2022 Regular Session

HOUSE CONCURRENT RESOLUTION NO. 9

BY REPRESENTATIVE LYONS

ENVIRONMENT/AIR: Amends provisions of administrative rules to require vapor recovery systems at certain facilities along the Mississippi River in certain parishes

1	A CONCURRENT RESOLUTION
2	To amend the Louisiana Department of Environmental Quality rule LAC 33:III.2108(A),
3	which provides for requirements for vapor collection systems for marine loading
4	operations; to provide relative to application in certain parishes; to direct the office
5	of the state register to print the amendments in the Louisiana Administrative Code;
6	and to provide for related matters.
7	WHEREAS, "Petroleum Pitch" is a viscoelastic polymer manufactured from
8	petroleum and is also known as "asphalt"; and
9	WHEREAS, asphalt is a mixture of several kinds of aromatic hydrocarbons; and
10	WHEREAS, asphalt when heated to a flowable liquid for transfer releases aromatic
11	hydrocarbons or regulated air pollutants that have a vapor pressure greater than 1.5 PSI; and
12	WHEREAS, asphalt when heated to a flowable liquid for transfer releases hydrogen
13	sulfide which is odiferous and causes nausea, watery eyes, headaches, dizziness, fatigue and
14	adverse impact to children and asthmatics; and
15	WHEREAS, asphalt during marine transfer should utilize vapor recovery as required
16	for compounds with high vapor pressures; and
17	WHEREAS, vapor recovery of fumes generated from heating asphalt should utilize
18	vapor recovery to minimize odor associated with hydrogen sulfide emitted from heated
19	asphalt; and

Page 1 of 3

CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

HLS 22RS-846

1	WHEREAS, asphalt heated during marine transfer loading and unloading should
2	utilize vapor recovery to mitigate releases of the numerous aromatics volatile organic
3	compounds and to mitigate releases hydrogen sulfide, which is odiferous and causes nausea,
4	watery eyes, headaches, dizziness, fatigue and adverse impact to children and asthmatics;
5	and
6	THEREFORE, BE IT RESOLVED by the Legislature of Louisiana that LAC
7	33:III.2108(A) is hereby amended to read as follows:
8	§2108. Marine Vapor Recovery
9	A. Applicability. An affected facility is any marine loading operation serving
10	ships and/or barges loading crude oil, gasoline, or volatile organic compounds
11	(VOC) with an uncontrolled emission of 25 tons per year (TPY) or more of VOC in
12	the parishes of Ascension, East Baton Rouge, Iberville, Livingston, and West Baton
13	Rouge, any parish with a population of not less than three hundred eighty-three
14	thousand persons and not more than three hundred eighty-five thousand persons
15	according to the latest federal decennial census, and any parish with a population of
16	not less than four hundred forty thousand persons and not more than four hundred
17	forty-one thousand persons according to the latest federal decennial census, or 100
18	TPY or greater of VOC in any other parish. Emissions from VOC with a true vapor
19	pressure of less than 1.5 psia at the loading temperature of the liquid are exempt
20	from the control requirements of this Section.
21	* * *
22	BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the
23	office of the state register.
24	BE IT FURTHER RESOLVED that the office of the state register is hereby directed
25	to have the amendments to LAC 33:III.2108(A) printed and incorporated into the Louisiana
26	Administrative Code.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HCR 9 Original2022 Regular SessionLyons

Abstract: Requires the Department of Environmental Quality to require vapor collection systems for marine loading operations serving ships and barges loading various organic commands in certain parishes.

<u>Present LAC</u> (33:III.2108(A)) requires vapor collection systems for marine loading operations serving ships and barges loading various organic compounds with an uncontrolled emission of 25 tons per year or more of volatile organic compounds in the parishes of Ascension, East Baton Rouge, Iberville, Livingston, and West Baton Rouge.

<u>Proposed LAC</u> (33:III.2108(A)) retains <u>present LAC</u> (33:III.2108(A)) and adds any parish with a population of not less than 383,000 persons and not more than 385,000 persons according to the latest federal decennial census and any parish with a population of not less than 440,000 persons and not more than 441,000 persons according to the latest federal decennial census.

(Amends LAC 33:III.2108(A))