

CONTENTS

I. EXECUTIVE ORDERS

EWE 84-43—Rescinds EWE 84-34	3
EWE 84-44—Energy conservation, PCB and asbestos handled jointly by Division of Administration and Department of Natural Resources	3
EWE 84-45—Amends EWE 84-39, the Forum for Environmental Action	3

II. EMERGENCY RULES

Commerce Department:	
Motor Vehicle Commission—Qualification and eligibility for motor vehicle lessor and lessor used car facility	3
Racing Commission—LAC 35:11301-11321, “Quiniela”	4
LAC 35:11101-11117, “Trifecta”	4
Education Department:	
Board of Elementary and Secondary Education—Enrollment and fees for non-residents; Revocation of teaching certificates	5

III. RULES

Commerce Department:	
Racing Commission—LAC 35:5745, Concession services (glass containers)	6
LAC 35:1513, Mandatory penalties	6
Real Estate Commission—Certified money; waivers	6
Education Department:	
Board of Elementary and Secondary Education—Advanced sick leave; Elective courses; Bulletin 741; Credit for National Guard service; Bulletin 746; High school athletic scholastic requirements; Policy on student activities; Requirements for teachers of computer literacy and computer science; textbooks	7
Board of Supervisors of Southern University and Agricultural and Mechanical College—Increase SGA fees	7
Tenure policy change	7
Environmental Quality Department:	
Office of Air Quality and Nuclear Energy—Air quality fee system	8
Revise Section 22.0	15
Office of Water Resources—Construction Grants Priority System	32
Governor’s Office:	
Department of Veterans Affairs—Collecting and handling fees; eligibility requirements	34
Office of Elderly Affairs—Ombudsman Program	35
Health and Human Resources Department:	
Cancer and Lung Trust Fund Board—Procedural regulations	35
Office of Family Security—MAP - Swing bed provisions	36
Penalties for violating nursing home standards	37
Voluntary Quit in Food Stamp Program	38
Work registration in Food Stamp Program	39
Office of Hospitals—Emergency Medical Technician Training Program Standards	39
Natural Resources Department:	
Division of State Lands—Return of Bohemia Spillway property	40
Treasury Department:	
Deferred Compensation Commission—Public employees deferred compensation plan	41
Interim Emergency Board—Rules of operation	45
Urban and Community Affairs Department:	
Office of Planning and Technical Assistance—LCDBG	45

IV. NOTICES OF INTENT

Agriculture Department:	
Office of Agricultural and Environmental Sciences—Advisory Commission on Pesticides—Rule 12.2	45
Feed Commission	46

This public document was published at a total cost of \$7,412.33. 1,475 copies of this public document were published in this monthly printing at a cost of \$2,641.25. The total cost of all printings of this document including reprints is \$7,412.33. This document was published by Moran Colorgraphic, 5425 Florida Blvd., Baton Rouge, LA 70806, as a service to the state agencies in keeping them cognizant of the new rules and regulations under the authority of R.S. 49:950-970. This material was printed in accordance with standards for printing by state agencies established pursuant to R.S. 43:31. Printing of this material was purchased in accordance with the provisions of Title 43 of the Louisiana Revised Statutes.

Horticulture Commission—Rule 9.5	46
Quarantine Programs—Crop pests and diseases	47
Repeal of certain rules	47
Structural Pest Control Commission	48
Office of Agro-Consumer Services—Agricultural Commodities Commission—Amends rules 4.1, 6.7, 7.6, 17.3, 24.1 and 24.4	49
Milk Testing and Bonding Program	49
Repeal of certain rules	47
Office of Animal Health Services—Livestock Sanitary Board	49
Meat and Poultry Inspection Program—Rules 3.3, 17.0, 17.1, 17.2, 17.3, 17.4, 17.5 and 17.6	50
Office of Marketing—Market Commission—Fruits and Vegetables Division	50
Repeal of certain rules	47
Commerce Department:	
Board of Cosmetology—Reporting of hours	51
Licensing Board for Contractors—Rules IV, VI C.3, XXVIII, XXX, XXXI	51
Culture, Recreation and Tourism Department:	
Board of Library Examiners—Regulations	53
Office of State Parks—Fee changes	54
Education Department:	
Board of Elementary and Secondary Education—Revocation of teaching certificates	55
Environmental Quality Department:	
Office of Air Quality and Nuclear Energy—Air Quality Division—Asbestos in schools	56
Governor's Office:	
Office of Elderly Affairs—Intrastate funding formula	57
Health and Human Resources Department:	
Board of Nursing—R.N. 1.071, Licensure by examination	57
Office of Preventive and Public Health Services—Individual mechanical sewage treatment plants, acceptable units	58
Office of the Secretary—Division of Licensing and Certification—Inventory of hospital beds	58
Natural Resources Department:	
Office of Conservation—Pipeline safety	59
Public Safety and Corrections Department:	
Office of the Secretary—Number 30-19, Correspondence and packages	61
Office of State Police—Breath and blood alcohol analysis	61
Transportation and Development Department:	
Board of Registration for Professional Engineers and Land Surveyors—Educational training, work experience and requirements for registration	65
Treasury Department:	
Board of Trustees of the State Employees Group Benefits Program—Claim filing deadline	66
Drug abuse coverage	67
Early hospital admissions	68
Elimination of private duty nursing outside a hospital	68
Out-patient surgery	69
Second surgical opinion	70

V. COMMITTEE REPORTS

Commerce Department:	
Real Estate Commission; Used Motor Vehicles and Parts Commission	70

VI. LOUISIANA ADMINISTRATIVE CODE UPDATE

January - December, 1984, changes to LAC	71
Title 35, Horse Racing—Amends Table I	71
Amends Table II	73

VII. POTPOURRI

Commerce Department:	
Board of Certified Public Accountants—Public hearing on Tax Accounting Principles	76
Health and Human Resources Department:	
Cancer and Lung Trust Fund Board—Locations accepting applications for cancer research grant proposals	76
Natural Resources Department:	
Fishermen's Gear Compensation Fund—Claims	76

Executive Orders

EXECUTIVE ORDER EWE 84-43

Executive Order EWE 84-34, issued October 10, 1984, is hereby rescinded in its entirety.

IN WITNESS WHEREOF, I have hereunto set my hand officially and caused to be affixed the Great Seal of the State of Louisiana, at the Capitol, in the City of Baton Rouge, on the 10th day of December, 1984.

Edwin W. Edwards
Governor of Louisiana

ATTEST BY
THE GOVERNOR
Jim Brown
Secretary of State

EXECUTIVE ORDER EWE 84-44

WHEREAS, energy conservation and PCB and asbestos handling are areas of utmost concern and importance to the people of Louisiana; and

WHEREAS, there is a need for a coordinated effort among all state agencies to identify the problems facing the state in these areas and to formulate and implement adequate and informed solutions to these problems; and

WHEREAS, the Division of Administration and the Department of Natural Resources are working together to achieve this goal; and

WHEREAS, it is desirable to eliminate a duplication of services, and provide accurate information to all state agencies;

NOW THEREFORE I, EDWIN EDWARDS, Governor of the State of Louisiana, do hereby order and direct that all matters pertaining to contractual agreements with consultants in the fields of energy conservation, PCB handling and asbestos handling shall be handled exclusively by the Division of Administration and the Department of Natural Resources working together, and that all contracts for services pertaining to these matters must be jointly approved by the commissioner of administration or her appointee and the secretary of the Department of Natural Resources or his appointee.

IN WITNESS WHEREOF, I have hereunto set my hand officially and caused to be affixed the great seal of the State of Louisiana, at the Capitol, in the City of Baton Rouge, on this 17th day of December, 1984.

Edwin W. Edwards
Governor of Louisiana

ATTEST BY
THE GOVERNOR
Jim Brown
Secretary of State

EXECUTIVE ORDER EWE 84-45

Executive Order EWE-84-39, issued on November 1, 1984, creating the Forum for Environmental Action, is hereby amended to increase the initial membership of the Forum from seven to eight. The additional member shall be appointed and shall serve as provided in the original order.

IN WITNESS WHEREOF, I have hereunto set my hand officially and caused to be affixed the Great Seal of the State of Lou-

isiana, at the Capitol, in the City of Baton Rouge, on this 19th day of December, 1984.

Edwin W. Edwards
Governor of Louisiana

ATTEST BY
THE GOVERNOR
Jim Brown
Secretary of State

Emergency Rules

DECLARATION OF EMERGENCY

Department of Commerce Motor Vehicle Commission

The Department of Commerce, Louisiana Motor Vehicle Commission, has exercised those powers conferred by the emergency provisions of the Administrative Procedure Act, R.S. 49:953 B, to adopt the following amendments to the Louisiana Motor Vehicle Commission rules and regulations (originally promulgated pursuant to the authority vested in L.R.S. 32:1253 E). These rules are to become effective February 1, 1985.

The Commission determined the adoption of said emergency rules were required by an imminent peril to the public welfare in that:

1. Upon legislative amendment at the last Regular Session of the Louisiana Legislature the Louisiana Motor Vehicle Commission was given statutory authority and mandate to license Motor Vehicle Lessors operating a used motor vehicle facility. (Act 1984, No. 590, Section 1)

2. At the same Regular Legislative Session, the Louisiana Legislature created the Louisiana Used Motor Vehicle and Parts Commission. The Used Car Act among other things also required the posting of a surety bond in the amount of \$10,000 and required licensees to furnish and keep in force the minimum required liability insurance coverage. (Act 1984, No. 773)

3. Other motor vehicle dealers licensed by this agency are statutorily required to post a surety bond for the protection of the public welfare.

4. The increasing number of applicants that do not maintain an apparent commercial location and the lack of a definition of the statutorily required "established place of business," contribute to the possibility of license being issued to locations that do not meet local zoning or municipal requirements and not accessible to the consuming public for resolution of controversy which might develop.

The commission finds it is necessary to promulgate the following emergency rules, amending the Louisiana Motor Vehicle Commission rules and regulations by adding thereto the following new section, Section 26.

Section 26

A. Qualifications and Eligibility

The Commission, in determining the qualifications and eligibility of an applicant for a Motor Vehicle Lessor and a Lessor Used Car Facility, will base its determinations upon the following factors:

1. The ability of the applicant to establish an adequate place of business, properly zoned in the municipality, provide a suitable

office, have a permanently affixed sign, in front of the establishment which denotes that vehicles are offered for lease or sale at the location to which the sign is affixed. Applicant must have a useable telephone at the place of business, the number of which should be listed on the application for license and in a local directory accessible to the public. The commission must be notified of any change in the telephone number.

2. All applicants are required to furnish and keep in force the minimum required liability insurance coverage on all vehicles offered for sale, rental, lease, or used in any other capacity in demonstrating or utilizing the streets and roadways in accordance with the financial responsibility laws of this state.

3. Before any Motor Vehicle Lessor or Lessor Used Car Facility license is issued to an applicant under the provisions of the Louisiana Motor Vehicle Commission Act, L.R.S. 32:1251 et seq. a good and sufficient surety bond, executed by the applicant as principal and by a surety company qualified to do business in Louisiana as surety in the sum of \$10,000 shall be delivered to the commission. Such bond shall be in a form to be approved by the commission and shall be conditioned that the applicant shall comply with the conditions of any written contract made by such applicant in connection with the lease, rental, sale or exchange of any motor vehicle and shall not violate any of the provisions of the Louisiana Motor Vehicle Commission Act, L.R.S. 32:1251 et seq. or any other law of Louisiana in the conduct of the business for which he is licensed. Such bond shall be made payable to the secretary of the Department of Public Safety or to his successor in office, for the use, benefit, and indemnity of any persons who shall suffer any loss as a result of any violation of the conditions hereinabove contained. Such bond shall be delivered to the commission at the beginning of each license period; however, the aggregate liability of the surety in any one year shall in no event exceed the sum of such bond. The bond required by this Section shall be maintained throughout the period of licensure. Should the bond be cancelled for any reason, the license shall be revoked as of the date of cancellation unless a new bond is furnished prior to such date.

4. The applicant's business integrity, based upon the applicant's experience in the same or similar business, his business history, and whether such applicant will devote full or part time to the business.

B. Definitions

1. "Established Place of Business" shall mean a permanently enclosed building or structure either owned in fee, leased or rented, which meets local zoning or the municipal requirements, and regularly occupied by a person, firm or corporation, easily accessible to the public at which a regular business of leasing or rental of motor vehicles or selling used motor vehicles will be carried on in good faith; and, at which place of business shall be kept and maintained the books, records, and files necessary to conduct the business; and, shall not mean residences, tents, temporary stands, lots, or any temporary quarters.

S. D. Dodd
Executive Secretary

DECLARATION OF EMERGENCY

Department of Commerce Racing Commission

Proposed for Adoption
Rule LAC 35:11301-11321 "Quiniela"

Chapter 113. Quiniela

§11301. One Quiniela per Race Day

Only one quiniela shall be permitted during any single race day. It shall be on the closing race of a program.

§11303. Separate Pool

The quiniela is not a "parlay" and has no connection with or relation to the win, place or show betting and will be calculated on an entirely separate pool.

§11305. Selecting Horses

When purchasing a quiniela ticket, two horses are selected which must finish 1 - 2 or 2 - 1. For example, if numbers 3 and 6 are selected they must come in 3, first and 6, second or 6, first and 3, second.

§11307. No Ticket Sold with Winning Combination

If no ticket is sold on the winning combination of a quiniela pool the new pool shall then be apportioned equally between those having tickets including the horse finishing first and those having tickets including the horse finishing second in the same manner in which a place pool is calculated and distributed.

§11309. Dead Heat for First or Second Place

In the event that a race on which there is quiniela wagering shall result in a dead heat for first place, the combination shall be the winner of the quiniela pool. In the event of a dead heat between the two horses for second place, the quiniela pool shall be figured as a place pool, the holders of tickets combining the winning horse and the two horses finishing second participating in the payoff.

§11311. Dead Heat for Second Place

In the event of a dead heat for second place, if no ticket is sold on one of the two winning combinations, the entire net pool shall be calculated as a win pool and distributed to those holding tickets on the winning combinations.

§11313. Full Refund of Pool

If no ticket is sold that would require distribution of a quiniela pool to a winner as above defined, the association shall make a complete and full refund of the quiniela pool.

§11315. Pari-Mutuel Department Emergencies

Should any emergency rule arise in connection with the operation of the Pari-Mutuel Department not covered by these rules, and an immediate decision is necessary, the Racing Commission auditor shall make the decision and render a full report to the Commission.

§11317. Excused Horse

If a horse in a race on which there is quiniela wagering is excused by the stewards or locked in the gate, all moneys wagered on combinations which include this horse shall be deducted from the quiniela pool and refunded to the purchasers of tickets on the horse.

§11319. If Last Race Cancelled or "No Race"

If, for any reason, the last race (the only race on which quiniela wagering is permitted) is cancelled and declared "no race," a full and complete refund shall be made of the quiniela.

§11321. Printing of Quiniela Rule

Each association shall print the entire quiniela rule in a conspicuous place in its race program.

Patrick C. McGinity
Secretary

DECLARATION OF EMERGENCY

Department of Commerce Racing Commission

Proposed for Adoption
Rule LAC 35:11101-11117 "Trifecta"

Chapter 111. Trifecta

§11101. Object

The trifecta (or other approved name) is a form of pari-mutuel wagering. Each bettor selects, in order, the first, second and

third placed horses in the designated trifecta race. The trifecta pool shall be held entirely separate from all other pools, and is no part of a daily double, exacta or other wagering pool.

§11103. Price of Tickets

Trifecta tickets shall be sold in not less than \$3 denominations and only from machines capable of issuing three numbers.

§11105. Approval by Commission

Races in which trifecta pools shall be conducted shall be approved by the commission and shall be clearly designated in the program.

§11107. Design of Tickets

The design of trifecta tickets shall be clearly and immediately distinguishable from other pari-mutuel tickets.

§11109. Scratched Horse

If a horse is scratched or declared a nonstarter, no further trifecta tickets may be issued designating such horse and all trifecta tickets previously issued designating such horse shall be refunded and the money deducted from the gross pool.

§11111. Failure to Select Winning Combination

Rules concerning failure to select a winning combination, short finishes include:

A. If there is a failure to select, in order, the first three horses, payoff shall be made on trifecta tickets selecting the first two horses, in order with all others; failure to select the first two horses, payoff to trifecta tickets selecting the winner and the third place horse with any and all other horses; failure to select any of the foregoing orders of finish, payoff shall be made to trifecta tickets selecting the winner to win with all other horses; failure to select the winner to win, payment shall be made to holders of tickets on the second and third place finishers with any and all others.

B. If less than three horses finish, payoff shall be made on tickets selecting the actual finishing horses in order, ignoring the balance of the selection.

§11113. Coupled Entries; Fields

Coupled entries and fields are prohibited in trifecta races.

§11115. Run as an Exacta

Where a field in a trifecta race in thoroughbred or quarter horse racing is less than ten at wagering time, said race will be run as an exacta. A late scratch after wagering starts will not affect the trifecta.

§11117. Displaying Trifecta Rule

This rule shall be prominently displayed throughout the betting area of each track conducting the trifecta and printed copies of this rule shall be distributed by the track to patrons upon request.

Patrick C. McGinity
Secretary

DECLARATION OF EMERGENCY

Board of Elementary and Secondary Education

The State Board of Elementary and Secondary Education, at its meeting of December 20, 1984, exercised those powers conferred by the emergency provisions of the Administrative Procedure Act R.S. 49:953B and adopted the following items as an Emergency Rule:

1. The board adopted out-of-state tuition fees for students in post-secondary vocational technical schools to be effective January 1, 1985 as follows:

ENROLLMENT AND FEES FOR NON-RESIDENTS

1. Louisiana residents will be given preference in enroll-

ment in the vocational technical schools operated by the State of Louisiana.

2. Persons (parents of minors) who have not been a resident of Louisiana for the previous 12 months will be charged a non-refundable registration fee of \$100 plus tuition upon enrollment.

3. In determining residency, the enrollee must document his current residence by the presentation of any one of the following:

- a) Louisiana Driver's License
- b) Louisiana Vehicle Registration
- c) Louisiana Voters Registration
- d) Louisiana Income Tax Return showing tax paid
- e) Other similar documentation acceptable to the school director, and also

Certification of prior residency on the Application for Enrollment.

4. Military personnel and their dependents stationed in Louisiana under Active Duty orders are deemed to be Louisiana residents for enrollment and fee purposes.

5. Part-time tuition of \$50 per month shall be charged all non-residents. Part-time shall include instructional programs of fewer than six hours of coursework per day comprising fewer than 30 hours per week of classroom study. Part-time courses of instruction shall also include all extension programs which are offered in the evening, or on weekends, or totaling less than 150 hours and designed to upgrade skills or knowledge.

6. The tuition for instructional training of less than one month will be pro-rated based upon 20 days a month.

7. The tuition for all instructional programs not part-time shall be \$100 per month.

8. Non-residents enrolled prior to January 1, 1985 shall continue to pay \$30 per month tuition until completion of present enrollment or otherwise dropped.

This emergency adoption is necessary in order for this policy to be in place at the beginning of the next registration period of the post-secondary vocational technical schools.

2. Delete Paragraph 2 of the Policy for Revocation of Teaching Certificates for Cause and substitute the following: "Upon receiving notice that a teacher has been convicted of a felony offense, defined by Louisiana Revised Statutes 14:2(4), as being any crime for which an offender may be sentenced to death or imprisonment at hard labor, the State Department of Education shall immediately suspend the teacher's certificate. The department shall promptly notify the board in writing and notify the person whose certificate is so suspended by registered mail to his last known address or by any other means reasonably designed to inform the affected teacher of the suspension and his right to a hearing. Upon the order of the board, the department shall notify the teacher of the date, time, and place of the hearing, which shall be not less than 20 days nor more than 30 days from the date of the board's order for a hearing. The notice shall be sent by registered mail, return receipt requested, to the last known address of the teacher or by any other means reasonably designed to inform the affected teacher of the hearing. The notice shall include the specific charge, the witnesses to be called by the department, the right of the teacher to present witnesses and documents in his defense, the right of the teacher to cross-examine any witnesses against him, and the right of the teacher to be represented by counsel of the teacher's choosing. The hearing shall be private unless the teacher elects to make it public. The purpose of the hearing shall be to determine if sufficient grounds exist to warrant the suspension or revocation of the certificate.

