their property line may still be granted a waiver from control requirements if they can demonstrate that: (1) compliance with the standards would be economically infeasible; (2) residual emissions would not cause significant harm to the environment or public health; and (3) the facility's emissions are controlled to a level that meets the Maximum Achievable Control Technology.

Conclusion

The department believes that the benefits of enhanced environmental and public health protection outweigh the costs of the Rule. Therefore, the Rule is the most cost-effective alternative to achieve these benefits.

Herman Robinson, CPM
Executive Counsel

0709#031

POTPOURRI

**Office of the Governor
Board of River Port Pilot Commissioners and Examiners
Calcasieu River Waterway**

Recommendation No. 2007-001-A
Additional Pilots for the Calcasieu River Ship Channel

WHEREAS, the Board of River Port Pilot Commissioners and Examiners (Calcasieu) ("Board") heard and received the report of Martin Moore-Ede, M.D., Ph.D., with Circadian International, Inc. revised August 14, 2007; and

WHEREAS, in a public meeting duly noticed in accordance with law, taken public comment on the above study; and

WHEREAS, the board has determined that a need presently exists to increase the number of pilots in order to safely and adequately handle vessel traffic on the Calcasieu River Ship Channel ("Channel"); and

WHEREAS, the board has determined that the above increase is needed to provide safe, adequate, and efficient transit of vessel traffic on the Channel.

NOW THEREFORE, it is hereby ordered and directed as follows:

SECTION 1: In accordance with and furtherance of the determination of the Board of Commissioners of Board of River Port Pilot Commissioners and Examiners (Calcasieu) adopted by Resolution on August 15, 2007, an additional 2 pilots shall be hired for the Calcasieu River Ship Channel.

SECTION 2: This recommendation is effective upon signature and shall continue in effect until amended, modified, terminated, or rescinded by the Board of Commissioners of the Board of River Port Pilot Commissioners and Examiners (Calcasieu).

THUS DONE AND SIGNED at Lake Charles, Louisiana, on this twenty-ninth day of August, 2007.

Brett Palmer
President

0709#081

POTPOURRI

Office of the Governor Board of River Port Pilot Commissioners and Examiners Calcasieu River Waterway

Resolution No. 2007-001

A RESOLUTION authorizing an increase in the authorized number of pilots for the Calcasieu River Ship Channel.

NOW THEREFORE be it resolved by the Board of Commissioners of the Board of River Port Pilot Commissioners and Examiners (Calcasieu) in special session convened that:

SECTION 1: After considering the study and presentation of Martin Moore-Ede, M.D., Ph.D. with Circadian International, Inc. revised August 14, 2007, and public comments received at the specially called meeting of the board on August 15, 2007, the Board of Commissioners of the Board of River Port Pilot Commissioners and Examiners (Calcasieu) does hereby authorize the hiring of 2 additional pilots thereby increasing the authorized number of pilots for the Calcasieu River Ship Channel from 16 to 18.

SECTION 2: Further, the Board of Commissioners of the Board of River Port Pilot Commissioners and Examiners (Calcasieu) does hereby authorize its president to take all appropriate steps necessary to ensure that this resolution is fully carried out, including the issuance of an order of the board sitting for the provisions of this resolution.

THUS PASSED AND ADOPTED at Lake Charles, Louisiana, on this fifteenth day of August, 2007.

Brett Palmer
President

I HEREBY CERTIFY that the above and foregoing is a true and correct copy of a resolution adopted by the Board Commissioners of the Board of River Port Pilot Commissioners and Examiners (Calcasieu) in special session convened on this fifteenth day of August, 2007.

Daryl Didier
Secretary

0709#082

POTPOURRI

Office of the Governor Oil Spill Coordinator's Office

Duck Lake Oil and Gas Field Crude Oil Discharge Draft
Damage Assessment and Restoration Plan

Action: Notice of availability of a Draft Damage Assessment and Restoration Plan (Draft DARP) with a 30-day public review and comment period.

Agencies: Louisiana Oil Spill Coordinator's Office, Office of the Governor (LOSCO); Louisiana Department of Environmental Quality (LDEQ); and Louisiana Department of Wildlife and Fisheries (LDWF).

Authorities: The Oil Pollution Act of 1990 (OPA) (33 USC 2701 et seq.) and the Louisiana Oil Spill Prevention and Response Act of 1991 (OSPRA) (La. Rev. Stat. 30:2451 et seq.) are the principal federal and state statutes, respectively, authorizing federal and state agencies and tribal officials to act as natural resource trustees for the recovery of damages for injuries to trust resources and services resulting from oil-spill incidents in Louisiana. In accordance with OPA and OSPRA, the agencies listed above (hereafter referred to as the "Trustees") have conducted a Natural Resource Damage Assessment (NRDA) for the unauthorized discharge of crude oil into the Duck Lake Oil and Gas Field, located in St. Martin Parish, Louisiana, on or about December 4, 2002 (hereafter referred to as the "the incident"), in which Hilcorp Energy Company (Hilcorp) was identified by the Trustees as the Responsible Party.

