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**HOUSE COMMITTEE AMENDMENTS**

2021 Regular Session

Substitute for Original House Concurrent Resolution No. 4 by Representative Landry as proposed by the House Committee on Natural Resources and Environment

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**This document reflects the content of a substitute bill but is not in a bill form; page numbers in this document DO NOT correspond to page numbers in the substitute bill itself.**

To amend the Louisiana Department of Environmental Quality rule LAC 33:III:525(A)(1) and 531(A)(2), which provides for public notice by the permitting authority for certain minor source facilities; to provide for public notice requirements by the permitting authority for certain minor source facilities; to direct the office of the state register to print the amendments in the Louisiana Administrative Code; and to provide for related matters.

WHEREAS, public participation is a vital and guiding principle of democratic governance, based on the belief that everyone who is affected by a decision has a right to be involved in the decision-making process; and

WHEREAS, the interests of economic development and air quality are matters of vital concern to the welfare of the people of the state; and

WHEREAS, it is necessary in this day and age to provide for commercial and industrial opportunities while maintaining an environment that promotes the health and welfare of the citizens of the state; and

WHEREAS, the Department of Environmental Quality (DEQ) has a system in place to keep the public informed of environmental pollution by providing public notice of permit applications for facilities that are major sources of air pollution; and

WHEREAS, the DEQ enables the public to have meaningful input into major source permit decisions through a public comment period that immediately follows each public notice; and

WHEREAS, facilities classified as minor sources of air pollution can benefit the public welfare by providing job opportunities and tax revenue; and

WHEREAS, facilities classified as minor sources of air pollution can threaten the public welfare by emitting harmful pollutants, presenting risks from fires or other emergency situations, and decreasing nearby residential property values; and

WHEREAS, a small difference in the amount of air pollution released by a facility, as little as one percent, can make the difference between a major source or minor source designation; and

WHEREAS, requiring the DEQ to provide public notice for non-exempt minor source facilities, as well as major source facilities, will fill an existing gap in democratic governance by providing members of the public an opportunity to have meaningful input into all permitting decisions that may impact their economic opportunities, health, and well being.

THEREFORE, BE IT RESOLVED by the Legislature of Louisiana that LAC 33:III:525(A)(1) and 531(A)(2) are hereby amended to read as follows:

§525. Minor Modifications

A. Minor Modification Criteria

1. For any source which is not a Part 70 source or for any application for a state-only change at a Part 70 source, minor modification procedures may be utilized ~~for any change which does not require public notice.~~

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§531. Public Notice and Affected State Notice

A. Public Notice

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2. ~~For applications pertaining to a Part 70 source, public~~ Public notice shall be published by the permitting authority prior to the issuance of any permit which is:

- a. the initial permit issued in accordance with the provisions of this Chapter ~~a federally approved operating permit program pursuant to LAC 33:III.507;~~
- b. a permit renewal as required in this Chapter ~~pursuant to LAC 33:III.507.E;~~