Legal counsel felt there should be an automatic hearing rather than leaving the option to the convicted felon. Since this is

a new board policy, the board felt this Section should be in place before the policy is enforced.

James V. Soileau
Executive Director

Rules

RULE

Department of Commerce Racing Commission

The Louisiana State Racing Commission, at its meeting of December 13, 1984, amended rule LAC 35:5745 [formerly numbered LAC 11-6:23.27] to read as follows:

§5745. Providing Concession Services

The operation shall be conducted so that all persons who patronize the respective tracks shall be satisfactorily served. Food, beverages (both alcoholic and nonalcoholic), tobacco and other generally related items may be available for sale to the patrons of the various tracks on each day that racing is conducted under the license, permit, or privilege granted by the commission. Concessionaries vending any liquid refreshments shall not permit the surrender of glass containers to customers except in appropriate areas as designated by the association.

Albert M. Stall
Chairman

RULE

Department of Commerce Racing Commission

The Louisiana State Racing Commission, at its meeting of December 13, 1984, formally adopted rule LAC 35:1513 which reads as follows.

§1513. Mandatory Penalties

Any permittee of this commission who has violated any medication rule at least three times, the third time being after October 1, 1984, shall be suspended for a period of five years and denied access to all race tracks under the jurisdiction of the commission. The foregoing does not apply to violations of the pre-race testing rule or a violation of the medication rules when the drug found is classified solely as an anti-inflammatory agent or as a bleeder medication.

Albert M. Stall
Chairman

RULES

Department of Commerce Real Estate Commission

In accordance with the Notice of Intent published in the November 20 issue of the *Louisiana Register*, the Louisiana Real Estate Commission announces the adoption of the following rules, effective January 20, 1985:

Rule change to delete rule 7.7

LAC 11-15:7 Waivers

§7.7 The commission may waive 100 classroom hours of the educational requirements required of a broker if the applicant has been actively engaged in the real estate business in a state other than Louisiana as a licensed salesman for at least three years and

thereafter as a licensed broker for at least two years immediately preceding the date of his application.

Rule changes requiring certified money

§2.2 Every application must be fully completed, notarized and accompanied by the prescribed fees, including initial licensing, examination, recovery fund and education fund fees. All fees must be paid by way of a certified check, cashier's check, or money order made payable to the Louisiana Real Estate Commission. In addition, every initial application for a salesman's license must be signed by a licensed broker who will serve as the applicant's sponsoring broker.

§4.3 All fees must be paid by way of a certified check, cashier's check or money order made payable to the Louisiana Real Estate Commission.

§5.1 The failure to timely renew a broker's or salesman's license shall result in the automatic suspension of the license as provided in R.S. 37:1442. The responsibility for timely submission of renewal applications accompanied by the appropriate fees rests solely with each individual licensee. All fees must be paid by way of a certified check, cashier's check or money order made payable to the Louisiana Real Estate Commission.

§6.1 An application for delinquent renewal of a broker's or salesman's license shall be accepted by the commission only during the two calendar year license period immediately following the last date on which the applicant held a valid license. Every such application must be accompanied by an affidavit explaining the reason(s) for the delinquency and by a delinquent renewal fee. All fees must be paid by way of a certified check, cashier's check or money order made payable to the Louisiana Real Estate Commission.

§8.3 Any presently licensed non-affiliated broker who elects to become exclusively affiliated with a sponsoring broker, shall notify the commission prior to beginning such a relationship and indicate the effective date thereof. The notification required by this Section shall be accompanied by delivery of the individual's broker's license to the commission along with a transfer fee of \$25. All fees must be paid by way of a certified check, cashier's check, or money order made payable to the Louisiana Real Estate Commission. The commission shall inscribe the name of the sponsoring broker on the license and immediately return the same to the sponsoring broker.

§9.2 A copy of that notification along with a transfer fee of \$25 and the acknowledgement of the new sponsoring broker, where there is to be a new sponsoring broker, shall be immediately forwarded to the commission by the transferring associate broker or salesman. All fees must be paid by way of a certified check, cashier's check or money order made payable to the Louisiana Real Estate Commission. No transfer fee shall be charged in any situation specified in Sub-section 9.10 of these regulations. The associate broker or salesman shall also comply with all the termination responsibilities as set forth in Section 10 of these regulations.

§9.6 Any associate broker who has been terminated by his sponsoring broker and who elects to become exclusively affiliated with another sponsoring broker shall notify the commission in writing and enclose with that notification a \$25 transfer fee. All fees must be paid by way of a certified check, cashier's check or money order made payable to the Louisiana Real Estate Commission. No transfer fee shall be charged in any situation specified in Sub-section 9.10 of these regulations. The commission shall reissue the associate broker's license inscribing thereon the name of the new sponsoring broker.

§9.7 Any associate broker who has been terminated by his sponsoring broker and who elects to resume doing business without becoming affiliated with a new sponsoring broker shall notify

the commission in writing and enclose with that notification a \$25 transfer fee and comply with the escrow accounts provisions of Section 15 of these regulations. All fees must be paid by way of a certified check, cashier's check or money order made payable to the Louisiana Real Estate Commission.

No transfer fee shall be charged in any situation specified in Sub-section 9.10 of these regulations.

§9.8 Any salesman who has been terminated by his sponsoring broker shall notify the commission as to the identity of his new sponsoring broker and enclose along with that notification the acknowledgement of the new sponsoring broker and a transfer fee of \$25. All fees must be paid by way of a certified check, cashier's check or money order made payable to the Louisiana Real Estate Commission. The commission shall reissue the salesman's license inscribing thereon the name of the new sponsoring broker.

§34.4.4 Certificates of Authority issued or renewed under this Section shall be valid for a maximum of one year and shall expire on December 31 of each year. Each private commercial real estate school shall pay an annual certification fee of \$500. All fees must be paid by way of a certified check, cashier's check or money order made payable to the Louisiana Real Estate Commission.

Anna-Kathryn Williams
Executive Director

RULES

Board of Elementary and Secondary Education

Notice is hereby given that the Board of Elementary and Secondary Education, pursuant to Notice of Intent published on October 20, 1984 and under the authority contained in Louisiana State Constitution (1974), Article VIII, Section 3; Act 455 of the Regular Session; amended by Act 800 of the 1979 Regular Session, adopted as policy, the rules listed below:

Rule 6.03.95—The board deleted Sections 6.4 and 6.5 of board policy 6.03.95 regarding the use of sick leave in order to be consistent with the new Civil Service policy abolishing Civil Service Rule, 11.15, advance of sick leave.

Rule 3.01.51.b—The board adopted the following policy regarding approved elective courses as amended:

"Beginning with the 1985-86 school year, all previously approved elective courses for local systems and nonpublic schools shall be dropped from the approved curriculum of each school system or school; thereafter, elective courses to be offered by local systems or nonpublic schools must be submitted to the State Department of Education no later than March 1 for approval for the subsequent school year, as provided in Rule 2.105.35 (Bulletin 741)."

Rule 3.01.51.a(1)—The board adopted Computer Science II as a statewide elective for inclusion in Bulletin 741.

Rule 3.01.51.j—The board amended Standards 1.126.07 and 2.102.07 of Bulletin 741 to allow two units of credit toward high school graduation for basic training in the National Guard Services.

Rule 3.01.70.ff—The board amended Bulletin 746, *Louisiana Standards for State Certification of School Personnel* to reinsert the following language as it pertains to certification to teach the deaf:

"Any person who holds a valid certificate issued by the Conference of Executives of American Schools for the Deaf (CEASD) or the Council on Education of the Deaf (CED) may be certified in hearing impaired education to teach in the Louisiana School for the Deaf and public and nonpublic schools in Louisiana at endorsed levels and/or subject areas."

Rule 3.01.51.k—The board adopted as policy, the Scho-

lastic Requirements for Participation in High School Athletics as presented by the Louisiana High School Athletic Association.

Rule 3.01.51.L—The board adopted the following policy for inclusion in Bulletin 741 as a new standard:

"Each school district shall adopt a written policy on student activities which shall:

- a) distinguish between co-curricular and extra-curricular activities within the context of the definitions below,
- b) define an appropriate place for such activities in the school's program,
- c) limit and control interruptions of instructional time in the classroom,
- d) limit the number of absences allowed for such activities, and
- e) specify student eligibility requirements.

Co-curricular Activities—Those activities that are relevant, supportive, and are an integral part of the course of study in which the student is enrolled and which are under the supervision and/or coordination of the school instructional staff.

Extra-curricular Activities—Those activities which are not directly related to the program of studies and which are under the supervision and/or coordination of the school instructional staff and are considered valuable for the overall development of the student.

Rule 3.01.70.ff—The board adopted the certification requirements for teachers of computer science and computer literacy.

Rule 3.01.80(a)—The board added Elementary Foreign Language to the 1984-85 textbook adoption cycle.

James V. Soileau
Executive Director

RULE

Board of Supervisors of Southern University and Agricultural and Mechanical College

At its regular meeting on September 1, 1984, the Board of Supervisors of Southern University and Agricultural and Mechanical College, in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et. seq., and pursuant to the Notice of Intent published on June 20, 1984, adopted an increase in student fees of \$.75 per semester to provide for the upkeep of the Jaguar mascot.

Jesse N. Stone, Jr.
President

RULE

Board of Supervisors of Southern University and Agricultural and Mechanical College

In accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et. seq., the Board of Supervisors of Southern University and Agricultural and Mechanical College, pursuant to the Notice of Intent published on June 20, 1984, adopted the following revisions to the policy on tenure:

Chapter 2

Personnel Actions: Ranks, Promotion, Appointments, and Tenure
Section 2-9 Tenure

5. Faculty members initially employed at the rank of associate professor or equivalent shall serve a probationary period of three years, except at Southern University-Baton Rouge, where the probationary period will be four years.

6. Faculty members initially employed at the rank of pro-

fessor or equivalent shall serve a probationary period of two years, except at Southern University-Baton Rouge, where the probationary period will be four years.

Jesse N. Stone, Jr.
President

RULE

Department of Environmental Quality Office of Air Quality and Nuclear Energy

Under the authority of the Environmental Quality Act, La. R.S. 30:1065 B and 1084 B (1) and in accordance with the provisions in La. R. S. 49:950 et seq., the secretary of the Department of Environmental Quality adopted revisions to the Fee System of the Air Quality Control Program. Preceding final adoption of the revisions by the secretary, the revisions were forwarded and found acceptable by the Joint Committees on Natural Resources.

The revisions of the Fee System for the Air Quality Control Program create new categories; increase the unit quantity to allow a 7.5 percent increase in categories 96, 98, 150 and 151; and make technical changes to categories 143-149.

PART VI FEE SCHEDULE

X.1 Scope and Purpose—It is the purpose of these regulations to establish a fee system for funding the monitoring, investigation and other activities required to be conducted for the maintenance of a safe and healthful environment by the Department of Environmental Quality in accordance with the Louisiana Environmental Quality Act (La. R.S. 30:1051 et seq.). Fees are required for all permits, licenses, registrations, and variances authorized by the Act.

X.2 Authority—These regulations provide fees as required by La. R.S. 30:1065.

X.3 Definitions—All terms used in these rules, unless the context otherwise required or unless specifically defined in the Louisiana Environmental Quality Act, or in other regulations promulgated by the secretary of the Department of Environmental Quality or his predecessor, shall have their usual meaning.

X.4 Application Fees—Each application or amendments thereto for which a fee is prescribed shall be accompanied by a remittance in the full amount of the fee. No application or amendments thereto shall be accepted or processed prior to payment of the full amount specified. No permit, license, registration, or variance, unless otherwise authorized by the secretary, shall be issued until such check or draft, has been accepted by the bank or drawee and the department's account has been credited with the amount of the fee.

X.5 Annual Fees—Unless otherwise provided herein, all activities for which an annual fee is provided shall be subject to the payment of such fee within 30 days from receipt of billing.

X.6 Methodology.

(1) Formula to apportion fees:

Annual Compliance Determination Fee (based on type of facility and on rated production capacity/throughput)	Variable
New Application Fee (based on type of facility and on rated production capacity/throughput)	Variable
Major and Minor Modification Modified Permit Fee (based on type of facility and on rated production capacity/throughput)	Variable

PSD Application Fee
(Based on type of facility and on rated production capacity/throughput)

Surcharge of 50% of the application fee

"NESHAP" Compliance Fee
(based on type of facility and on rated production capacity/throughput)

Surcharge of 25% of the Annual Compliance Determination Fee for that particular process/plant

"NSPS" Compliance Fee
(based on type of facility and on rated production capacity/throughput)

Surcharge of 25% of the permit application fee

(2) Permit Fee Methodology

i. All persons required to obtain a new or modified permit shall be subject to a permit fee (See Table 4.1). This fee shall be submitted with any application for a new or modified permit. The annual compliance determination fee for a new or modified source shall be paid during the fiscal year in which the process specified in the permit comes on line.

ii. The Standard Industrial Classification (SIC) codes listed in Table 4.1 shall be used to assess fees.

iii. The permit fee for multiple source permits shall be equal to the total amounts required by the individual processes involved, as listed in Table 4.1.

iv. All invoices for annual compliance determination fees for major sources shall be submitted to those sources between July 1 and December 31 of each year and remittances are due 30 days after receipt of the invoice. The annual compliance determination fee shall be applicable to the fiscal year beginning that same July 1 and ending the following June 30. Failure to timely remit the annual compliance determination fee in accordance with the above shall be considered grounds for revoking an existing permit. Compliance fees not received for prior fiscal years are due upon receipt of new or duplicate invoices. Minor sources may or may not receive an annual compliance determination inspection. In this case the compliance determination fee must be paid within 30 days of the notification by the agency. Only one such fee shall be charged annually.

v. If a conditional permit is issued in accordance with adopted procedures, fees submitted with that application for permit shall be retained and be applicable to the regular permit when it is acted upon.

vi. If a process is not listed in Table 4.1 and is not a source type exempted from fees by this regulation, then the department shall assign a fee based on the most similar processes and negotiated separately. The Air Quality Division (AQD) shall analyze each permit request to determine the number of processes involved and the permit fee associated with each.

vii. Periodically, the Air Quality Division (AQD) shall reevaluate the permit fee schedule based upon the previous fiscal year reasonable costs and shall adjust fees in Table 4.1 so as to recover the reasonable costs involved in the operation of the permit system and submit such revised schedule to the secretary for approval action.

viii. A permit fee exempt list shall be presented to the secretary annually for approval. The permit fee exempt list shall be in the offices of the secretary staff and shall be available for public inspection. Any person may request permit fee exemption for a source class by application to the assistant secretary. Sources listed in the permit fee exempt list shall be exempt from the permit fee (Table 4.1) and from having to obtain a permit. The assistant secretary may grant initial approval and denial of the class exemption pending consideration by the secretary.

ix. When a company withdraws its application and claims refund for the permit fee, no refund shall be made, if the review of

the application is essentially completed at the time of withdrawal. However, up to 50 percent refund may be made when the review is just initiated but not completed.

x. Although a process unit or a plant is operated at a reduced level or is operated during certain months only, the annual compliance fee will not be prorated. The annual compliance fee is charged on the rated capacity and not on the actual output/throughput level.

xi. When a permanent shutdown occurs and a company properly notifies the Air Quality Division, by official change in the Emission Inventory Questionnaire (EIQ) and permit, the compliance fee would be dropped for that shutdown portion of the process/plant in the appropriate fiscal year only if that portion of the process/plant does not operate at any time during that fiscal year.

xii. Unless otherwise stated, generally, the minor modification fee is equal to the Annual Compliance Fee (ACF), the major modification is three times the ACF and new application fee is five times the ACF. Where there is a minimum and/or maximum ACF established in a particular category, the same rationale shall apply to minimum and maximum permit fees.

xiii. NSPS fees may be waived when a PSD application fee is imposed.

xiv. The AQD administrator and his staff will determine the type of fee. This determination will be based on the work load and on the factors described as follows:

(a) New application fee (based on new capacity or incremental capacity) applies when:

- (1) A new facility is added
- (2) A new operation in an existing facility is added
- (3) An existing operation is expanded by more than 80 percent in capacity.

(b) Major modification fee (based on existing capacity) applies when:

- (1) The modification will trigger PSD review
- (2) The modification would have triggered PSD review without the use of contemporaneous emission reductions or banked emissions
- (3) The modification will increase 25 tons/year or more of non-attainment pollutant
- (4) The modification will change emissions over 100 tons/year

(5) The modification will increase capacity of an existing operation by 40 percent.

(c). Minor modification fee (based on existing capacity) applies when a modification is not qualified under new application fee or major modification fee.

(d). If a modification is such that it does not increase capacity and changes emissions by less than 25 tons/year, the permit fee can be charged equal to the minimum minor modification permit fee for each process category involved.

X.7 Determination of fee—These regulations apply to all registrants, specific licensees, permittees and other charges concerned with one or more of the various programs of the Department of Environmental Quality.

X.8 Method of Payment—Fee payment shall be made by check, draft or money order payable to the Department of Environmental Quality and mailed to the attention of the particular division involved at the following address: State of Louisiana, Department of Environmental Quality, Air Quality Division, Box 44066, Baton Rouge, LA 70804-4066.

X.9 Late Payment—Unless otherwise provided herein, annual fees or other charges not received within 15 days of the due date will be subject to a late charge at an additional 10 percent per month.

X.10 Failure to Pay—Failure to pay the prescribed application fee or annual fee as provided herein will constitute a violation of these regulations and shall subject the person to applicable enforcement actions under the Louisiana Environmental Quality Act including, but not limited to, revocation or suspension of the applicable permit, license, registration or variance.

X.11 Effective Date—The application fees prescribed herein shall be effective upon publication in the *Louisiana Register* as adopted.

The annual fees prescribed herein shall be effective for the state fiscal year in which these fee regulations are published in the *Louisiana Register* as adopted and each state fiscal year thereafter. Fees submitted to the department in accordance with previous fee regulations for the state fiscal year in which these fee regulations are published in the *Louisiana Register* as adopted shall be credited against the fees and due and payable under these fee regulations.