Summary: Pursuant to 15 C.F.R. § 990.23 and 15 C.F.R. § 990.55(c) and La. Admin. Code 43:XXIX, Chapter 1, notice is hereby given that a document entitled, "Draft Damage Assessment and Restoration Plan for the St. Martin Parish Duck Lake Oil and Gas Field Oil Spill" will become available for public review and comment on September 20, 2007. The Draft DARP was prepared by the Trustees to address injuries to natural resources and services resulting from the incident. On September 20, 2004, the Trustees published a Notice of Intent (NOI) in the *Louisiana Register* (Vol. 30, No. 09, pp. 2214-2215) to conduct restoration planning for the incident in order to develop restoration

alternatives that will restore, replace, rehabilitate, or acquire the equivalent of natural resources injured and/or natural resource services lost as a result of the incident. The Draft DARP identifies the natural resources and services that were determined to be injured by the incident, describes the assessment procedures used to quantify injury, outlines the scaling techniques and restoration alternative selection process, and presents the proposed plan to restore, replace, or acquire resources or services equivalent to those lost as a basis for compensating the public for injuries to natural resources and services resulting from the incident. The Trustees will consider comments received during the public comment period before finalizing the DARP. Public review of the Draft DARP is consistent with all State and Federal laws and regulations that apply to the NRDA process, including Section 1006 of the Oil Pollution Act (OPA), 33 U.S.C. § 2706; the regulations for NRDA under OPA, 15 C.F.R. Part 990; Section 2480 of the Louisiana Oil Spill Prevention and Response Act (OSPRA), La. Rev. Stat. 30:2480; and the regulations for NRDA under OSPRA, La. Admin. Code 43:XXIX, Chapter 1.

Interested members of the public are invited to view the Draft DARP via the internet at <http://www.losco.state.la.us> (look under News Flash for Duck Lake Oil Spill) or by requesting a copy of the document from Gina Muhs Saizan at the address provided below:

Gina Muhs Saizan
Louisiana Oil Spill Coordinator's Office, Office of the Governor
150 Third Street, Suite 405
Baton Rouge, LA 70801
gina.saizan@la.gov

Comment submittals: Comments must be submitted in writing or digitally to Gina Muhs Saizan on or before the end of the 30-day comment period.

For further information: Contact Gina Muhs Saizan at (225) 219-5800 or by email at gina.saizan@la.gov.

Roland Guidry
Oil Spill Coordinator

0709#042

POTPOURRI

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

Benchmark Benefit Package

The Health Care Reform Act of 2007, Act 243 of the 2007 Regular Session of the Louisiana Legislature, directed the Department of Health and Hospitals to lead the initiative to improve health care outcomes in Louisiana by developing and implementing a health care delivery system that provides a continuum of evidence-based, quality driven health care services. In compliance with Act 243, the department gives notice that it shall develop and implement

a health care delivery system known as Louisiana Health First which shall consist of a medical home system of care for low-income uninsured citizens of the state.

Frederick P. Cerise, M.D., M.P.H.
Secretary

0709#076

POTPOURRI

**Department of Labor
Office of Workers' Compensation**

Average Weekly Wage Rate

Pursuant to Act 583 of the Regular session of the 1975 Louisiana Legislature, this state's average weekly wage upon which the maximum workers' compensation weekly benefit amount will be based, effective September 1, 2007 has been determined by the Department of Labor to be \$696.

This information updates R.S. 23:1202 of the Louisiana Workers' Compensation Act.

	Average Weekly Wage	Maximum Comp	Minimum Comp
Sept 1, 1985 - Aug 31, 1986	339.24	254.00	68.00
Sept 1, 1986 - Aug 31, 1987	347.65	261.00	70.00
Sept 1, 1987 - Aug 31, 1988	348.80	262.00	70.00
Sept 1, 1988 - Aug 31, 1989	356.40	267.00	71.00
Sept 1, 1989 - Aug 31, 1990	367.90	276.00	74.00
Sept 1, 1990 - Aug 31, 1991	376.02	282.00	75.00
Sept 1, 1991 - Aug 31, 1992	393.08	295.00	79.00
Sept 1, 1992 - Aug 31, 1993	409.30	307.00	82.00
Sept 1, 1993 - Aug 31, 1994	424.91	319.00	85.00
Sept 1, 1994 - Aug 31, 1995	430.21	323.00	86.00
Sept 1, 1995 - Aug 31, 1996	440.55	330.00	88.00
Sept 1, 1996 - Aug 31, 1997	454.67	341.00	91.00
Sept 1, 1997 - Aug 31, 1998	466.57	350.00	93.00
Sept 1, 1998 - Aug 31, 1999	489.95	367.00	98.00
Sept 1, 1999 - Aug 31, 2000	512.47	384.00	102.00
Sept 1, 2000 - Aug 31, 2001	517.93	388.00	104.00
Sept 1, 2001 - Aug 31, 2002	530.43	398.00	106.00
Sept 1, 2002 - Aug 31, 2003	554.31	416.00	111.00
Sept 1, 2003 - Aug 31, 2004	572.53	429.00	114.00
Sept 1, 2004 - Aug 31, 2005	584.40	438.00	117.00
Sept 1, 2005 - Aug 31, 2006	605.46	454.00	121.00
Sept 1, 2006 - Aug 31, 2007	637.19	478.00	127.00
Sept.1, 2007 - Aug 31, 2008	696.00	522.00	139.00

Actual wages are to be paid if the wages are less than the minimum.