TABLE 4.1-AIR QUALITY DIVISION FEE SCHEDULE
EFFECTIVE FY 1984-1985

	AIR CONTAMINANT SOURCE	SICC	ANNUAL COMPLIANCE DETERMINATION	NEW APPLI-CATION	MODIFIED PERMIT FEES		ANNUAL COMPLIANCE FEE	
					MAJOR	MINOR	MIN.	MAX
1	COTTON GIN	724	0.00	0.15	0.09	0.03		
	PER BALE GINNED IMMEDIATE PAST SEASON							
2	BITUMINOUS COAL AND LIGNITE MINING	1211	215.00	1075.00	645.00	215.00		
3	COAL PREPARATION	1211	537.50	2687.50	1612.50	537.50		
4	CRUDE OIL AND NATURAL GAS PRODUCTION	1311	43.00	215.00	129.00	43.00		
5	NATURAL GAS LIQUIDS PER UNIT	1321	107.50	537.50	322.50	107.50		
6	CONSTRUCTION SAND AND GRAVEL	1442	43.00	215.00	129.00	43.00		
7	INDUSTRIAL SAND	1446	43.00	215.00	129.00	43.00		
8	SALT MINING	1476	537.50	2687.50	1612.50	537.50		
9	SULFUR MINING	1477	537.50	2687.50	1612.50	537.50		
10	COMMERCIAL RICE MILLING	2044	215.00	1075.00	645.00	215.00		
11	ANIMAL FEED PREPARATION	2048	215.00	1075.00	645.00	215.00		
12	CANE SUGAR, EXCEPT REFINING ONLY	2061	537.50	2687.50	1612.50	537.50		
13	CANE SUGAR REFINING	2062	4.30	21.50	12.90	4.30	.550.00	
	PER 1,000 LB/HR RATED CAPACITY							
14	COTTONSEED OIL MILL	2074	107.50	537.50	322.50	107.50		
15	SOYBEAN OIL MILL	2075	75.25	376.25	225.75	75.25		
16	ANIMAL & MARINE FATS AND OIL (RENDERING)	2077	258.00	1290.00	774.00	258.00		
	10,000 OR MORE TON/YR							
17	ANIMAL & MARINE FATS AND OIL (RENDERING)	2077	129.00	645.00	387.00	129.00		
	LESS THAN 10,000 TON/YR							
18	SHORTENING, TABLE OILS, MARGARINE AND OTHER EDIBLE FATS AND OILS	2079	53.75	268.75	161.25	53.75		
19	MALT BEVERAGES	2082	53.75	268.75	161.25	53.75		
20	COFFEE ROASTING PER 1,000,000 LB/YR RATED CAPACITY	2095	43.00	215.00	129.00	43.00		2700.00
21	SAWMILL AND/OR PLANING *NOTE 10*	2421	107.50	537.50	322.50	107.50		
	LESS THAN 25,000 BD. FT/SHIFT							
22	SAWMILL AND/OR PLANING *NOTE 10*	2421	322.50	1612.50	967.50	322.50		
	MORE THAN 25,000 BD. FT/SHIFT							
23	HARDWOOD MILL *NOTE 10*	2426	193.50	967.50	580.50	193.50		
24	SPECIAL PRODUCT SAWMILL N.E.C. *NOTE 10*	2429	193.50	967.50	580.50	193.50		
25	MILLWORK WITH 10 EMPLOYEES OR MORE	2431	193.50	967.50	580.50	193.50		
26	HARDWOOD VENEER AND PLYWOOD	2435	430.00	2150.00	1290.00	430.00		
27	SOFTWOOD VENEER AND PLYWOOD	2436	430.00	2150.00	1290.00	430.00		
28	WOOD PRESERVING	2491	107.50	537.50	322.50	107.50		
29	PARTICLEBOARD/WAFERBOARD MANUFACTURE (O.S.B)	2492	430.00	2150.00	1290.00	430.00		
30	HARDBOARD MANUFACTURING	2499	322.50	1612.50	967.50	322.50		
31	FURNITURE AND FIXTURES	2511	107.50	537.50	322.50	107.50		
	A) 100 OR MORE EMPLOYEES							
32	FURNITURE AND FIXTURES	2511	64.50	322.50	193.50	64.50		
	B) MORE THAN 10 & LESS THAN 100 EMPLOYEES							
33	PULP MILLS PER TON DAILY RATED CAPACITY	2611	1.61	8.06	4.84	1.61	1100.00	
34	PAPER MILL PER TON DAILY RATED CAPACITY *NOTE 1*	2621	1.61	8.06	4.84	1.61	1100.00	
35	PAPERBOARD MILLS PER TON DAILY RATED CAPACITY	2631	1.61	8.06	4.84	1.61	1100.00	
36	PAPER COATING	2641	64.50	322.50	193.50	64.50		
37	INSULATION MANUFACTURE	2649	107.50	537.50	322.50	107.50		
38	CORRUGATED BOXES	2653	161.25	806.25	483.75	161.25		
39	BUILDING BOARD AND TILE	2661	537.50	2687.50	1612.50	537.50		
40	COMMERCIAL PRINTING - BLACK AND WHITE PER PRESS MODULE *NOTE 4*	2752	64.50	322.50	193.50	64.50	300.00	

TABLE 4.1-AIR QUALITY DIVISION FEE SCHEDULE
EFFECTIVE FY 1984-1985

	AIR CONTAMINANT SOURCE	SICC	ANNUAL COMPLIANCE DETERMINATION	NEW APPLI-CATION	MODIFIED PERMIT FEES		ANNUAL COMPLIANCE FEE	
					MAJOR	MINOR	MIN.	MAX
41	COMMERCIAL PRINTING - COLOR PER PRESS MODULE *NOTE 4*	2752	107.50	537.50	322.50	107.50	550.00	
42	CAUSTIC/CHLORINE PER 1,000,000 LB/YR RATED CAP. BASED ON CL *NOTE 2*	2812	1.00	5.30	3.23	1.00	550.00	
43	CAUSTIC SODA PER 1,000,000 LB/YR RATED CAPACITY (SOLID OR FORMED)	2812	0.22	1.00	0.65	0.22	450.00	
44	INDUSTRIAL GASES	2813	215.00	1075.00	645.00	215.00		
45	INORGANIC PIGMENTS	2816	215.00	1075.00	645.00	215.00		
46	ALUMINUM SULFATE PRODUCTION PER 100 TON/YR RATED CAPACITY	2819	0.54	2.69	1.61	0.54	450.00	
47	ALUMINA PER 1,000,000 LB/YR RATED CAPACITY	2819	2.15	10.75	6.45	2.15		
48	CATALYST MFG. PER LINE	2819	537.50	2687.50	1612.50	537.50		
49	FLUOSILICATES	2819	322.50	1612.50	967.50	322.50		
50	INDUSTRIAL INORGANIC CHEMICALS MFG. N.E.C. PER 1,000,000 LB/YR	2819	0.54	2.69	1.61	0.54	300.00	
51	INDUSTRIAL INORGANIC ACIDS N.E.C. PER 1,000,000 LB/YR RATED CAPACITY	2819	5.30	26.80	16.13	5.30	550.00	
52	NITRIC ACID MANUFACTURE PER 1,000 TON/YR RATED CAPACITY	2819	2.15	10.75	6.45	2.15	550.00	
53	PHOSPHORIC ACID MFG PER TON DAILY RATED CAPACITY	2819	0.54	2.69	1.61	0.54	450.00	
54	SULFURIC ACID MANUFACTURE PER TON DAILY RATED CAPACITY	2819	0.54	2.69	1.61	0.54	450.00	
55	POLYETHYLENE/POLYPROPYLENE MFG. PER 1,000,000 LB/YR RATED CAPACITY	2821	4.30	21.50	12.90	4.30	550.00	
56	PVC MANUFACTURE PER 1,000,000 LB/YR RATED CAPACITY	2821	5.30	26.80	16.13	5.30	550.00	
57	SYNTHETIC RESINS MANUFACTURE N.E.C. PER 1,000,000 LB/YR RATED CAPACITY	2821	5.30	26.80	16.13	5.30	550.00	
58	RUBBER MFG. PER 1,000,000 LB/YR RATED CAPACITY	2822	2.15	26.80	16.13	5.30	650.00	
59	CHARCOAL PER OVEN	2861	107.50	537.50	322.50	107.50		
60	GUM AND WOOD CHEMICALS PER UNIT	2861	322.50	1612.50	967.50	322.50		
61	STYRENE MONOMER PER 1,000,000 LB/YR RATED CAPACITY	2865	2.15	10.75	6.45	2.15	550.00	
62	HALOGENATED HYDROCARBONS PER 1,000,000 LB/YR RATED CAP.	2869	3.23	16.13	9.68	3.23	550.00	
63	ORGANIC OXIDES, ALCOHOLS, GLYCOLS PER 1,000,000 LB/YR RATED CAPACITY	2869	2.15	10.75	6.45	2.15	550.00	
64	AMMONIA MANUFACTURE PER TON DAILY RATED CAPACITY	2873	1.00	5.30	3.23	1.00	550.00	
65	FERTILIZER MANUFACTURE PER 1,000 TON/YR RATED CAPACITY	2873	0.54	2.69	1.61	0.54	300.00	
66	UREA AND UREAFORM PER 1,000 TON/YR RATED CAPACITY	2873	1.00	5.30	3.23	1.00	300.00	
67	PESTICIDES MFG. PER TRAIN	2879	430.00	2150.00	1290.00	430.00		
68	CARBON BLACK MANUFACTURE PER 1,000,000 LB/YR RATED CAPACITY	2895	6.45	32.25	19.35	6.45	550.00	
69	CHEMICAL AND CHEMICAL PREP. N.E.C. PER 1,000,000 LB/YR	2899	5.30	26.80	16.13	5.30	450.00	
70	DRILLING MUD-STORAGE AND DISTRIBUTION	2899	107.50	537.50	322.50	107.50		
71	DRILLING MUD-GRINDING	2899	430.00	2150.00	1290.00	430.00		
72	PETROLEUM REFINING PER 1,000 BBL/DAY RATED CAP. CRUDE THROUGHPUT *NOTE 3*	2911	26.80	134.38	80.63	26.80	550.00	
73	ASPHALTIC CONCRETE PAVING PLANTS PER TON/HR RATED CAPACITY *NOTE 5*	2951	0.81	4.03	2.42	0.81	200.00	
74	ASPHALT BLOWING PLANT(NOT TO BE CHARGED SEPARATELY IF IN REFINERY)	2951	322.50	1612.50	967.50	322.50		
75	OLEFINS & AROMATICS N.E.C. PER 1,000,000 LB/YR RATED CAPACITY	2951	2.15	10.75	6.45	2.15	550.00	
76	BLENDING, COMPOUNDING, OR REFINING OF LUBRICANTS PER UNIT *NOTE 6*	2992	322.50	1612.50	967.50	322.50		
77	PETROLEUM COKE CALCINING PER 1,000 TON/YR RATED CAPACITY	2999	4.30	21.50	12.90	4.30	550.00	
78	GLASS AND GLASS CONTAINER MFG. NATURAL GAS FUEL PER LINE	3229	161.25	806.25	483.75	161.25		
79	CEMENT MANUFACTURE PER 1,000 TON/YR RATED CAPACITY	3241	3.23	16.13	9.68	3.23	450.00	
80	GLASS AND GLASS CONTAINER MFG FUEL OIL PER LINE	3241	322.50	1612.50	967.50	322.50		

TABLE 4.1-AIR QUALITY DIVISION FEE SCHEDULE
EFFECTIVE FY 1984-1985

AIR CONTAMINANT SOURCE	SICC	ANNUAL COMPLIANCE DETERMINATION	NEW APPLI-CATION	MODIFIED PERMIT FEES		ANNUAL COMPLIANCE FEE	
				MAJOR	MINOR	MIN.	MAX.
81 BRICK MANUFACTURE PER 1,000 TON/YR RATED CAPACITY	3251	1.61	8.06	4.84	1.61	200.00	
82 READY-MIX CONCRETE	3273	268.75	817.00	537.50	268.75		
83 LIME MANUFACTURING PER 1,000 TON/YR RATED CAPACITY	3274	3.23	16.13	9.68	3.23		
84 GYPSUM MANUFACTURE PER 1,000 TON/YR RATED CAPACITY	3275	3.23	16.13	9.68	3.23	300.00	
85 ASBESTOS PRODUCTS PER SITE OR PER PRODUCTION UNIT	3292	645.00	3225.00	1935.00	645.00		
86 CLAY KILN	3295	129.00	645.00	387.00	129.00		
87 ROCK CRUSHER	3295	118.25	591.25	354.75	118.25		
88 GRAY IRON AND STEEL FOUNDRIES	3321	172.00	860.00	516.00	172.00		
89 GRAY IRON AND STEEL FOUNDRIES A) 3,500 OR MORE TON/YR PRODUCTION B) LESS THAN 3,500 TON/YR PRODUCTION	3321	86.00	430.00	258.00	86.00		
90 MALLEABLE IRON FOUNDRIES	3322	172.00	860.00	516.00	172.00		
91 MALLEABLE IRON FOUNDRIES A) 3,500 OR MORE TON/YR PRODUCTION B) LESS THAN 3,500 TON/YR PRODUCTION	3322	86.00	430.00	258.00	86.00		
92 STEEL INVESTMENT FOUNDRIES	3324	172.00	860.00	516.00	172.00		
93 STEEL INVESTMENT FOUNDRIES A) 3,500 OR MORE TON/YR PRODUCTION B) LESS THAN 3,500 TON/YR PRODUCTION	3324	86.00	430.00	258.00	86.00		
94 STEEL FOUNDRIES NOT ELSEWHERE CLASSIFIED A) 3,500 OR MORE TON/YR PRODUCTION B) LESS THAN 3,500 TON/YR PRODUCTION	3325	172.00	860.00	516.00	172.00		
95 STEEL FOUNDRIES NOT ELSEWHERE CLASSIFIED A) 3,500 OR MORE TON/YR PRODUCTION B) LESS THAN 3,500 TON/YR PRODUCTION	3325	86.00	430.00	258.00	86.00		
96 PRIMARY SMELTING AND REFINING OF COPPER PER 100,000 LB/YR RATED CAPACITY	3331	2.15	10.75	6.45	2.15	550.00	
97 ALUMINUM PRODUCTION PER POT	3334	10.75	53.75	32.25	10.75		
98 REFINING OF NON-FERROUS METALS N.E.C. PER 1,000 LB/YR RATED CAPACITY	3339	0.02	0.11	0.06	0.02	550.00	
99 SECONDARY SMELTING OF NON-FERROUS METALS PER FURNACE	3341	322.50	1612.50	967.50	322.50	650.00	
100 WIRE MANUFACTURE	3357	215.00	1075.00	645.00	215.00		
101 ALUMINUM FOUNDRIES(CASTINGS) PER UNIT	3361	86.00	430.00	258.00	86.00		
102 BRASS/BRONZE/COPPER-BASED ALLOY FOUNDRY PER FURNACE	3362	107.50	537.50	322.50	107.50		
103 METAL HEAT TREATING INCLUDING SHOTPEENING	3398	64.50	322.50	193.50	64.50		
104 DRUM MANUFACTURING AND/OR RECONDITIONING	3412	322.50	1612.50	967.50	322.50		
105 METAL CAN MANUFACTURE	3441	215.00	1075.00	645.00	215.00		
106 FABRICATED PLATE WORK	3443	500.00	2500.00	1500.00	500.00		
107 ELECTROPLATING, POLISHING AND ANODIZING WITH 5 OR MORE EMPLOYEES	3471	64.50	322.50	193.50	64.50		
108 SANDBLASTING OR CHEM. CLEANING OF METAL A) 10 OR MORE EMPLOYEES B) LESS THAN 10 EMPLOYEES	3471	322.50	1612.50	967.50	322.50		
109 SANDBLASTING OR CHEM. CLEANING OF METAL A) 10 OR MORE EMPLOYEES B) LESS THAN 10 EMPLOYEES	3471	161.25	806.25	483.75	161.25		
110 COATING, ENGRAVING, AND ALLIED SERVICES A) 10 OR MORE EMPLOYEES B) LESS THAN 10 EMPLOYEES	3479	118.25	591.25	354.75	118.25		
111 COATING, ENGRAVING, AND ALLIED SERVICES A) 10 OR MORE EMPLOYEES B) LESS THAN 10 EMPLOYEES	3479	64.50	322.50	193.50	64.50		
112 GALVANIZING AND PIPE COATING EXCLUDING ALL OTHER ACTIVITIES	3479	129.00	645.00	387.00	129.00		
113 PAINTING TOPCOAT PER LINE	3479	107.50	537.50	322.50	107.50		
114 POTTING PER LINE	3479	64.50	322.50	193.50	64.50		
115 SOLDERING PER LINE	3479	64.50	322.50	193.50	64.50		
116 WIRE COATING PER LINE	3479	215.00	1075.00	645.00	215.00		
117 OIL FIELD MACHINERY & EQUIPMENT	3533	107.50	537.50	322.50	107.50		
118 POWER CHAIN SAW MANUFACTURE PER LINE	3546	161.25	806.25	483.75	161.25		
119 COMMERCIAL GRAIN DRYER	3559	129.00	645.00	387.00	129.00		
120 ELECTRODE MANUFACTURE PER LINE	3624	150.50	752.50	451.50	150.50		

TABLE 4.1-AIR QUALITY DIVISION FEE SCHEDULE
EFFECTIVE FY 1984-1985

	AIR CONTAMINANT SOURCE	SICC	ANNUAL COMPLIANCE			MODIFIED PERMIT FEES		ANNUAL COMPLIANCE FEE	
			DETERMINATION	NEW APPLICATION	MAJOR	MINOR	MIN.	MAX.	
121	TELEPHONE MANUFACTURE PER LINE	3661	376.25	1881.25	1128.75	376.25			
122	ELECTRICAL CONNECTOR MANUFACTURE PER LINE	3678	193.50	967.50	580.50	193.50			
123	BATTERY MANUFACTURE PER LINE	3691	215.00	1075.00	645.00	215.00			
124	ELECTRICAL EQUIPMENT PER LINE	3694	129.00	645.00	387.00	129.00			
125	SHIP AND BOAT BUILDING A) 5001 OR MORE EMPLOYEES	3732	1612.50	8062.50	4837.50	1612.50			
126	SHIP AND BOAT BUILDING B) 2501 TO 5000 EMPLOYEES	3732	1075.00	5375.00	3225.00	1075.00			
127	SHIP AND BOAT BUILDING C) 1001 TO 2500 EMPLOYEES	3732	537.50	2687.50	1612.50	537.50			
128	SHIP AND BOAT BUILDING D) 201 TO 1000 EMPLOYEES	3732	322.50	1612.50	967.50	322.50			
129	SHIP AND BOAT BUILDING E) 200 OR LESS EMPLOYEES	3732	107.50	537.50	322.50	107.50			
130	PLAY GROUND EQUIPMENT MANUFACTURE PER LINE	3949	161.25	806.25	483.75	161.25			
131	GRAIN ELEVATORS A) 20,000 OR MORE TON/YR (NOT EXPORT)	4221	344.00	1720.00	1032.00	344.00			
132	GRAIN ELEVATORS B) LESS THAN 20,000 TON/YR (NOT EXPORT)	4221	172.00	860.00	516.00	172.00			
133	A) PETROLEUM, CHEMICAL BULK STORAGE & TERMINAL (OVER 3,000,000 BBL CAP) *NOTE 7*	4226	3225.00	16125.00	9675.00	3225.00			
134	B) PETROLEUM, CHEMICAL BULK STORAGE & TERMINAL (1,000,000-3,000,000 BBL CAP) *NOTE 7*	4226	2150.00	10750.00	6450.00	2150.00			
135	C) PETROLEUM, CHEMICAL BULK STORAGE & TERMINAL (500,001-1,000,000 BBL CAP) *NOTE 7*	4226	1075.00	5375.00	3225.00	1075.00			
136	D) PETROLEUM, CHEMICAL BULK STORAGE & TERMINAL (500,000 BBL CAP OR LESS) *NOTE 7*	4226	537.50	2687.50	1612.50	537.50			
137	RAILCAR/BARGE/TANK TRUCK CLEANING HEAVY FUELS ONLY	4742	107.50	537.50	322.50	107.50			
138	RAILCAR AND BARGE CLEANING OTHER THAN HEAVY FUELS	4742	537.50	2687.50	1612.50	537.50			
139	TANK TRUCK CLEANING OTHER THAN HEAVY FUELS	4742	322.50	1612.50	967.50	322.50			
140	A) ELEC. POWER GEN. PER MW (COVER 0.7% S IN FUEL)	4911	5.00	25.00	15.00	5.00	1000.00		
141	B) ELEC. POWER GEN. PER MW (0.7% S OR LESS IN FUEL) *NOTE 8*	4911	3.00	15.00	9.00	3.00	500.00		
142	C) ELEC. POWER GEN. PER MW (NATURAL GAS FIRED)	4911	1.50	7.50	4.50	1.50	350.00		
143	NAT. GAS COMP. PER 100 H.P. (TURBINES) *NOTE 12*	4922	2.15	10.75	6.45	2.15			
144	RECIP. NAT GAS COMP. PER 100 H.P. A) > 50,000 H.P. *NOTE 12*	4922	9.68	48.38	29.03	9.68			
145	RECIP. NAT GAS COMP. PER 100 H.P. B) 20,000 TO 50,000 H.P. *NOTE 12*	4922	10.75	53.75	32.25	10.75			
146	RECIP. NAT GAS COMP. PER 100 H.P. C) 5,000 TO 20,000 H.P. *NOTE 12*	4922	12.90	64.50	38.70	12.90			
147	RECIP. NAT GAS COMP. PER 100 H.P. D) 2,500 TO 5,000 H.P. *NOTE 12*	4922	15.05	75.25	45.15	15.05			
148	RECIP. NAT GAS COMP. PER 100 H.P. E) 1,000 TO 2,500 H.P. *NOTE 12*	4922	16.13	80.63	48.38	16.13			
149	RECIP. NAT. GAS COMP. F) < 1,000 H.P. *NOTE 12*	4922	215.00	537.50	215.00	215.00			
150	COAL GASSIFICATION PER \$100,000 CAPITAL COST *NOTE 11*	4925	2.15	10.75	6.45	2.15	17200.00		
151	CO-GENERATION PER \$100,000 CAPITAL COST *NOTE 11*	4939	2.15	10.75	6.45	2.15	10750.00		
152	INCINERATORS A) 1,000 LB/HR AND GREATER CAPACITY	4953	107.50	537.50	322.50	107.50			
153	INCINERATORS B) LESS THAN 1,000 LB/HR CAPACITY	4953	43.00	215.00	129.00	43.00			
154	STEAM GEN UNITS PER 1000 LBS/HR STEAM CAP-NAT GAS OR COMB NON-FOSSIL FUELS	4961	0.54	2.69	1.61	0.54	100.00		
155	STEAM GEN UNITS PER 1000 LBS/HR STEAM CAP-FUELS WITH 0.7% S OR LESS	4961	1.08	5.38	3.23	1.08	200.00		
156	STEAM GEN UNITS PER 1000 LBS/HR STEAM CAP-FUELS WITH MORE THAN 0.7% S	4961	1.61	8.06	4.84	1.61	300.00		
157	CEMENT (BULK DISTRIBUTION)	5052	430.00	2150.00	1290.00	430.00			
158	WHOLESALE DISTRIBUTION OF COAL PER 1,000 TON/YR THROUGHPUT	5052	0.11	0.54	0.32	0.11	300.00		
159	WHOLESALE DISTRIBUTION OF COKE AND OTHER BULK GOODS PER 1000 TON/YR CAP. *NOTE 9*	5093	0.22	1.08	0.65	0.22	550.00		
160	FLOATING BULK LOADER A) OVER 100,000 TON/YR THROUGHPUT	5153	1075.00	5375.00	3225.00	1075.00			

TABLE 4.1-AIR QUALITY DIVISION FEE SCHEDULE
EFFECTIVE FY 1984-1985

AIR CONTAMINANT SOURCE	SICC	ANNUAL COMPLIANCE DETERMINATION	NEW APPLI-CATION	MODIFIED PERMIT FEES		ANNUAL COMPLIANCE FEE	
				MAJOR	MINOR	MIN.	MAX
161 FLOATING BULK LOADER	5153	537.50	2687.50	1612.50	537.50		
B) 100,000 OR LESS TON/YR THROUGHPUT							
162 GRAIN ELEVATORS-TERMINAL	5153	0.11	0.54	0.32	0.11	500.00	
PER 10,000 BU/YR THROUGHPUT							
163 WHOLESALE DISTRIBUTION OF CHEMICALS AND ALLIED PRODUCTS PER FACILITY	5161	268.75	1075.00	806.25	268.75		
164 PETROLEUM BULK PLANTS	5171	21.50	107.50	64.50	21.50		
165 PETROLEUM BULK TERMINAL	5171	215.00	1075.00	645.00	215.00		
166 PETROLEUM BULK STATION	5171	21.50	107.50	64.50	21.50		
167 STORAGE TANK	5171	0.00	215.00	107.50	107.50		
168 CRUDE OIL DISTRIBUTION	5172	322.50	1612.50	967.50	322.50		
169 AUTOMOBILE, TRUCK AND VAN ASSEMBLY PER 1000 VEHICLES PER YEAR CAPACITY	3711	53.75	268.75	161.25	53.75		10750.00
170 CHEMICAL WASTE DISPOSAL FACILITY FOR NONHAZARDOUS WASTE	9998	1000.00	5000.00	3000.00	1000.00		
171 NEGOTIATED FEE	9998	0.00	0.00	0.00	0.00		
172 ELECTRIC TRANSFORMERS PER 1000 UNITS/YEAR	3612	50.00	250.00	150.00	50.00		
173 PAINT MANUFACTURING AND BLENDING	2851	200.00	1000.00	600.00	200.00		

DEPARTMENT OF ENVIRONMENTAL QUALITY
AIR QUALITY DIVISION FEE SCHEDULE

EXPLANATORY NOTES FOR TABLE 4-1 FEE SCHEDULE

- NOTE: 1 - THIS CATEGORY DOES NOT INCLUDE BUILDING PAPER.
- NOTE: 2 - THIS CATEGORY IS CONSIDERED ONE PROCESS WITH THE FEE BASED ON THE RATED YEARLY CHLORINE CAPACITY.
- NOTE: 3 - THE FEE FOR THIS CATEGORY IS BASED ON CRUDE THROUGHPUT OF THE REFINERY. THROUGHPUT INCLUDES ADDITIONAL PURCHASED CHARGE STOCKS.
- NOTE: 4 - MODULE IS DEFINED AS A ROTARY PRINTING DEVICE CAPABLE OF PRINTING ONE SHEET AND COMMONLY ARRANGED IN SERIES TO COMPRISE A PRINT PRESS.
- NOTE: 5 - THE FEES FOR THIS CATEGORY APPLY TO BOTH BATCH AND CONTINUOUS PROCESSES.
- NOTE: 6 - THIS FEE APPLIES TO LUBRICANTS MEANING LUBRICATING OILS AND GREASES. THIS FEE IS NOT TO BE CHARGED FOR UNITS WHICH ARE PART OF A FACILITY FOR WHICH THE PETROLEUM REFINERY FEE WAS PAID.
- NOTE: 7 - THE FEES FOR THIS CATEGORY ARE BASED ON THE ORGANIC COMPOUND STORAGE CAPACITY OF THE FACILITY.
- NOTE: 8 - FOR AN ELECTRIC POWER GENERATION UNIT TO BE PLACED IN THIS CATEGORY IT MUST BURN FUEL OIL OR COAL OF LESS THAN .7% SULPHUR.
- NOTE: 9 - WHOLESALE GRAIN DISTRIBUTION IS NOT INCLUDED IN THIS CATEGORY.
- NOTE: 10- FACILITIES WITH NO FUEL OR WASTE BURNING EQUIPMENT ARE EXEMPTED FROM BOTH THE ANNUAL COMPLIANCE AND PERMIT FEES. POWER MUST BE SUPPLIED BY ELECTRIC MOTORS OR INTERNAL COMBUSTION ENGINES.

DEPARTMENT OF ENVIRONMENTAL QUALITY
AIR QUALITY DIVISION FEE SCHEDULE
(CONTINUED)

EXPLANATORY NOTES FOR TABLE 4-1 FEE SCHEDULE

- NOTE: 11- FOR COAL GASIFICATION AND COGENERATION PROJECTS, WHEN COMPUTING APPLICATION FEES, THE CAPITAL COST FOR THE CONTROL EQUIPMENT THAT REDUCES EMISSIONS TO A LEVEL BELOW THE APPLICABLE NSPS REGULATIONS SHOULD BE DEDUCTED FROM THE CAPITAL COST.
- NOTE: 12- THE MAXIMUM FEE FOR THIS CATEGORY IS NOT TO EXCEED \$10,750.00 TOTAL FOR ANY ONE GAS TRANSMISSION COMPANY.

Patricia L. Norton
Secretary

RULE

**Department of Environmental Quality
Office of Air Quality**

Under the authority of the Environmental Quality Act, La. R.S. 30:1051 et seq., in particular, Sections 1065 B and 1084 B(1) and in accordance with the Administrative Procedure Act, La. R.S. 49:950, the secretary, Department of Environmental Quality adopted the revisions to Section 22.0 of the Louisiana Air Quality Regulations.

The revisions to Section 22.0 are intended to control equipment leaks of Volatile Organic Compounds (VOC) from synthetic organic chemical and polymer manufacturing plants (SOCMI), natural gas/gasoline processing plants, and polyethylene, polypropylene and polystyrene plants. The adoption of these revisions will set in place reasonable available control technology (RACT) requirements for these sources. The state was unable to demonstrate attainment of the ozone standard in East and West Baton Rouge Parishes by the statutory deadline of December 31, 1982. As the air program is statewide in Louisiana, EPA is requiring submittal of a State Implementation Plan (SIP) revision by February 1985. The revisions to Section 22.0 requiring RACT will be included as part of the SIP revision before EPA will approve this as a strategy to attain the ozone standard. If this deadline is not met, EPA has statutory authority with which to impose economic sanctions against Louisiana.

RULE

**REVISION TO THE AIR
QUALITY REGULATIONS**

To Abate VOC Equipment Leaks from Natural Gas Processing Plants, Polymer Manufacturing Industry and SOCMI
Add the following definitions to Section 4.0 of the Air Quality Regulations:

- 4.XX1 Natural Gas Processing Plants - Facilities engaged in the separation of natural gas liquids from field gas and/or fractionation of the liquids into natural gas products, such as ethane, propane, butane, and natural gasoline. Excluded from the definition are compressor stations, dehydration units, sweetening units, field treatment, underground storage facilities, liquified natural gas units, and field gas gathering systems unless these facilities are located at a gas plant.

- 4.XX2 Good Performance Level - An operating level reached when no more than two percent of the valves in VOC service at a facility are leaking at a rate of 10,000 parts per million by volume (ppmv) or greater as determined by Reference Method 21 "Determination of Volatile Organic Compound Leaks" in the Division's Source Test Manual.
- 4.XX3 Synthetic Organic Chemical Manufacturing Industry (SOCMI) - The industry that produces, as intermediates or final products, one or more of the chemicals listed in Table 8 of the Regulations.
- 4.XX4 Polymer Manufacturing Industry - Operations which convert monomer or chemical intermediate materials obtained from the basic petrochemical industry and the synthetic organic chemical manufacturing industry into polymer products. Such products are polyethylene, polypropylene and polystyrene.
- 4.XX5 Gas/Vapor Service - A component is in gas/vapor service if it contains a process fluid that is in the gaseous state at operating conditions.
- 4.XX6 Component - (Relating to Fugitive Emission Control.) A piece of equipment, including, but not limited to pumps, valves, compressors, and pressure relief valves which has the potential to leak organic compounds.
- 4.XX7 Leak - (Relating to Fugitive Emission Control.) An organic compound concentration exceeding 10,000 parts per million by volume (ppmv) or the dripping of process fluid having a true vapor pressure greater than 0.147 psia at 68°F (20°C).

**REVISIONS TO SECTION 22.0
OF THE AIR QUALITY REGULATIONS**

Revise Section 22.3.1.2 to read as follows:

22.3.1.2 An external floating roof consisting of a pontoon type roof, double deck type roof or external floating cover which will rest or float on the surface of the liquid contents and is equipped with a continuous secondary seal (a rim mounted secondary) extending from the floating roof to the tank wall. A secondary seal is not required if:

a) The tank is a welded tank storing a VOC with a vapor pressure at storage conditions less than 4.0 psi and is also equipped with liquid mounted primary seals, metallic type shoe seals, or equivalent.

b) The storage vessels are external floating roof tanks having nominal storage capacities of 420,000 gallons (1,589,900 liters) or less used to store produced crude oil or condensate prior to lease custody transfer.

c) A metallic-type shoe seal is used in a welded tank which also has a secondary seal from the top of the shoe seal to the tank wall (i.e., a shoe-mounted secondary).

d) An alternate seal or seals can be used in lieu of the primary and secondary seals required herein provided the resulting emission is not greater than that which would have been resulted if primary and secondary seals were installed. The equivalency demonstration will be made to the satisfaction of the administrative authority. This control equipment shall not be permitted if the organic compounds have a vapor pressure of 11.0 pounds per square inch absolute or greater under actual storage conditions. Revise Section 22.3.1.2.1 to read as follows:

22.3.1.2.1 The seal closure devices required in this Section shall:

a) Have no visible holes, tears, or other openings in the seal(s) or seal(s) fabric.

b) Be intact and uniformly in place around the circumference of the floating roof and the tank wall.

c) Not have gap areas, of gaps exceeding one-eighth inch (0.32 cm) in width between the secondary seal and the tank wall, in excess of 1.0 in² per foot of tank diameter (6.5 cm² per 0.3m).

d) Not have gap areas, of gaps exceeding one-eighth inch (0.32 cm) in width between the primary seal and the tank wall, in excess of 10.0 in² per foot of tank diameter (65 cm² per 0.3m).

Revise Section 22.3.1.2.3 as follows:

22.3.1.2.3 Compliance Test. The seal gap area shall be determined by measuring the length and width of the gaps around the entire circumference of the secondary seal. Only gaps greater than or equal to one-eighth inch (0.32 cm) shall be used in computing the gap area. The area of the gaps shall be accumulated to determine compliance with Section 22.3.1.2.1(c) and (d). Compliance with the provisions specified in Section 22.3.1.2.1(a) and (b) may be determined by visual inspection.

Revise Section 22.3.1.2.4 to read as follows:

22.3.1.2.4 Monitoring and record keeping. The secondary gap seal measurements shall be made annually at any tank level provided the roof is off its legs. The primary gap seal measurements shall be made every five years at any tank level provided the roof is off its legs.

Conditions not in compliance with Section 22.3.1.2.1 shall be recorded along with date(s) of repair. Repairs must be initiated within 15 days by ordering appropriate parts. Repairs must be completed in a timely manner. Records shall be maintained for two years.

Revise Section 22.3.1.4 to read as follows:

22.3.1.4 Other equivalent equipment or means as may be approved by the administrative authority.

Revise Section 22.3.2 to read as follows:

22.3.2 The provisions of this Section (i.e., 22.3) do not apply to existing and new storage tanks used for crude or condensate having a nominal storage capacity of less than 420,000 gallons (1,589,900 liters) unless such new tanks are subject to New Source Performance Standards. In addition, tanks 420,000 gallons or greater used in activities prior to lease custody transfer are exempt from the provisions of Section 22.3 unless such tanks are subject to New Source Performance Standards. In addition, the provisions of Section 22.3 do not apply to JP-4 fuels stored in horizontal, under ground tanks.

Revise Section 22.3.3 to read as follows:

22.3.3 Any crude or condensate storage tank emitting one hundred tons per year or more of volatile organic compounds shall control the emission as specified in Section 22.3.1.

Revise Section 22.4 to read as follows:

22.4 Storage of Volatile Organic Compounds (Small Tanks). No person shall place, store or hold in any stationary tank,

reservoir or other container of more than 250 gallons (950 liters) capacity any volatile organic compounds unless the container is equipped with a submerged fill pipe or bottom fill or other equivalent equipment or means as may be approved by the administrative authority.

Revise Section 22.5 to read as follows:

22.5 Volatile Organic Compounds. Any loading facility for volatile organic compounds servicing tanks, trucks or trailers having a capacity in excess of 200 gallons (760 liters) and having 20,000 gallons (75,700 liters) or more throughput per day for facilities, for which construction commenced after May 20, 1979, 40,000 gallons (151,400 liters) or more for facilities, construction commenced prior to May 20, 1979, averaged over any 30-day period must be equipped with a vapor collection and disposal system or equivalent means thereof, properly installed, in good working order. Provisions must be made to prevent spills during the attachment and disconnection of filling lines or arms. This section does not apply to a) crude or condensate loading facilities, and b) ship and barge loading operations.

Revise Section 22.6.1 (d) as follows:

d) Other equivalent equipment or means as may be approved by the administrative authority.

Revise Section 22.6.2 (d) as follows:

d) Other equivalent equipment or means as may be approved by the administrative authority. This subsection does not apply to oil field separators.

Revise Section 22.7 as follows:

22.7 Pumps and Compressors. All pumps and compressors handling volatile organic compounds shall be equipped with mechanical seals or other equivalent equipment or means as may be approved by the administrative authority.

22.8 Waste Gas Disposal. Any waste gas disposal stream containing organic compounds from any emission source including those emissions from process unit upsets, startups and shutdowns shall be controlled by one of the following methods:

a) Operations which commence construction prior to (insert date of promulgation):

Nonhalogenated hydrocarbons shall be burned at 1300°F (704°C) for 0.3 second or greater in a direct-flame afterburner or an equally effective device.

b) Operations which have commenced construction on or after (insert date of promulgation):

Nonhalogenated hydrocarbons shall be burned at 1600°F (870°C) for 0.5 seconds or greater in a direct-flame afterburner or thermal incinerator. Other devices will be accepted provided 98 percent or greater VOC destruction or removal efficiency can be demonstrated, or if emissions are reduced to 20 ppm by volume, whichever is less stringent.

c) The following sources in existing polypropylene plants using liquid phase processes shall be controlled as specified in (b) above:

- 1) polymerization reaction section (i.e., reactor vents)
- 2) material recovery section (i.e., decanter vents, neutralizer vents, by-product and diluent recovery operations vents), and
- 3) product finishing section (i.e., dryer vents and extrusion and pelletizing vents).

d) The following sources in existing high-density polyethylene plants using liquid phase slurry processes shall be controlled as specified in (b) above:

- 1) material recovery section (i.e., ethylene recycle treater vents), and
- 2) product finishing section (i.e., dryer vents and continuous mixer vents).

e) For polystyrene plants using continuous processes, the emissions from the material recovery section (i.e., product devol-

atizer system) shall be limited to 0.12 kg VOC/1,000 kg of product.

f) The halogenated hydrocarbons shall be combusted or controlled by other methods specified in (g) below. If combusted, the halogenated products of combustion shall be reduced to an emission level acceptable to the administrative authority.

g) Other methods of control (such as, but not limited to, carbon adsorption, refrigeration, catalytic and/or thermal reaction, secondary steam stripping, recycling or vapor recovery system) may be substituted for burning provided it is acceptable to the administrative authority.

22.8.1 Where it can be demonstrated to the administrative authority that the waste gas stream:

- 1) is not significant (i.e., less than 100 TPY),
- 2) will not support combustion without auxiliary fuel, or
- 3) disposal cannot be practically or safely accomplished by other means without causing economic hardship, the administrative authority may waive the requirement.

22.8.2 This Section (i.e., 22.8) does not apply to safety relief and vapor blowdown systems where control cannot be accomplished because of safety or economic considerations. However, the emissions from these systems shall be reported to the department as required under Section 17.13. Emergency occurrences shall be reported under Section 17.11.

22.8.3 Sources affected by Sections 22.8 c, d and e shall achieve compliance as expeditiously as possible, but in no event later than December 31, 1987.

Revise Section 22.9.1 to read as follows:

22.9.1 Soldering Operations, Painting and Coating Operations, not listed in 22.9.2, and Dry Cleaning Operations Using Organic Solvents. Soldering Operations, Painting and Coating Operations, not listed in 22.9.2 and dry cleaning operations using organic solvents which are not considered photochemically reactive shall be considered for exemption from the requirements of Section 22.9 of the Air Quality Regulations.

For the purposes of the statement, a photochemically reactive solvent is any solvent with an aggregate of more than 20 percent of its total volume composed of the chemical compounds classified below or which exceeds any of the following individual percentage composition limitations, referred to the total volume of solvent:

- 1) A combination of hydrocarbons, alcohols, aldehydes, esters, ethers or ketones having an olefinic or cycloolefinic type of unsaturation: five percent.
- 2) A combination of aromatic compounds with eight or more carbon atoms to the molecule except ethylbenzene: eight percent.
- 3) A combination of ethylbenzene, ketones having branched hydrocarbon structures, trichloroethylene or toluene: 20 percent.

Whenever any organic solvent or any constituent of an organic solvent may be classified from its chemical structure into more than one of the above groups of organic compounds, it shall be considered as a member of the most reactive chemical group, that is, that group having the least allowable percent of the total volume of solvents.