Approved "Mileage Rate" as of July 1, 2007 is \$0.44 per mile.

Karen Reiners Winfrey
Assistant Secretary/Director

0709#051

POTPOURRI

**Department of Labor
Office of Workers' Compensation**

Weekly Compensation Benefits Limits

Pursuant to R.S. 23:1202 and based on the statewide average weekly wage as determined by the Department of Labor, the following limits shall apply to weekly compensation benefits for claimants injured during the period September 1, 2007 through August 31, 2008.

Average Weekly Wage	Maximum Compensation	Minimum Compensation	Mileage Reimbursement
\$696.00	\$522.00	\$139.00	.44cents per mile*

*Effective July 1, 2007 the mileage reimbursement is .44 cents per mile pursuant to LA R.S. 23:1203 D.

Karen Reiners Winfrey
Assistant Secretary/Director

0709#052

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
Lyon Operating Co., Inc.	Athens	S	Hoss Sur; Pixley	001	186364
Lyon Operating Co., Inc.	Athens	S	Hoss Sul; Gandy A	001	187183
Lyon Operating Co., Inc.	Athens	S	Hoss Subb; Liles	001	192842
Lyon Operating Co., Inc.	Athens	S	Hoss Suzz; Rabb et al	001	195051
Lyon Operating Co., Inc.	Athens	S	Vua; Tuggle	001	210428
Petroleum Inc- J Franks & Crow Drill	Vidalia	M	Irene Newell Shields	001	69087
Petroleum Inc- J Franks & Crow Drill	Vidalia	M	Irene Newell Shields	002	70107 (30)

Operator	Field	District	Well Name	Well Number	Serial Number
F. A. Callery, Inc.	Wildcat-No La Shreveport Dist	S	C E Ellerbe	001	34125
Atlas Oil and Refining Company	Wildcat-So La Houma Dist	L	Wheeler & Wortham	001	32431
G.G. Cornwell	Vidalia	M	Shields	001	118206 (30)

James H. Welsh
Commissioner

0709#061

POTPOURRI

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

Hearing Notice—Docket No. IMD 2007-11

Pursuant to the provisions of the laws of the State of Louisiana and particularly Title 30 of the Louisiana Revised Statutes of 1950 as amended, and the provisions of Statewide Order No. 29-B, notice is hereby given that the Commissioner of Conservation will conduct a hearing at 6:00 p.m., Thursday, November 8, 2007, in the Jefferson Davis Police Jury Meeting Room at the Sidney E. Briscoe Jr. Building, 304 N State Street, Jennings, LA.

At such hearing, the commissioner, or his designated representative, will hear testimony relative to the application of Charles Holston, Inc., P.O. Box 728, Jennings, LA. The applicant requests approval from the Office of Conservation to construct and operate a commercial deep well injection waste disposal facility to receive, store and dispose of exploration and production waste (E&P Waste) fluids. The facility is located in Section 009, Township 10 South, Range 03 West in Jefferson Davis Parish, near Jennings, LA.

The application is available for inspection by contacting Mr. Stephen Pennington, Office of Conservation, Injection and Mining Division, Room 817 of the LaSalle Building, 617 North Third Street, Baton Rouge, LA, or by visiting the Jefferson Davis Parish Police Jury in Jennings, LA, or the Jefferson Davis Parish Library in Jennings, LA. Information may be received by calling Mr. Stephen Pennington at (225) 342-7334.

All interested persons will be afforded an opportunity to present data, views or arguments, orally or in writing, at said public hearing. Written comments which will not be presented at the hearing must be received no later than 4:30 p.m., Thursday, November 15, 2007, at the Baton Rouge Office. Comments should be directed to:

Office of Conservation
Injection and Mining Division
Post Office Box 94275
Baton Rouge, Louisiana 70804-9275
Re: Docket No. IMD 2007-11

Commercial Facility
Jefferson Davis Parish

James H. Welsh
Commissioner

0709#028

POTPOURRI

**Department of Natural Resources
Office of the Secretary**

Loran Coordinates

In accordance with the provisions of R.S. 56:700.1 et seq., notice is given that eight claims in the amount of \$33,468.29 were received for payment during the period August 1, 2007 - August 31, 2007.

There were eight claims paid and zero claims denied. Latitude/Longitude Coordinates of reported underwater obstructions are:

2907.191	9006.514	LaFourche
2910.400	9007.611	Jefferson
2916.919	8955.264	Jefferson
2917.436	8951.924	Plaquemines
2917.521	8957.257	Jefferson
2920.566	8947.772	Jefferson
2939.833	9007.539	Jefferson
2948.276	8948.754	St. Bernard

A list of claimants and amounts paid can be obtained from Gwendolyn Thomas, 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

0709#044