Revise Section 22.9.2 (a) and (f) to read as follows:

VOC Emission	Limitation
Lbs. Per Gal. of coating (minus water)	KG Per Liter of coating (minus water)

Affected facility

a) Large Appliance Coating Industry. The following emission limits shall apply:

Prime, single or topcoat application area, flash-off area and oven

2.8 0.34

f) Surface Coating of Assembly Line Automobiles and Light Duty Trucks. The following emission limits shall apply:

Prime application, flash-off area and oven

1.2 0.14

Primer surfacer application flash off area and oven

2.8 0.34

Topcoat application, flashoff area and oven

2.8 0.34

Final repair application, flashoff area and oven

Revise the last sentence in Section 22.9.2 (i.e., the sentence following (j)) to read as follows:

(j) Factory Surface Coating of Flat Wood Paneling. The following emission limits shall apply:

VOC Emission	Limitation
lbs per 1000 sq. ft. of coated surface	kg per 100 sq. meter of coated surface

Printed interior wall panels made of hardwood plywood and thin particle-board

6.0 2.9

Natural finish hardwood plywood panels

12.0 5.8

Class II finishes for hardboard paneling

10.0 4.8

Revise Section 22.9.3 (a), (b) and (c) to read as follows:

22.9.3 Control Techniques.

a) If add-on controls such as incinerators or vapor recovery systems are used to comply with the emission limitation requirements, the volatile organic compound capture and abatement system shall be at least 80 percent efficient overall, (65 percent with energy recovery). All surface coating facilities shall submit to the administrative authority for approval design data for each capture system and emission control device which is proposed for use.

b) If a person wishes to use low solvent technology to meet any of the emission limits specified in Regulation 22.9.2(a) through (j) and if the technology to be used for any particular application is not now proven but is expected to be proven in a reasonable length of time, he may request a compliance date extension from the administrative authority.

Compliance will be determined by the procedures specified in "Control of Volatile Organic Emissions for Existing Stationary Sources Vol. 2 - Surface Coating of Cans, Coils, Paper, Fabric, Autos and Lt. Duty Trucks," (EPA 450/2-77-008), the procedures specified in "Measurement of Volatile Organic Compounds" (EPA 450/2-78-041), a method approved by the administrative authority or certification from the paint manufacturer concerning the solvent makeup of the paint.

c) A plant-wide emission reduction plan may be approved by the administrative authority if it can be demonstrated by the surface coating facility that any emissions in excess of those allowed for a given coating line will be compensated for by reducing emissions from regulated sources within the surface coating facility.

Revise the last sentence in Section 22.9.3 (i.e., the sentence following (e)) to read as follows:

e) Soldering and surface coating facilities or portions thereof may request exemption from the requirements of Regulation 22.9.2 if all of the following conditions are met:

- 1) The affected portion of the facility will not emit more than 50 tons per year of VOC.

- 2) The only practical means of VOC control is thermal oxidation.
- 3) The substance to be emitted is not toxic.
- 4) The moles of fuel used would exceed the moles of VOC destroyed.
- 5) The reasonable control of the VOC would result in a net increase of emissions from the facility.

Revise Section 22.10 to read as follows:

22.10 Exemptions. The following compounds are considered exempt from the control requirements of Section 22.0 et al: methane, ethane, 1, 1, 1 trichloroethane (Methyl Chloroform), methylene chloride, trichlorofluoromethane, dichlorodifluoromethane, chlorodifluoromethane, trichlorotrifluoroethane (Freon 113), trifluoromethane, dichlorotetrafluoroethane and chloropentafluoroethane.

Revise Section 22.11 to read as follows:

22.11 Variance. Where upon written application of the responsible person or persons the administrative authority finds that by reason of exceptional circumstances strict conformity with any provisions of these regulations would cause undue hardship would be unreasonable, impractical or not feasible under the circumstances, the administrative authority may permit a variance from or consider a change in these regulations upon such conditions and with such time limitations as it may prescribe for prevention control or abatement of air pollution in harmony with the intent of the Act.

No variance may permit or authorize the maintenance of a nuisance, or a danger to public health or safety.

Revise Section 22.12.4 to read as follows:

22.12.4 Exemptions. A vapor degreaser emitting one hundred pounds (45 kilograms) or less of VOC in any consecutive 24 hour period (uncontrolled) is exempt from the provisions of this section provided the total emissions from all the vapor degreasers at the facility combined are less than 100 tons/year of VOC, uncontrolled. If these two conditions are not met, the provisions of Section 22.12 must apply.

Revise Section 22.13 to read as follows:

22.13 Cutback Paving Asphalt. No person may cause, allow or permit the manufacture, mixing, storage, use or application of cutback paving asphalts without approval of the administrative authority as provided below. The administrative authority may approve the manufacture, mixing, storage, use or application of cutback asphalts where;

- a) Long-life stockpile storage is necessary.
- b) The use or application at ambient temperatures less than 10°C (50°F) is necessary.
- c) The cutback paving asphalt is to be used solely as a penetrating prime coat.

Revise Section 22.14.3 to read as follows:

22.14.3 Alternate Vapor Balance Systems. Other vapor balance arrangements may be accepted if proof of the emission level required in subparagraph 22.14.1 is provided to the administrative authority. Approval of any alternate vapor balance system shall not be valid unless it is received from the administrative authority in writing.

Revise Section 22.14.4 to read as follows:

22.14.4 Exemptions. The following are exempt from the requirements of Section 22.14.1 above:

- a) Affected facilities in attainment areas.
- b) Transfers made to storage tanks equipped with controls as required by Section 22.3 of these regulations.
- c) Any gasoline outlet whose throughput is less than 500,000 gallons (1,892,700 liters) per year (small outlet).

Revise Section 22.15.2 of the regulations to read as follows:

22.15.2 Exemptions. Gasoline bulk plants located in an

attainment area and which do not service facilities controlled by Section 22.14 are exempt from the control requirements of Section 22.15.1.

Bulk plants servicing controlled and exempted facilities, are required to collect vapor from the controlled facilities. Revise Section 22.16.1 of the regulations to read as follows:

22.16.1 No person may load gasoline into any tank trucks or trailers from any bulk gasoline terminal unless:

1) The bulk gasoline terminal is equipped with a vapor control system, capable of complying with Paragraph 22.16.2 of this section, properly installed, in good working order in operation and consisting of one of the following:

i) An adsorber or condensation system which processes and recovers at least 90 percent by weight of all vapors and gases from the equipment being controlled.

ii) A vapor collection system which directs all vapors to a fuel gas system.

iii) A control system, demonstrated to have control efficiency equivalent to or greater than the above, and approved by the administrative authority.

2) All displaced vapors and gases are vented only to the vapor control system.

3) A means is provided to prevent liquid drainage from the loading device when it is not in use or to accomplish complete drainage before the loading device is disconnected.

4) All loading and vapor lines are equipped with fittings which make vapor-tight connections and which close automatically when disconnected.

Revise Section 22.16.4 to read as follows:

22.16.4 Exemptions. Gasoline bulk terminals located in an attainment area which do not service facilities controlled by Section 22.14 and Section 22.15 are exempt from the control requirements of Section 22.16.2. Bulk terminals servicing exempted and controlled facilities are required to collect vapors from controlled facilities.

Revise Section 22.17 as follows by eliminating the sentence following B:

B. Emissions of volatile organic compounds from a hotwell with a contact condenser shall be controlled by covering the hotwell and controlling the vapors by one of the applicable methods specified in Section 22.8.

Revise Section 22.18 to read as follows:

22.18 Refinery Process Unit Turnaround. Emissions of volatile organic compounds from petroleum refinery process unit turnarounds shall be controlled by pumping the liquid contents to storage and depressurizing the processing units to five psig (pounds per square inch gauge) or below before venting to the atmosphere. Control of the vapors during the depressurization prior to venting to atmosphere shall be accomplished by one of the applicable methods specified in Section 22.8.

22.21 Fugitive Emission Control.

22.21.1 Applicability - This regulation is applicable to equipment in petroleum refineries, natural gas processing plants, the synthetic organic chemical manufacturing industry (SOCMI), and the polymer manufacturing industry.

22.21.2 Fugitive Emission Control Requirements.

A. No component shall be allowed to leak organic compounds exceeding 10,000 parts per million by volume (ppmv), as defined in Section 4.0, when tested by Method 21 "Determination of Volatile Organic Compound Leaks" in the Division's Source Test Manual.

B. No valve, except safety pressure relief valves, valves on sample lines, valves on drain lines and valves that can be removed and replaced without a shut down shall be located at the end of a pipe or line containing volatile organic compounds unless the end

of such line is sealed with a second valve, a blind flange, a plug, or a cap. Such sealing device may be removed only when the line is in use, for example, when a sample is being taken.

C. The operator shall make every reasonable effort to repair a leaking component, as described in Section 22.21.2A. within 15 days. If the component can be isolated or bypassed so as to significantly reduce or eliminate leakage or, if the repair of a component would require a unit shutdown, and if the shutdown would create more emissions than the repair would eliminate, the repair may be delayed to the next scheduled shutdown. An early unit shutdown may be ordered if leaking component losses become excessive.

22.21.3 Monitoring Requirements.

The monitoring of the affected components shall be performed by the following schedule using the method described in Section 22.21.2A.

A. Petroleum Refineries, SOCOMI and Polymer Manufacturing Industry.

1. Monitor with a leak detection device one time per year (annually) the following items:

- a. Pump seals.
- b. Pipeline valves in liquid service, and
- c. Process drains.

2. Monitor with a leak detection device four times per year (quarterly) the following items:

- a. Compressor seals.
 - b. Pipeline valves in gas service, and
 - c. Pressure relief valves in gas service.
3. Monitor pump seals visually 52 times a year (weekly).

B. Natural Gas Processing Plants.

1. Monitor pump seals and compressor seals visually 52 times a year (weekly).

2. Monitor with a leak detection device four times a year (quarterly).

- a. Pumps.
- b. Valves.
- c. Pressure relief valves in gas service.

C. All listed in A and B above.

1. Monitor with a leak detection device any pressure relief valve within 24 hours after it has vented to the atmosphere (For natural gas processing plants an immediate visual evaluation will be made).

2. Monitor immediately with a leak detection device any component that appears to be leaking on the basis of sight, smell, or sound. In lieu of monitoring the operator may elect to implement actions as specified in Section 22.21.2C.

22.21.3.1 Exemptions.

Monitoring is not required on the following:

A. Components which contact a process fluid that contains less than 10 percent VOC by volume.

B. Components which contact a process liquid having a true vapor pressure equal to or less than 0.147 psia at 68°F (20°C).

C. Pipeline flanges, inaccessible valves, valves that are unsafe to monitor, check valves (including similar devices not externally regulated).

D. Pressure relief valves in liquid service.

E. Pressure relief devices, pump seals or packing and compressor seals or packing which are tied to either a flare header or vapor recovery device.

F. Equipment operating under vacuum.

G. Natural gas processing plants with less than 40 million cubic feet per day (mmcf/d) capacity that do not fractionate natural gas liquids.

H. Components contacting organic compounds exempted under Section 22.10.

I. Pumps and compressors with double mechanical seal.

J. Research and development pilot facilities and small facilities with less than 100 valves in gas or liquid service.

22.21.3.2 Alternate Monitoring Program

Any facility which already has in place a fugitive emission monitoring program which controls to a higher degree than required under this section shall be exempted from this section upon submittal of a description of the program to the administrative authority.

22.21.4 Alternate Control Techniques.

The monitoring schedule in 22.21.3 may be modified as follows:

22.21.4.1 Alternate Standards for valves - skip period leak detection and repair.

An owner or operator may elect to comply with one of the alternative work practices specified in paragraphs (1) and (2) of this Section. However, the administrative authority must be notified before implementing one of the alternative work practices.

(1) After two consecutive quarterly leak detection periods with the percent of valves leaking equal to or less than 2.0, an owner or operator may begin to skip one of the quarterly leak detection periods for the valves in gas/vapor and liquid service.

(2) After five consecutive quarterly leak detection periods with the percent of valves leaking equal to or less than 2.0, an owner or operator may begin to skip three of the quarterly leak detection periods for the valves in gas/vapor and liquid service.

(3) If the percent of valves leaking is greater than 2.0, the owner or operator shall comply with the requirements as described in Section 22.21.3 but subsequently can again elect to use this Section.

(4) The percent of valves leaking shall be determined by dividing the sum of valves found leaking during current monitoring and valves for which repair has been delayed by the total number of valves subject to the requirements of Section 22.21.3.

(5) An owner or operator must keep a record of the percent of valves found leaking during each leak detection period.

22.21.4.2 Alternative Standards For Valves - Increased Monitoring Frequency

If there is an excessive number of leaks (greater than the good performance level), then an increase in the frequency of monitoring may be required.

22.21.5 Recordkeeping.

A. When a leak that cannot be repaired on-line and in-place, as described in Section 22.21.2A is located, a weatherproof and readily visible tag bearing an identification number and the date the leak is located shall be affixed to the leaking component. After the leak is repaired the tag is dated and removed.

B. A survey log shall be maintained by the operator which shall include the following:

1. The name of the process unit where the leaking component is located.

2. The name of the leaking component.

3. The stream identification at the leak.

4. The identification number from the tag required by Section 22.21.5A.

5. The date the leak was located.

6. The date maintenance was performed.

7. The date the component was rechecked after maintenance, as well as the instrument reading upon check (For natural gas processing plants the soap bubble test commonly performed in the industry is satisfactory).

8. A record of leak detection device calibration.

9. A listing of leaks not repaired until turnaround.

10. A list of total number of items checked versus the total found leaking.

TABLE 8

Acetal.	p-chloronitrobenzene.	Ethylene dibromide.	Neopentanoic acid.	Vinyl acetate.
acetaldehyde.	Chlorophenols.	Ethylene glycol.	o-nitroaniline.	Vinyl chloride.
Acetaloid.	Chloroprene.	Ethylene glycol diacetate.	p-nitroaniline.	Vinylidene chloride.
Acetamide.	Chlorosulfonic acid.	Ethylene glycol dimethyl ether.	o-nitroanisole.	Vinyl toluene.
Acetamide.	m-chlorotoluene.	Ethylene glycol monobutyl ether.	p-nitroanisole.	Xylenes (mixed).
Acetic acid.	o-chlorotoluene.	Ethylene glycol monoethyl ether.	Nitrobenzene.	o-xylene.
Acetic anhydride.	p-chlorotoluene.	Ethylene glycol monoethyl ether.	Nitrobenzoic acid (o,m, and p).	p-xylene.
Acetone.	Chlorotrifluoromethane.	Ethylene glycol monomethyl ether.	Nitroethane.	xylenol.
Acetone cyanohydrin.	m-cresol.	Ethylene glycol monomethyl ether acetate.	Nitromethane.	Xyidine
Acetonitrile.	o-cresol.	Ethylene glycol monopropyl ether.	Nitrophenol.	
Acetophenone.	p-cresol.	Ethylene glycol monopropyl ether.	Nitropropane.	
Acetyl chloride.	Mixed cresols.	Ethylene glycol monopropyl ether.	Nitrotoluene.	
Acetylene.	Cresylic acid.	Ethylene oxide.	Nonane.	
Acrolein.	Crotonaldehyde.	Ethyl ether.	Nonyl phenol.	
Acrylamide.	Crotonic acid.	2-ethylhexanol.	Octyl phenol.	
Acrylic acid and esters.	Cumene.	Ethyl orthoformate.	Paraldehyde.	
Acrylonitrile.	Cumene hydroperoxide.	Ethyl oxalate.	Pentaerythritol.	
Adipic acid.	Cyanoacetic acid.	Ethyl sodium oxalacetate.	n-pentane.	
Adiponitrile.	Cyanogen chloride.	Formaldehyde.	1-pentene.	
Alkyl naphthalenes.	Cyanuric acid.	Formamide.	Perchloroethylene.	
Allyl alcohol.	Cyanuric chloride.	Formic acid.	Pentachloromethyl mercaptan.	
Allyl chloride.	Cyclohexane.	Fumaric acid.	o-phenetidine.	
Aminobenzoic acid.	Cyclohexanol.	Furfural.	p-phenetidine.	
Aminoethylethanolamine.	Cyclohexanone.	Glycerol (Synthetic).	Phenol.	
p-Ammophenol.	Cyclohexene.	Glycerol dichlorohydrin.	Phenolsulfonic acids.	
Amyl acetates.	Cyclohexylamine.	Glycerol diether.	Phenyl anthranilic acid.	
Amyl alcohols.	Cyclooctadiene.	Glycine.	Phenylenediamine.	
Amyl amine.	Decanol.	Glyoxal.	Phosgene.	
Amyl chloride.	Diacetone alcohol.	Hexachlorobenzene.	Phthalic anhydride.	
Amyl mercaptans.	Diaminobenzoic acid.	Hexachloroethane.	Phthalimide.	
Amyl phenol.	Dichloroaniline.	Hexadecyl alcohol.	β-picoline.	
Aniline.	m-dichlorobenzene.	Hexamethylenediamine.	Piperazine.	
Aniline hydrochloride.	o-dichlorobenzene.	Hexamethylene glycol.	Polybutenes.	
Anisidine.	p-dichlorobenzene.	Hexamethylenetetramine.	Polyethylene glycol.	
Anisole.	Dichlorodifluoromethane.	Hydrogen cyanide.	Polypropylene glycol.	
Anthranilic acid.	Dichloroethyl ether.	Hydroquinone.	Propionamide.	
Anthraquinone.	1,2-dichloroethane (EDC).	p-hydroxybenzoic acid.	Propionic acid.	
Benzaldehyde.	Dichlorohydrin.	isocamphene.	n-propyl alcohol.	
Benzamide.	Dichloropropene.	Isobutanol.	Propylamine.	
Benzene.	Dicyclohexylamine.	Isobutyl acetate.	Propyl chloride.	
Benzenedisulfonic acid.	Diethylamine.	Isobutylene.	Propylene.	
Benzenesulfonic acid.	Diethylene glycol.	Isobutylaldehyde.	Propylene chlorohydrin.	
Benzil.	Diethylene glycol diethyl ether.	Isobutyric acid.	Propylene dichloride.	
Benzilic acid.	Diethylene glycol dimethyl ether.	Isodecanol.	Propylene glycol.	
Benzoic acid.	Diethylene glycol monobutyl ether.	Isooctyl alcohol.	Propylene oxide.	
Benzoin.	Diethylene glycol monobutyl ether acetate.	Isopentane.	Pyridine.	
Benzoinitrile.	Diethylene glycol monoethyl ether.	Isophorone.	Quinone.	
Benzophenone.	Diethylene glycol monoethyl ether acetate.	Isophthalic acid.	Resorcinol.	
Benzoinchloride.	Diethyl sulfate.	Isoprene.	Resorcylic acid.	
Benzoyl chloride.	Difluoroethane.	Isopropanol.	Salicylic acid.	
Benzyl alcohol.	Disobutylene.	Isopropyl acetate.	Sodium acetate.	
Benzyl amine.	Disobutyl phthalate.	Isopropylamine.	Sodium benzoate.	
Benzyl benzoate.	Diisooctyl phthalate.	Isopropyl chloride.	Sodium carboxymethyl cellulose.	
Benzyl chloride.	Diketene.	Isopropylphenol.	Sodium chloroacetate.	
Benzyl dichloride.	Dimethylamine.	Ketene.	Sodium formate.	
Biphenyl.	N,N-dimethylaniline.	Linear alkyl sulfonate.	Sodium phenate.	
Bisphenol A.	N,N-dimethyl ether.	Linear alkylbenzene.	Sorbic acid.	
Bromobenzene.	N,N-dimethylformamide.	Maleic acid.	Styrene.	
Bromonaphthalene.	Dimethylhydrazine.	Maleic anhydride.	Succinic acid.	
Butadiene.	Dimethyl sulfide.	Maleic acid.	Succinonitrile.	
1-butene.	Dimethyl sulfoxide.	Mesityl oxide.	Sulfamic acid.	
n-butyl acetate.	Dimethyl sulfide.	Metacrylic acid.	Sulfolane.	
n-butyl acrylate.	Dimethyl sulfoxide.	Methacrylic acid.	Tannic acid.	
n-butyl alcohol.	Dimethyl terephthalate.	Methylal chloride.	Terephthalic acid.	
s-butyl alcohol.	3,5-dinitrobenzoic acid.	Methanol.	Tetrachloroethanes.	
t-butyl alcohol.	o-nitrophenol.	Methyl acetate.		
n-butylamine.	o-nitrotoluene.	Methyl acetoacetate.	Tetrachlorophthalic anhydride.	
s-butylamine.	Oxano.	Methylamino.	Tetraethyllead.	
t-butylamine.	Oxolane.	n-methylaniline.	Tetrahydro-naphthalene.	
p-tert-butyl benzoic acid.	Diphenylamine.	Methyl bromide.	Tetrahydrophthalic anhydride.	
1,3-butylene glycol.	Diphenyl oxide.	Methyl butylol.	Tetramethyllead.	
n-butyraldehyde.	Diphenyl thiourea.	Methyl chloride.	Tetramethylenediamine.	
Butyric acid.	Dipropylene glycol.	Methyl cyclohexane.	Tetramethylethylenediamine.	
Butyric anhydride.	Dodecene.	Methyl cyclohexanone.	Toluene.	
Butyronitrile.	Dodecylamine.	Methylene chloride.	Toluene-2,4-diamine.	
Caprolactam.	Dodecylphenol.	Methylcyclohexane.	Toluene-2,4-diisocyanate	
Carbon disulfide.	Epichlorohydrin.	Methylene chloride.	Toluene diisocyanates (mixture).	
Carbon tetrabromide.	Ethanol.	Methylene diphenyl diisocyanate.	Toluene sulfonamide.	
Carbon tetrachloride.	Ethanolamines.	Methyl ethyl ketone.	Toluene sulfonic acids.	
Cellulose acetate.	Ethyl acetate.	Methyl formate.	Toluene sulfonyl chloride.	
Chloroacetic acid.	Ethyl acetoacetate.	Methyl isobutyl carbonyl.	Toluidines.	
m-chloroaniline.	Ethyl acrylate.	Methyl isobutyl ketone.	Trichlorobenzenes.	
o-chloroaniline.	Ethylamine.	Methyl methacrylate.		
p-chloroaniline.	Ethylbenzene.	Methyl pentylol.	1,1,1-trichloroethane.	
Chlorobenzaldehyde.	Ethylbenzene.	α-methylstyrene.	1,1,2-trichloroethane.	
Chlorobenzene.	Ethyl bromide.	Morpholine.	Trichloroethylene.	
Chlorobenzoic acid.	Ethyl chloride.	α-naphthalene sulfonic acid.	Trichlorofluoromethane.	
Chlorobenzotrichloride.	Ethyl chloroacetate.	β-naphthalene sulfonic acid.	1,2,3-trichloropropane.	
Chlorobenzyl chloride.	Ethylene.	α-naphthol.	1,1,2-trichloro-1,4,2-trifluoroethane.	
Chlorodifluoroethane.	Ethylcyanacetate.	Ethylamine.	Triethylamine.	
Chlorodifluoromethane.	Ethylene carbonate.	Ethylene glycol.	Triethylene glycol.	
Chloroform.	Ethylene chlorohydrin.	Triethylene glycol dimethyl ether.	Triisobutylene.	
Chloronaphthalene.	Ethylenediamine.	Trisobutylene.		
o-chloronitrobenzene.				

The operator shall retain the survey log for two years after the latter date specified in Section 22.21.5B 7 and make said log available to the administrative authority upon request.

22.21.6 Reporting Requirements.

The operator of the affected facility shall, after each quarterly monitoring has been performed, submit a report listing all leaks that were located but not repaired within the 15 day limit along with a demonstration of achieving "good performance level." These reports are due by the last day of January, April, July, and October. Such reports shall include the following:

- A. The name of the unit where the leaking component is located, the date of last unit shutdown.
- B. The name of the leaking component.
- C. The stream identification at the leak.
- D. The date the leak was located.
- E. The date maintenance was attempted.
- F. The date the leak will be repaired.
- G. The reason repairs failed or were postponed.
- H. The list of items awaiting turnaround for repair.
- I. The number of items checked versus the number found leaking.

The operator shall include in this report a signed statement attesting to the fact that all other monitoring has been performed as required by the regulations.

22.21.7 Compliance Schedule.

All natural gas processing plants, SOGMI Plants and Polymer Manufacturing Plants affected by this regulation shall be in compliance as soon as practicable, but in no case later than December 31, 1987.

Patricia L. Norton
Secretary

RULE

Department of Environmental Quality Office of Water Resources Construction Grants Division

In accordance with the Administrative Procedure Act, R.S. 49:950 et seq., the Department of Environmental Quality, Office of Water Resources, Construction Grants Division, pursuant to the Notice of Intent published on November 20, 1984, has adopted the following rules and regulations as the Construction Grants Priority System.

INTRODUCTION

On October 18, 1972, the Federal Water Pollution Control Act Amendments became Public Law 92-500. PL 92-500 was amended by PL 95-217, the Clean Water Act of 1977, and most recently by PL 97-117, the Municipal Wastewater Treatment Construction Grant amendments of 1981.

The primary aim of the Act is to "restore and maintain the chemical, physical, and biological integrity of the nation's water." By July 1988, wherever possible, water quality is to be suitable for recreational contact and for protection and propagation of fish and wildlife. In addition, the Act emphasized the special need for controlling or eliminating discharges of toxic pollutants. These national goals will be implemented by two programs. The first is a system of federal grants to plan and construct publicly owned waste treatment plants. Secondly, a permit program has been estab-

lished and geared to restricting pollutant discharges from point sources—that is, from factories, municipalities, and large agricultural operations where pollutants enter the nation's water through an outfall pipe, sewer, or other conduit.

With regard to the construction of municipal waste facilities, the Clean Water Act in Section 204(a)(3), requires that: Before approving grants for any project for any treatment works . . . the administrator shall determine that such works have been certified by the appropriate state water pollution control agency as entitled to priority over such other works in the state. . .

In implementing this requirement the Environmental Protection Agency (EPA), Construction Grants Regulations, 40CFR 35.2015(a), states: The regional administrator will award grant assistance from annual allotments to projects on a state project priority list developed in accordance with an approved state priority system. The state priority system and list must be designed to achieve optimum water quality management consistent with the goals and requirements of the Act. . .

40CFR 35.2015(c) states: The state's annual project priority list is an ordered listing of projects for which the state expects federal financial assistance. The priority list contains two portions: the fundable portion, consisting of those projects anticipated to be funded from funds available for obligation; and the planning portion, consisting of projects anticipated to be funded from future authorized allotments.

To this end, the Louisiana Department of Environmental Quality, Office of Water Resources, has derived the State of Louisiana Construction Grants Priority System.

This system provides an orderly approach to the funding of municipal waste treatment facilities under the Clean Water Act and fulfills the requirements of the Act and the applicable federal regulations.

SECTION A

List of Stream Segments and Segment Priority Numbers

Paragraph 1—Most effective use of water quality management assets in achieving state and national goals requires that management emphasis be directed at the most important problem areas first. The priority of management effort is intended to give more consideration to those areas where the most significant stream standards violations occur due to municipal discharges.

Paragraph 2—The State of Louisiana is divided into 12 water quality management basins which exhibit distinct hydrologic characteristics. Each designated basin is divided into stream segments which exhibit common reactions to stresses, i.e., pollutants. The stream segmentation for Louisiana is contained in the state's areawide Water Quality Management Plans submitted under Section 208 of the Act. The stream segment descriptions for each hydrologic basin are included as Table A-2.

Paragraph 3—In order to provide the basis for directing the management effort for water quality, each stream segment is ranked according to its relative pollution index. This pollution index indicates the priority ranking of each individual stream segment. The priority ranking is determined by a mathematical formula giving weighted consideration to the most important water quality aspects of stream management - severity of the pollution problem, population affected, needs and uses for which the waters in the streams are classified, now and in the future. The values from each of the category classifications, from Table A-1, are multiplied together to produce the stream segment priority ranking number.

Paragraph 4—A list of the stream segments and their segment priority numbers for the appropriate fiscal year is included in Table A-2.

Paragraph 5—The stream priority list is used as the base for the later determination of the Construction Grants project priority ratings.

Table A-1

SEGMENT PRIORITY RANKING MULTIPLIERS

<u>Category-Classification</u>	<u>Multiplier</u>	
SEVERITY	Water Quality Limited Segment - 3 parameters violated	3.0
	Water Quality Limited Segment - 2 parameters violated	2.5
	Water Quality Limited Segment - 1 parameter violated	2.0
	Effluent Limited Segment presently in violation	1.5
	Effluent Limited Segment not in violation	1.0
POPULATION	Major metropolitan area (SMSA)	2.0
	Urban/Industrial area	1.5
	Rural/Agricultural area	1.0
NEEDS & USES	Used as public water supply	3.0
	Used for/or discharges into shellfish culture area	3.0
	Used for water contact sports (primary)	2.0
	Fish and wildlife propagation	1.5
	Used for water contact sports (secondary)	1.5
	Industrial water supply or other uses	1.0

Formula:

Severity multiplier X Population Multiplier X Needs and
Uses Multiplier = Segment Priority Number

TABLE A-2

Atchafalaya River Basin (01)

<u>Seg. ID</u>	<u>Description</u>	<u>WQ</u>	<u>WQ Criteria No.</u>	<u>Priority No.</u>	<u>Remarks</u>
0101	Atchafalaya River from headwaters (Barbre Landing) to Mi 118, including tributaries and W. Atchafalaya Borrow Pit Canal, except Segment 0103.	EL	010010/20	1.5 x 1.0 x 3.0 = 4.5	In violation below Simmesport Public Water Supply Source
0103	N/S Intracoastal Waterway from Bayou Sorrel to Morgan City Main Channel	EL	010040	1.0 x 1.0 x 3.0 = 3.0	Public Water Supply Source
0105	E/W Intracoastal Waterway from Bayou Boeuf Lock to Wax Lake Outlet - main channel	EL	010050	1.0 x 1.5 x 3.0 = 4.5	Patterson-Berwick-Bayou Vista Urban Industrial Area - Shellfish Impact
0107	Lower Atchafalaya River below Mi 118 to mouth and including all tributaries	EL	010030	1.5 x 1.5 x 3.0 = 6.75	In Violation, Morgan City Urban-Industrial Area, Shellfish Impact
0109	Wax Lake Outlet from Six Mile Lake to Atchafalaya Bay and tributaries including Intracoastal Waterway from Bayou Sale Ridge to Wax Lake Outlet	EL	010060	1.0 x 1.0 x 3.0 = 3.0	Shellfish Impact
0111	Atchafalaya Bay and adjacent coastal waters	EL	010070	1.0 x 1.0 x 3.0 = 3.0	Shellfish Impact

* WQ Criteria Segment included in one or more WQ Management Segment

** Includes area(s) which did not have a specific WQ Criteria Number

Barataria Bay Basin (02)

<u>Seg. ID</u>	<u>Description</u>	<u>WQ</u>	<u>WQ Criteria No.</u>	<u>Priority No.</u>	<u>Remarks</u>
0201	Bayou Chevreuil and tributaries and Bayou Boeuf and tributaries including Lake Boeuf and Bayou L'Ours	EL	020010/20	1.0 x 1.5 x 2.0 = 3.0	Drains Donaldsonville Vic. Urban-Industrial Area-Primary Water Contact Sports
0203	Lac Des Allemands, Bayou Des Allemands, Lake Salvador, Lake Cataouatche and all related tributaries above Intracoastal Waterway	EL	020030/40/50/60	1.5 x 2.0 x 2.0 = 6.0	In Violation at B. Segnette, New Orleans SMSA-Primary Water Contact Sports
0205	E/W Intracoastal Waterway from Larose to the Mississippi River, (including the Harvey Canal)	EL	020100	1.5 x 2.0 x 2.0 = 6.0	In Violation at Harvey Canal-New Orleans SMSA Primary Water Contact Sports
0207	Lower Barataria Bay estuarine area (along the Intracoastal Waterway) including Bayou Rigoletts, Barataria Waterway, Little Lake and Barataria Bay, related tributaries and adjacent coastal waters	EL	020070/80/90	1.0 x 1.0 x 3.0 = 3.0	Shellfish Culture Area

Calcasieu River Basin (03)

<u>Seg. ID</u>	<u>Description</u>	<u>WQ</u>	<u>WQ Criteria No.</u>	<u>Priority No.</u>	<u>Remarks</u>
0301	Calcasieu River from headwaters to Oakdale including tributaries	EL	030010*	1.5 x 1.0 x 2.0 = 3.0	In Violation at Oakdale Primary Water Contact Sports
0303	Mill Creek from headwaters to Calcasieu River including all tributaries	WQ	030020	3.0 x 1.5 x 1.5 = 6.75	DO, Coliform, TDS Violations - Elizabeth Urban-Industrial Area - Secondary Water Contact Sports
0305	Six Mile and Ten Mile Creeks from headwaters to Whiskey Chitto Creek including tributaries	EL	030040/50	1.0 x 1.0 x 2.0 = 2.0	Primary Contact Water Sports
0307	Whiskey Chitto and Bundicks Creek from headwaters to Calcasieu River including tributaries	WQ	030030/60	2.5 x 1.5 x 2.0 = 7.5	Coliforms and DO Violations - DeRidder-Ft. Polk Urban-Industrial Area - Primary Water Contact Sports
0309	Barnes Creek and Marsh Bayou from headwaters to Calcasieu River including tributaries	EL	030070**	1.0 x 1.0 x 2.0 = 2.0	Primary Water Contact Sports
0311	English Bayou and Bayou Serpent from headwaters to Calcasieu River including tributaries	EL	030080**	1.5 x 2.0 x 2.0 = 2.0	Coliforms Violations Calcasieu SMSA Primary Water Contact Sports
0313	Calcasieu River mainstem from Oakdale to Saltwater Barrier above Lake Charles	WQ	030010*	3.0 x 2.0 x 3.0 = 18.0	Coliforms, DO, TDS Violations Calcasieu SMSA - Shellfish Area Tributary
0315	Calcasieu River mainstem from Saltwater Barrier to Gulf of Mexico including Lake Charles, Prien Lake, Calcasieu Lake, Calcasieu Pass, East and West Fork	WQ	030090/150	3.0 x 2.0 x 2.0 = 18.0	Coliforms, DO, Oils, T & O Violations - Calcasieu SMSA - Shellfish Culture

Continuation of CALCASIEU RIVER BASIN (03)

<u>Seg. ID</u>	<u>Description</u>	<u>WQ</u>	<u>WQ Criteria No.</u>	<u>Priority No.</u>	<u>Remarks</u>
0317	West Fork-Calcasieu River, Beckwith Creek, and Houston River including all tributaries from headwaters to their confluence with Houston River and including Indian Bayou and tributaries	EL	030100*/110/120/130	1.0 x 2.0 x 2.0 = 4.0	Calcasieu SMSA Primary Water Contact Sports
0319	West Fork-Calcasieu River from Houston River to Calcasieu River - mainstem	WQ	030100*	3.0 x 2.0 x 3.0 = 18.0	DO, Coliforms, T&O, Violation - Calcasieu SMSA - Shellfish Impact
0321	E/W Intracostal Waterway from Sabine River to Calcasieu Lock	EL	030160	1.0 x 1.0 x 1.5 = 1.5	Secondary Water Contact Sports
0323	Bayou D'Inde from headwaters to Calcasieu River	WQ	030140	3.0 x 2.0 x 3.0 = 18.0	DO, Coliforms, T&O, Oils Violations - Calcasieu SMSA - Shellfish Impact
0325	Lower Calcasieu River estuarine area including Black Lake, Black Bayou and Bayou Choupique, except Calcasieu Lake	EL	030170*	1.0 x 1.0 x 3.0 = 3.0	Shellfish Impact

LAKE PONTCHARTRAIN BASIN (04)

<u>Seg. ID</u>	<u>Description</u>	<u>WQ</u>	<u>WQ Criteria No.</u>	<u>Priority No.</u>	<u>Remarks</u>
0401	Comite River from Mississippi State line to the Amite River including tributaries	EL	040010	1.0 x 2.0 x 2.0 = 4.0	Baton Rouge SMSA Primary Water Contact Sports
0402	Bayou Manchac to confluence with Amite River, including Dawson Creek, Ward Creek, Bayou Braud and other tributaries	EL	040030	1.5 x 2.0 x 1.5 = 4.5	Presently listed as EL, but receives runoff waters from major metropolitan area
0403	Amite River from Mississippi State line to Lake Maurepas including all tributaries except 0402 and 0404	EL	040020	1.5 x 2.0 x 2.0 = 6.0	Baton Rouge - Denham Springs Industrial area, Primary Water Contact Sports, frequent DO Violations
0404	Bayou Conway, Bayou Black, and Blind River and related tributaries to Lake Maurepas	EL	040040	1.5 x 1.5 x 2.0 = 4.5	Primary Water Contact Sports, Blind River Scenic Stream
0405	Tickfaw River from Mississippi State line to Lake Maurepas including Pontchatoula River, Natalbany River and all other tributaries	EL	040050/60	1.0 x 1.0 x 2.0 = 2.0	Primary Water Contact Sports
0407	Lake Maurepas and tributaries including Pass Manchac	EL	040070/80	1.0 x 1.0 x 2.0 = 2.0	Primary Water Contact Sports
0409	Tangipahoa River from the Mississippi State Line to Lake Pontchartrain including all tributaries	EL	040090/100	1.0 x 1.0 x 2.0 = 2.0	Primary Water Contact Sports
0411	Tchefuncte River from headwaters to Lake Pontchartrain including Bogue Falaya River and all other tributaries	EL	0400110/120	1.0 x 1.0 x 2.0 = 2.0	Primary Water Contact Sports

Continuation of LAKE PONTCHARTRAIN BASIN (04)

<u>Seg. ID</u>	<u>Description</u>	<u>WQ</u>	<u>WQ Criteria No.</u>	<u>Priority No.</u>	<u>Remarks</u>
0413	Bayou Lacombe from headwaters to Lake Pontchartrain including tributaries and related watershed	EL	040130	1.0 x 1.5 x 1.5 = 2.25	Lacombe Vic. Urban-Industrial Area Secondary Water Contact Sports
0415	Bayou Bunfouca from headwaters to Lake Pontchartrain including tributaries	EL	040140	1.0 x 1.5 x 1.5 = 2.25	Slidell Vic Urban-Industrial Area Secondary Water Contact Sports
0417	Lake Pontchartrain including minor tributaries: Bayou Castline, Chinchuba, and Cane	WQ	040150/160	2.0 x 2.0 x 3.0 =12.0	Coliforms & DO Violations - New Orleans SMSA - Shellfish Culture
0419	Lake Catherine, Rigolets and Chef Menteur Pass and ancillary waterbodies including Intracoastal Waterway from Chef Menteur to Rigolets Pass	EL	040180/190	1.5 x 2.0 x 3.0 = 9.0	Coliforms in Violation New Orleans SMSA Shellfish Culture
0421	Inner Harbor Navigation Canal from Mississippi River to Lake Pontchartrain	WQ	040170	2.0 x 2.0 x 1.5 = 6.0	Coliforms in Violation New Orleans SMSA Secondary Water Contact Sports
0423	E/W Intracoastal Waterway from Inner Harbor Navigation Canal to Chef Menteur Pass	WQ	040200	2.0 x 2.0 x 3.0 =12.0	Coliforms in Violation New Orleans SMSA Shellfish Culture
0425	Mississippi Gulf Outlet from Intracoastal Waterway to Breton Sound and tributaries including Bayou Bienvenue and Bayou Dupre	WQ	040210	2.0 x 2.0 x 3.0 =12.0	Coliforms in Violation New Orleans SMSA Shellfish Culture
0427	Coastal waters of Pontchartrain Basin including Lake Borne, Mississippi Sound, and numerous lakes and embayments in the coastal marshes of the St. Bernard Parish	EL	040220/290	1.0 x 2.0 x 3.0 = 6.0	New Orleans SMSA Shellfish Culture

Mermentau-Vermilion-Teche Basin (05)

<u>Seg. ID</u>	<u>Description</u>	<u>WQ</u>	<u>WQ Criteria No.</u>	<u>Priority No.</u>	<u>Remarks</u>
0501	Bayous Nezpique, Des Cannes, and Mallett from headwaters to confluence at Mermentau River including all tributaries	EL	050010/20/30	1.5 x 1.0 x 2.0 = 3.0	Coliform Violation Primary Water Contact Sports
0503	Bayou Plaquemine Brule from headwaters to confluence with Mermentau River including all tributaries	EL	050020/40	1.5 x 1.0 x 2.0 = 3.0	Excessive DO and Nitrogen violations, Primary Water Contact Sports
0504	Bayou Queue de Tortue from headwaters to confluence with Mermentau	EL	050050	1.5 x 1.0 x 2.0 = 3.0	Excessive DO Violations Primary Water Contact Sports
0505	Mermentau River from Mermentau, Louisiana, to Grand Lake including Lake Arthur and tributaries	EL	050060	1.0 x 1.5 x 2.0 = 3.0	Lake Arthur - Jennings Urban-Industrial Area Primary Water Contact Sports
0507	Lacassine Bayou from headwaters to Grand Lake and tributaries including Lake Misere, Bayou Misere and E/W Intracoastal Waterway, west of the Mermentau River	EL	050070/260*	1.0 x 1.0 x 2.0 = 2.0	Primary Water Contact Sports
0509	Grand Lake and White Lake, including Old Intracoastal Waterway west of Schooner Bayou Control Structures, Intracoastal Waterway between Vermilion Lake and Mermentau River; and tributaries	EL	050080	1.0 x 1.0 x 2.0 = 2.0	Primary Water Contact Sports
0511	Coastal Waters south of Highway 82 from Belle Isle Canal to Mermentau River	EL	050100/110**	1.0 x 1.0 x 3.0 = 3.0	Shellfish Culture

Continuation of Mermentau-Vermilion-Teche Basin (05)

<u>Seg. ID</u>	<u>Description</u>	<u>WQ</u>	<u>WQ Criteria No.</u>	<u>Priority No.</u>	<u>Remarks</u>
0513	Mermentau River below Catfish Point Control Structures (Grand Isle) including Upper and Lower Mud Lake and tributaries	EL	050090	1.0 x 1.0 x 3.0 = 3.0	Shellfish Culture
0515	Vermilion river from headwaters to Interstate 10 Bridges above Lafayette, Louisiana, including all tributaries	EL	050120*	1.5 x 1.5 x 2.0 = 4.5	Coliform Violation Opelousas Urban-Industrial Area
0517	Vermilion River mainstream from Interstate 10 Bridges to Intra-coastal Waterway	WQ	050120*	2.5 x 2.0 x 2.0 =10.0	Coliform and DO violations, Lafayette SMSA, Primary Water Contact Sports
0519	Vermilion River tributaries within the reach from Interstate 10 Bridges to Intracoastal Waterway	EL	050120*	1.5 x 1.5 x 2.0 = 4.5	Bacteria Violations Lafayette Urban-Industrial Area Primary Water Contact Sports
0521	Vermilion Bay estuarine area including E/W Intracoastal Waterway, Charenton Canal, Cote Blanche Bay and related tributaries from Vermilion River Sale Bridge and adjacent coastal waters	EL	05130-150/222/ 230-260*	1.0 x 1.0 x 3.0 = 3.0	Shellfish Culture
0523	Cocodrie Lake and Tributaries including Spring Creek and upper Cocodrie Bayou	EL	050160/170	1.0 x 1.0 x 2.0 = 2.0	Primary Water Contact Sports
0525	Headwaters of Bayou Teche to Southern Pacific Railroad Bridge at Breaux Bridge including Cocodrie Bayou, Bayou Boeuf, Bayou Courtableau, Darbonne Bayou and all other tributaries	EL	050181/190*/ 200	1.0 x 1.5 x 3.0 = 4.5	Breaux Bridge, St. Martinville, Urban-Industrial Area, Public Water Supply Source Downstream
0527	Bayou Teche from Southern Pacific Railroad Bridge at Breaux Bridge to Keystone Lock and Dam	WQ	050190*	2.5 x 1.5 x 3.0 =11.25	St. Martinville Urban-Industrial Area, Coliforms, DO Violations, Public Water Supply Source
0529	Bayou Teche from Keystone Lock and Dam to Charenton Drainage Canal	WQ	050120	2.5 x 1.5 x 3.0 =11.25	New Iberia Urban-Industrial Area, Coliforms and DO Violations, Public Water Supply Source
0531	Bayou Teche from Charenton Drainage Canal to Wax Lake Outlet	EL	050220	1.0 x 1.5 x 3.0 = 4.5	Baldwin-Franklin Urban-Industrial Area Public Water Supply Source
0533	Loreauville Canal, Lake Fausse Point, Charenton Canal and related tributaries	EL	050211/221	1.5 x 1.0 x 2.0 = 3.0	Bacteria Violations Primary Water Contact Sports

MISSISSIPPI RIVER ABOVE OLD RIVER (06)

<u>Seg. ID</u>	<u>Description</u>	<u>WQ</u>	<u>WQ Criteria No.</u>	<u>Priority No.</u>	<u>Remarks</u>
0600	Mississippi River from Arkansas State Line to Old River Control Structure	EL	060010	1.0 x 1.5 x 1.5 = 2.25	Vicksburg-Natchez-Vidalia Urban-Industrial Area, Secondary Contact Sports

MISSISSIPPI RIVER BELOW OLD RIVER (07)

0701	Mississippi River from Old River Control Structure to Huey P. Long Bridge above New Orleans	WQ	070020/30	2.0 x 2.0 x 3.0 =12.0	Taste and Odor Violation Baton Rouge and New Orleans SMSA, Public Water Supply Source
0703	Bayou Sara and Thompson Creek from Mississippi State Line to Mississippi River and related tributaries	EL	070040/50	1.5 x 1.5 x 2.0 =4.5	Coliform Violations St. Francisville Urban-Industrial Area, Primary Water Contact Sports
0705	Mississippi River from Huey P. Long Bridge to Head of Passes	WQ	070060	2.5 x 2.0 x 3.0 =15.0	Coliforms and Taste and Odor Violations, New Orleans SMSA Water Supply and Shellfish Impact
0707	Mississippi River from Head of Passes to Mouth of Passes	EL	070070	1.5 x 1.0 x 3.0 = 4.5	Coliform Violations Shellfish Impact
0709	Mississippi River adjacent estuarine area and coastal waters	EL	070080/150	1.5 x 1.5 x 3.0 = 6.75	Coliform Violations Belle Chasse, Buras, Empire, Venice Urban-Industrial Area Shellfish Culture

OUACHITA RIVER BASIN (08)

<u>Seg. ID</u>	<u>Description</u>	<u>WQ</u>	<u>WQ Criteria No.</u>	<u>Priority No.</u>	<u>Remarks</u>
0801	Ouachita River mainstem from Arkansas State Line to Columbia Lock	WQ	080010	2.5 x 2.0 x 3.0 =15.0	DO, Chlorides Violations, Monroe SMSA, Monroe Water Supply Source
0803	Bayou Bartholomew from Arkansas State Line to Ouachita River including all tributaries and also including eastern tributaries to the mainstem of the Ouachita River above the confluence of Bayou Bartholomew	EL	080020**	1.5 x 1.5 x 3.0 = 6.75	In Violation, Bastrop Urban-Industrial Area Public Water Supply Source
0805	Bayou L'Outre from Arkansas State Line to Ouachita River including all tributaries	WQ	080030	2.0 x 2.0 x 1.5 = 6.0	Chlorides in Violation Monroe SMSA, Secondary Contact Water Sports
0807	Western tributaries to the mainstem of the Ouachita River above the confluence of the Bayou L'Outre	EL	**	1.0 x 1.0 x 2.0 = 2.0	Primary Water Contact Sports
0809	Bayou D'Arbonne from headwaters to Ouachita River including Cypress Creek, Corney Bayou, Lake D'Arbonne and other tributaries	EL	080040/50/60/70	1.5 x 2.0 x 2.0 = 6.0	Bacteria Violations Monroe SMSA Primary Water Contact Sports
0811	Bayou DeSaird, origin to mouth and related watershed	EL	080080	1.0 x 2.0 x 2.0 = 4.0	Monroe SMSA, Primary Water Contact Sports
0813	Ouachita River mainstem from Columbia to Jonesville, Louisiana, also including Rawson Creek and B. Louis and tributaries	EL	080090/150	1.0 x 1.5 x 3.0 = 4.5	Columbia-Jonesville Urban-Industrial Area Public Water Supply Source
0815	Boeuf River from Arkansas State Line to Ouachita River including Big Creek, Bayou Bonne Idee, Turkey Creek and other	EL	80100/110/120/140	1.0 x 1.0 x 2.0 = 2.0	Primary Water Contact Sports

Continuation of OUACHITA RIVER BASIN (08)

<u>Seg. ID</u>	<u>Description</u>	<u>WQ</u>	<u>WQ Criteria No.</u>	<u>Priority No.</u>	<u>Remarks</u>
0817	Bayou Lafourche from origin to Ouachita River including tributaries	EL	080130	1.0 x 2.0 x 1.5 = 3.0	Monroe SMSA, Secondary Contact Water Sports
0819	Tensas River from Arkansas State Line to Jonesville including all tributaries and Joes' Bayou (distributary)	EL	080160-200/220	1.0 x 1.0 x 2.0 = 2.0	Secondary Water Contact Sports
0821	Bayou Macon from Arkansas State Line to Tensas River including tributaries	EL	080210	1.5 x 1.0 x 2.0 = 3.0	Coliforms Violations Primary Water Contact Sports
0823	Dugdemonia River from headwaters to Little River including all tributaries	EL	080240	1.5 x 1.0 x 1.5 = 2.25	Coliforms Violations Secondary Water Contact Sports
0824	Cheniere Creek and related tributaries including Cheniere Brake, Wielders Creek, and Rogers Creek	EL	080010	1.0 x 1.0 x 2.0 = 2.0	Primary Water Contact Sports
0825	Bayou Castor from headwaters to Little River including Chatham Lake and all tributaries	EL	080250/260/270	1.0 x 1.0 x 2.0 = 2.0	Primary Water Contact Sports
0827	Little River from origin to Ouachita River including Fish Creek, Trout Creek, Big Creek, Old River, Catahoula Lake and all other tributaries	EL	080230/280-330	1.5 x 1.0 x 3.0 = 4.5	Chlorides Violations Public Water Supply Source
0829	Black River Mainstem from origin to Red River	EL	080290/300	1.0 x 1.0 x 2.0 = 2.0	Primary Water Contact Sports

PEARL RIVER BASIN (09)

<u>Seg. ID</u>	<u>Description</u>	<u>WQ</u>	<u>WQ Criteria No.</u>	<u>Priority No.</u>	<u>Remarks</u>
0901	Pearl River from Mississippi State Line to Interstate Highway 10 Bridges (includes West Pearl and West Middle Pearl) and tributaries	EL	090010	1.5 x 1.0 x 2.0 = 3.0	Bacteria Violations Primary Water Contact Sports
0903	Pushepatapa Creek from headwaters to Pearl River including all tributaries	EL	090020/30	1.0 x 1.0 x 2.0 = 2.0	Primary Water Contact Sports
0905	Bogue Lusa Creek from headwaters to Pearl River including all tributaries	EL	090040/50	1.0 x 1.0 x 2.0 = 2.0	Primary Water Contact Sports
0907	Bogue Chitto River from Mississippi State Line to Pearl River including all tributaries	EL	090060	1.0 x 1.0 x 2.0 = 2.0	Primary Water Contact Sports
0909	Pearl River from Interstate 10 Bridges to Lake Borne including all related watershed	EL	090070	1.0 x 1.5 x 2.0 = 3.0	Pearl River-Picayune Urban-Industrial Area Primary Water Contact Sports

RED RIVER BASIN (10)

<u>Seg. ID</u>	<u>Description</u>	<u>WQ</u>	<u>WQ Criteria No.</u>	<u>Priority No.</u>	<u>Remarks</u>
1001	Red River from Arkansas State Line to US Highway 165 at Alexandria, Louisiana	EL	100010*	1.5 x 2.0 x 3.0 = 9.0	Bacteria in Violation Shreveport SMSA, Public Water Supply Source
1003	Red River from US Highway 165 at Alexandria, Louisiana to Head of Atchafalaya River	EL	100010*	1.5 x 2.0 x 2.0 = 6.0	Bacteria in Violation Alexandria SMSA, Primary Water Contact Sports
1005	Twelve Mile Bayou from origin to Red River including Black Bayou, Kelly Bayou, Caddo Lake and James Bayou	EL	100020-60/80	1.5 x 2.0 x 3.0 = 9.0	Bacteria in Violation Shreveport SMSA, Public Water Supply Source
1007	Cross Lake and tributaries	EL	100070	1.0 x 2.0 x 3.0 = 6.0	Shreveport SMSA Water Supply Reservoir
1009	Red Chute and Bodcau Bayous from Arkansas State Line to Loggy Bayou and tributaries	EL	100130/140	1.0 x 2.0 x 1.5 = 3.0	Shreveport SMSA Secondary Water Contact Sports
1011	Bayou Dorcheat and Loggy Bayou including Lake Bistineau and tributaries	EL	100090/120	1.5 x 1.5 x 1.5 = 3.375	DO in Violation Minden-Cotton Valley- Springhill Urban- Industrial Area, Secondary Water Contact Sports
1013	Bayou Pierre from headwaters to Red River including Boggy Bayou and Wallace Lake and all other tributaries	EL	100150	1.5 x 2.0 x 1.5 = 4.5	DO in Violation Shreveport SMSA Secondary Water Contact Sports
1015	Black Lake Bayou and tributaries from headwaters to Saline Bayou including Black and Clear Lakes	EL	100180	1.0 x 1.5 x 2.0 = 3.0	Primary Water Contact Sports, Black Lake Bayou Scenic Stream
1016	Saline Bayou from headwaters to Red River including Saline Lake	EL	100170	1.5 x 1.5 x 2.0 = 4.5	Frequent DO Violations Saline Bayou Scenic Stream
1017	Bayou Nantaches from headwaters to Red River including tributaries	EL	100200	1.5 x 1.0 x 2.0 = 3.0	Bacteria Violations Primary Water Contact Sports
1019	Rigolette Bayou from headwaters to Red River including Lake Iatt and tributaries	EL	100220	1.5 x 1.0 x 1.5 = 2.25	Bacteria Violations Fish and Wildlife Propagation
1021	Sibley Lake and tributaries	EL	100210*	1.5 x 1.5 x 2.0 = 4.5	Bacteria Violations Natchitoches Urban- Industrial Area Primary Water Contact Sports
1023	Cane River from Sibley Lake to Red River including Kisatchie Bayou and all tributaries and Bayou Jean de Jean from headwaters to Red River including Cotile Reservoir and all tributaries	EL	100210*/240/ 250	1.0 x 2.0 x 2.0 = 4.0	Alexandria SMSA Primary Water Contact Sports
1025	Big Larto Bayou and tributaries including Larto Lake, Saline Bayou, Saline Lake and Big Creek	EL	100260/270/ 280	1.5 x 1.0 x 1.5 = 2.25	Bacteria Violations Secondary Water Contact Sports
1027	Bayou Cocodrie from origin to Red River at Acme Control Outlet including Cocodrie Lake, Dismal Swamp and all related watershed	EL	100310/330	1.0 x 1.0 x 2.0 = 2.0	Primary Water Contact Sports

SABINE RIVER BASIN (11)

<u>Seg. ID</u>	<u>Description</u>	<u>WQ</u>	<u>WQ Criteria No.</u>	<u>Priority No.</u>	<u>Remarks</u>
1101	Bayou Castor from headwaters to mouth	WQ	**	2.5 x 1.0 x 3.0 = 7.5	Bacteria and DO Violations, Public Water Supply Source
1103	Toledo Bend Reservoir and tributaries from Texas State Line to Toledo Bend Dam, except 1101	EL	110010	1.5 x 1.0 x 3.0 = 4.5	Bacteria Violations, Public Water Supply Source
1105	Sabine River from Toledo Bend Dam to Sabine River Authority of Texas Pump Station near Merryville including tributaries except 1107, 1109 and 1111	WQ	110020	2.0 x 1.0 x 2.0 = 4.0	Oxygen Violations, Primary Water Contact Sports
1107	Bayou Toro from headwaters to Sabine River below Toledo Bend Dam including all tributaries	EL	110030	1.0 x 1.0 x 2.0 = 2.0	Primary Water Contact Sports
1109	Anacoco Creek from headwaters to confluence with Cypress Creek including all tributaries	EL	11040/50*	1.0 x 1.0 x 2.0 = 2.0	Primary Water Contact Sports
1111	Anacoco Creek mainstem from Cypress Creek to Sabine River	WQ	110050	2.5 x 1.0 x 2.0 = 5.0	Oxygen and Bacteria Violations, Primary Water Contact Sports
1113	Sabine River from Sabine River Authority of Texas Pump Station to Morgan's Bluff and all related tributaries	EL	110060	1.0 x 1.0 x 1.5 = 1.5	Fish and Wildlife Propagation
1115	Sabine River from Morgan's Bluff to Gulf of Mexico and all tributaries and adjacent coastal waters	EL	110070-100	1.0 x 1.0 x 3.0 = 3.0	Shellfish Culture

TERREBONNE BASIN (12)

<u>Seg. ID</u>	<u>Description</u>	<u>WQ</u>	<u>WQ Criteria No.</u>	<u>Priority No.</u>	<u>Remarks</u>
1201	Lower Grand River watershed from headwaters to Bayou Sorrell Lock including Bayou Grosse Tete and False River Lake and other tributaries	EL	120090/110/120/140	1.0 x 1.5 x 2.0 = 3.0	Port Allen - N. Plaquemines Urban-Industrial Area, Primary Water Contact Sports
1203	Terrebonne Basin above Bayou Black Ridge and Little Bayou Black Ridge including Grand River, Belle River, Lake Verrett, Lake Polourde, and Lake Bayou Black and tributaries	EL	120010/20/30/100/150	1.5 x 2.0 x 3.0 = 9.0	Bacteria Violations Houma-Thibodaux SMSA Public Water Supply Source
1205	Terrebonne Basin above Bayou Blue Ridge including E/W Intracoastal Waterway from Houma to Larose, Bayou Blue, Bayou Grand Coteau and tributaries	EL	120040*/60*	1.5 x 2.0 x 3.0 = 9.0	Bacteria Violations Houma-Thibodaux SMSA Shellfish Culture
1207	Bayou Lafourche from Donaldsonville to Larose	EL	120280	1.0 x 2.0 x 3.0 = 6.0	Houma-Thibodaux SMSA; Public Water Supply Source
1209	West Terrebonne coastal zone south and west of Bayou Black Ridge and Bayou du Large Ridge including E/W Intracoastal Waterway from Bayou Boeuf to Houma, Lake De Cade, Lake Merchant, Bayou Junop and adjacent coastal waters	EL	12040*/50/190	1.0 x 1.0 x 3.0 = 3.0	Shellfish Culture
1211	Middle Terrebonne coastal zone between Bayou du Large Ridge and Bayou Terrebonne Ridge including Bayou Grand Caillou, Houma Navigation Canal, Bayou Petit Caillou and Bayou Terrebonne and Lake Pelto and adjacent coastal waters except segment 1213	EL	12060*-80/160-180/230/240	1.5 x 2.0 x 3.0 = 9.0	Bacteria Violations Houma-Thibodaux SMSA Shellfish Culture

Continuation of TERREBONNE BASIN (12)

Seg. ID	Description	WQ	WQ Criteria No.	Priority No.	Remarks
1213	Estuarine area south of Lake Boudreaux bounded by Houma Navigation Canal, Bay Long, Bay Lucien and Bayou Terrebonne	WQ	**	2.5 x 2.0 x 3.0 =15.0	Bacteria and DO Violations; Houma Thibodaux SMSA Shellfish Culture
1215	East Terrebonne coastal zone between Bayou Blue Ridge and Bayou Lafourche Ridge including Bayou Barre, Lake Barre, Bayou Jean La Croix, Lake Felicitey and Bayou Blue, Lake Raccourel, and Timbalier Bay adjacent coastal waters	EL	120250-290	1.0 x 1.0 x 3.0 = 3.0	Shellfish Culture

SECTION B

Municipal List by Priority Rank

Paragraph 1—In conjunction with the ranking of the stream segments of the State of Louisiana in priority order to facilitate the direction of management emphasis, each municipality that has requested consideration for federal funding is ranked as to its propensity to pollute. This ranking of municipalities forms an important water quality management tool.

Paragraph 2—The priority number for each municipality considered is composed of three factors, the stream segment priority number, the municipality adjustment factor and the population adjustment factor. These three factors are added together to form the project priority number.

Paragraph 3—The municipality adjustment factor is based on the contribution to the pollution load of the stream segment by the specific discharge and the existing condition of the facilities relating to the discharges. Appropriate values from each of the category classifications in Table B-1 are multiplied together to produce the municipality adjustment factor.

Paragraph 4—The population adjustment factor is the latest decennial census population of the municipality or sewerage district (estimated) X 10⁻⁶.

Paragraph 5—It is expected that many municipalities having specific priority numbers, and contemplating individual projects, will join into multimunicipal projects as the result of the area-wide or regional approach to waste management problems. Where several such municipalities join together in a single project, the priority number of the joint project shall be the same as that of the participating municipality with the highest priority number and shall be adjusted for the resultant increase in population. These joint approaches to waste treatment problems shall be designated as "projects" on the priority list.

Paragraph 6—The priority number for a municipality may be re-evaluated and adjusted whenever new information is made available. Such information may result from facilities planning, water quality analysis, etc.

Paragraph 7—Any municipality that believes that its priority number was calculated erroneously, or that the situation used as the basis for calculating its priority number has undergone a significant change not avoidable or correctable by the municipality, may request that its priority number be recalculated. Any such requests should include the reasons that the municipality believes the priority number to be in error.

MUNICIPALITY ADJUSTMENT FACTOR

Category-Classification	Multiplier
An independent cause of WQ Criteria violation	3
CONTRIBUTION Contributes or could be contributing to an	2

existing criteria violation

No existing WQ violation 1

Existing discharge/with no treatment 5

Up grade inadequate treatment facilities 4

Excessive infiltration bypass problems 3

FACILITY New Collection and disposal facility required 2

Adequate treatment - extend collection lines 1

Has secondary or best practicable treatment (BPT) or increased volume only

Formula:

Contribution Multiplier X Facility Multiplier = Municipality Adjustment Factor

Municipality Project Number = Stream Segment Priority Number + Municipality Adjustment Factor + Population Adjustment Factor

SECTION C

Construction Grants Priority List And Project Priority List

Paragraph 1—Upon receipt of a request by the authorized representative of a municipality, the proposed project is placed on the Construction Grants Priority List. Projects normally proceed in three steps: step 1 facility planning, step 2 design and step 3 construction. The Clean Water Act allows grants only for step 3, or for step 2 + 3 where regulations allow for a combined step 2 and step 3 grant. Only proposed step 3 and 2 + 3 grants will be listed on the priority list; however, the amount shown may include an estimated amount for allowance for eligible planning and design for those projects that have not previously received federal funds for such work. Subject to EPA requirements, multiple steps 3's may be assigned to a large project, based on a request by the grantee, on a comparison of project cost and funds available, or on other factors that may require delayed funding for portions of a project. The priority list is used in establishing priority for the funding of sewage treatment works under the Clean Water Act.

Paragraph 2—Request for inclusion on the Construction Grants Priority List must include the following information:

1. Project Name.
2. Name and address of authorized representative.
3. Description of the proposed treatment works.
4. Population to be served.
5. Federal grant amount.

Seg. ID	Description	WQ	WQ Criteria No.	Priority No.	Remarks
1213	Estuarine area south of Lake Boudreaux bounded by Houma Navigation Canal, Bay Long, Bay Lucien and Bayou Terrebonne	WQ	**	2.5 x 2.0 x 3.0 =15.0	Bacteria and DO Violations; Houma Thibodaux SMSA Shellfish Culture
1215	East Terrebonne coastal zone between Bayou Blue Ridge and Bayou Lafourche Ridge including Bayou Barre, Lake Barre, Bayou Jean La Croix, Lake Felicity and Bayou Blue, Lake Raccourel, and Timbalier Bay adjacent coastal waters	EL	120250-290	1.0 x 1.0 x 3.0 = 3.0	Shellfish Culture

SECTION B

Municipal List by Priority Rank

Paragraph 1—In conjunction with the ranking of the stream segments of the State of Louisiana in priority order to facilitate the direction of management emphasis, each municipality that has requested consideration for federal funding is ranked as to its propensity to pollute. This ranking of municipalities forms an important water quality management tool.

Paragraph 2—The priority number for each municipality considered is composed of three factors, the stream segment priority number, the municipality adjustment factor and the population adjustment factor. These three factors are added together to form the project priority number.

Paragraph 3—The municipality adjustment factor is based on the contribution to the pollution load of the stream segment by the specific discharge and the existing condition of the facilities relating to the discharges. Appropriate values from each of the category classifications in Table B-1 are multiplied together to produce the municipality adjustment factor.

Paragraph 4—The population adjustment factor is the latest decennial census population of the municipality or sewerage district (estimated) X 10⁻⁶.

Paragraph 5—It is expected that many municipalities having specific priority numbers, and contemplating individual projects, will join into multimunicipal projects as the result of the area-wide or regional approach to waste management problems. Where several such municipalities join together in a single project, the priority number of the joint project shall be the same as that of the participating municipality with the highest priority number and shall be adjusted for the resultant increase in population. These joint approaches to waste treatment problems shall be designated as "projects" on the priority list.

Paragraph 6—The priority number for a municipality may be re-evaluated and adjusted whenever new information is made available. Such information may result from facilities planning, water quality analysis, etc.

Paragraph 7—Any municipality that believes that its priority number was calculated erroneously, or that the situation used as the basis for calculating its priority number has undergone a significant change not avoidable or correctable by the municipality, may request that its priority number be recalculated. Any such requests should include the reasons that the municipality believes the priority number to be in error.

MUNICIPALITY ADJUSTMENT FACTOR

Category-Classification	Multiplier
An independent cause of WQ Criteria violation	3
CONTRIBUTION Contributes or could be contributing to an	2

existing criteria violation

No existing WQ violation 1

Existing discharge/with no treatment 5

Up grade inadequate treatment facilities 4

Excessive infiltration bypass problems 3

FACILITY New Collection and disposal facility required 2

Adequate treatment - extend collection lines 1

Has secondary or best practicable treatment (BPT) or increased volume only

Formula:

Contribution Multiplier X Facility Multiplier = Municipality Adjustment Factor

Municipality Project Number = Stream Segment Priority Number + Municipality Adjustment Factor + Population Adjustment Factor

SECTION C

Construction Grants Priority List And Project Priority List

Paragraph 1—Upon receipt of a request by the authorized representative of a municipality, the proposed project is placed on the Construction Grants Priority List. Projects normally proceed in three steps: step 1 facility planning, step 2 design and step 3 construction. The Clean Water Act allows grants only for step 3, or for step 2 + 3 where regulations allow for a combined step 2 and step 3 grant. Only proposed step 3 and 2 + 3 grants will be listed on the priority list; however, the amount shown may include an estimated amount for allowance for eligible planning and design for those projects that have not previously received federal funds for such work. Subject to EPA requirements, multiple steps 3's may be assigned to a large project, based on a request by the grantee, on a comparison of project cost and funds available, or on other factors that may require delayed funding for portions of a project. The priority list is used in establishing priority for the funding of sewage treatment works under the Clean Water Act.

Paragraph 2—Request for inclusion on the Construction Grants Priority List must include the following information:

1. Project Name.
2. Name and address of authorized representative.
3. Description of the proposed treatment works.
4. Population to be served.
5. Federal grant amount.

6. The best estimated total grant eligible cost for the following categories:

- a. Secondary treatment
 - b. More stringent treatment
 - c. New interceptors
 - d. Innovative technology
 - e. Alternative technology
7. U.S. Congressional District
8. Map of proposed planning area
9. Consulting Engineer

Paragraph 3—It is the responsibility of each authorized project representative to maintain current and accurate information for his/her project, and to submit any revised or updated project information to the department each year for use in preparing the Project Priority List. Only project information received by April 1 will be considered for inclusion on the next fiscal year's Project Priority List.

Paragraph 4—The grant amount shown on the list will be expected share of those items of work that are eligible for federal participation. Eligibility of specific items and the federal share of any eligible work will be based on the latest federal requirements in effect at the time the list is prepared. Should these requirements be changed subsequent to preparation of the list, all projects on the list will be adjusted as required. The monetary amount of each item will be based on the latest information supplied by the grantee in accordance with Paragraph 2 of this Section. The governor of the State of Louisiana may, at his discretion, reduce the federal share uniformly for all grants awarded subsequent to his action in order to more effectively utilize the limited funds available.

Paragraph 5—The State of Louisiana Construction Grants Project Priority List is divided into two portions: (1) the Fundable portion and (2) the Planning Portion. The Fundable Portion includes those project steps expected to be awarded federal assistance grants during the fiscal year of the list. The Planning Portion includes those project steps expected under anticipated federal allotments to receive funding during the next four fiscal years after the fiscal year of the list.

Paragraph 6—The Construction Grants Project Priority List is prepared by considering projects in several categories for funding. All projects in a high priority category will be funded before any projects in a lower priority category are funded. Within each category projects will be considered for funding in order of the priority ranking of the individual project. The several categories that are considered are as follows:

1. Projects required to modify or replace innovative and alternative projects in accordance with provisions of 40 CFR 35.2032(c).

2. Projects or portions of projects which qualify as innovative or alternative technology, as long as the reserve for innovative/alternative technology grant increases has not been exhausted. The decision of which projects or portions of projects qualify for inclusion in this category of funding will be made by the department in accordance with the latest guidelines and policy promulgated by the Environmental Protection Agency.

3. Projects which are required for completion of an ongoing project that has already received Step 3 funding and that will not result in an operable treatment system without the additional funds. To qualify as an ongoing project, the work for which additional funds are required must be specifically identified within the scope of work for the project for which Step 3 or 2 + 3 grant assistance was previously awarded. This scope of work will be established when the original Step 3 or 2 + 3 grant application is reviewed by the department.

4. All other projects that do not meet either of the above conditions.

Paragraph 7—The limit of federal assistance funds for the list shall be determined by the appropriated funds less the reserves as provided for in Section D.

Paragraph 8—The State of Louisiana Construction Grants Project Priority List Hearing, during which the department will present, for public comment and discussion, the next year's Project Priority List, will be held annually. This public hearing is to be held as soon after preparation of the list as possible, preferably, during the first full week in June, at a date, time, and place determined by the department. The public hearing will be advertised in accord with the provisions of 40 CFR Part 25.

Paragraph 9—The State of Louisiana Construction Grants Project Priority List will be made available for inspection not less than 30 days prior to the scheduled public hearing. It is the responsibility of each grantee to examine all the information listed for his/her project for accuracy. Any errors or omissions should be reported to the department prior to the public hearing. Applications for grant assistance which deviate substantially from the proposed grant contained on the list might not be processed.

Paragraph 10—A project may be moved from the fundable portion of the list to the planning portion (bypassed) if it is determined that the project will not be ready to proceed during the funding year.

Paragraph 11—If cash flow of the program permits, either through project bypasses or the release of additional federal assistance funds, or if for any other reason it is determined by the department that additional federal funds are available for encumbrance, projects from the planning portion of the list which are ready for funding and which have completed the priority list public participation requirements will be advanced to the fundable portion of the list. Individual projects will be advanced, in accordance with provisions of Paragraph 5, until the available federal funding is consumed.

Paragraph 12—If insufficient projects meeting the criteria of paragraph 10 for advancement from the planning to the fundable portion of the list are available to consume the additional federal funds, the department may conduct a public hearing on a revised list containing projects which have not met priority list public hearing requirements.

Paragraph 13—The Project Priority List will be submitted to the U.S. Environmental Protection Agency for their review and acceptance as soon as possible after the public hearing held pursuant to the list.

Paragraph 14—A pre-application conference will be held for each applicant. The conference will be held jointly between (1) the authorized representative of the municipality, (2) the consultant representing the municipality, and (3) representatives of the department. There cannot be dual representation by any parties.

Paragraph 15—This conference is held for the purpose of distributing the appropriate U.S. Environmental Protection Agency's application forms and regulations and to discuss with each prospective applicant the procedures, regulations, and responsibilities under the Construction Grants Program.

Paragraph 16—The department will schedule pre-application conferences at times and places most suitable to all parties. Every effort will be made to hold the pre-application conferences as soon as all prerequisite work has been completed and the project is on the fundable portion of the current fiscal year's Project Priority List.

Paragraph 17—Prospective applicants for municipal construction grants who do not complete and return the application forms to the department for the EPA grant within 90 calendar days of their pre-application conference lose their eligibility for these federal assistance funds as determined by the applicable fiscal year's priority system.

Paragraph 18—Those application forms returned to prospective applicants due to incompleteness must be finalized and returned to the department within 30 days of the receipt of the returned application, or the project shall lose the eligibility for the federal assistance funds as determined by the applicable fiscal year's priority system.

Paragraph 19—"Loss of eligibility" as used in these paragraphs is the loss of position on the State of Louisiana Construction Grants Priority List for the current fiscal year. Projects which lose eligibility for funds under the previous paragraphs will be considered on the next revision to the Construction Grants Priority List.

Paragraph 20—Those projects which have already received federal assistance for Step 1 or Step 2 work must complete and submit the required grant documents within the time period allotted. Failure to submit the required documents or a request for a time extension by the scheduled project completion date may result in the removal of the project from the fundable portion of the Project Priority List.

Paragraph 21—Those projects which have not received federal assistance for Step 1 or Step 2 work may be required to complete this work prior to award of a Step 2 or Step 2 + 3 grant. In such cases the prospective grantee must submit an expected completion date for Step 1 and Step 2 work and an anticipated amount that will be eligible for reimbursement at the time of Step 3 or 2 + 3 grant award. This information is to be used for planning purposes only. No grant for Step 3 or 2 + 3 work will be placed on the fundable portion of the Project Priority List for any municipality that is performing Step 1 and 2 work without a grant award until evidence of substantial completion of Step 1 or 2 work (i.e. submission of the facility plan and/or plans and specifications) has been provided.

Paragraph 22—After the award of a construction assistance grant a change of scope, such as the addition of new construction items, will not be grant eligible unless:

- (a) the change of scope involves the development of a pretreatment program, or
- (b) The change of scope involves tasks for start up services, or engineering performance, or
- (c) the change of scope is necessary to result in an operable treatment works due to an oversight and not to replace faulty construction or equipment already funded, or
- (d) the change of scope is necessary due to changes in federal or state requirements.

All other changes in scope must be evaluated in a facility plan and placed on the project priority list for ranking.

SECTION D

Reserves Related to the Priority List

In accordance with the provisions of 40 CFR 35.2020 the following reserves are allowed or required:

(a) Reserves for state management assistance grants. Each state may request that the regional administrator reserve, from the state's annual allotment up to four percent of the state's allotment based on the amount authorized to be appropriated or \$400,000, whichever is greater, for state management assistance grants under subpart F of this part. Grants may be made from these funds to cover the costs of administering activities delegated or scheduled to be delegated to the state. Funds reserved for this purpose that are obligated by the end of the allotment period will be added to the amounts last allotted to the state. These funds shall be immediately available for obligation to projects in the same manner and to the same extent as the last allotment.

This reserve is optional and will be implemented as necessary to provide funds for state management of the Construction Grants Program.

(b) Reserve for innovative and alternative technology

project grant increase. Each state shall reserve not less than four percent nor more than seven and one-half percent from its annual allotment to increase the Federal share of grant awards by an amount of 20 percent of the eligible cost, not to exceed 85 percent of the eligible cost of construction projects under §35.2032 for projects which use innovative or alternative wastewater treatment processes and techniques. Of this amount not less than one-half of one percent of the state's allotment shall be set aside to increase the federal grant share for projects utilizing innovative processes and techniques.

This reserve is mandatory. To avoid loss of funds, projects that qualify as "innovative" or "alternative" technology will be placed on the fundable portion of the Project Priority List, ahead of other projects in accordance with provisions of Section C, Paragraph 5. These funds will be assigned first to projects which qualify for funding from the reserve for Alternative Systems for Small Communities then to other projects using innovative or alternative technology.

(c) Reserve for grant increases. The state shall set aside a portion of the total funds available during the priority list year for grant increases for projects which have been awarded assistance and which need additional funds to complete. No grant increase will be made using these reserve funds that is in excess of 25 percent of the original grant amount or \$250,000, whichever is less; nor will two or more increases to the same grant be awarded in one fiscal year that would constitute a total increase larger than these amounts must be included on the fundable portion of the Project Priority List and will be subject to provisions of Section C.

This reserve is optional and will be implemented to the extent that the state deems necessary to provide for anticipated increases for previously funded projects.

(d) Reserve for advances of allowance. Each state shall reserve a reasonable portion of its annual allotment, not to exceed 10 percent for advances of allowance under 40 CFR §35.2025. The regional administrator may waive this reserve requirement where a state can demonstrate that such a reserve is not necessary because no new facilities planning or design work requiring an advance and resulting in Step 3 grant awards is expected to begin during the period of availability of the annual allotment. Only projects that meet all of the following criteria may receive advance funding from this reserve fund:

1. The construction portion of the project must appear within the five year planning portion of the priority list.
2. The advance is to perform facility planning (Step 1) or design (Step 2) work that has not been previously funded.
3. If the advance is intended for design work (Step 2), the project does not meet the eligibility requirements for a Step 2 + 3 grant.
4. The applicant is a small community.

Should such an advance be made, and the potential grant applicant, for any reason, does not obtain a grant for construction within a period of five years, the state may seek repayment under Section 3 of PL-97-117.

This reserve is mandatory.

(e) Reserve for alternative system for small communities. Each state with 25 percent or more rural population (as determined by population estimates of the Bureau of Census) shall reserve four percent of the state's annual allotment, for alternatives to conventional treatment works for small communities. The governor of any non-rural state may reserve up to four percent of the state's allotment for the same purpose.

This reserve is mandatory.

(f) Reserve for Water Quality Management. The state shall set aside from each allotment for each fiscal year an amount not to exceed one percent of the allotted amount or \$100,000, which-

ever amount is the greater. Such sums shall be used to make grants to the states to carry out water quality management planning authorized under Section 205 (j) of the Act. This reserve is mandatory.

SECTION E

Alphabetical Sequence List

Paragraph 1—In order to facilitate locating projects included on the State of Louisiana Construction Grants Priority List, an Alphabetical Sequence List has been developed. This list is composed of all projects included on the Construction Grants Priority List, in alphabetical order, rather than priority number. This list is provided only to facilitate identification of projects by cross-referencing between lists.

SECTION F

Effective Dates

Paragraph 1—The preceding Sections are effective on the twenty-first day subsequent to a public hearing held in accord with the provisions of 40 CFR Part 25.

Patricia L. Norton
Secretary

RULE

Office of the Governor Department of Veterans Affairs War Veterans Home

The following are rules of eligibility requirements and rules pertaining to the collecting and handling of fees from veterans who are residents of the Louisiana War Veterans Home, Jackson, LA, administered by the Department of Veterans Affairs. Rules published at a prior date which are in conflict with the following rules are hereby repealed.

1. For admission to the Louisiana War Veterans Home, Jackson, LA, for domiciliary or nursing care, a veteran must be a resident of the State of Louisiana.

2. The veteran's military service must be such as to meet the requirements for admission into any Veterans Administration Medical Center.

3. The veteran applicant must undergo a medical examination and, as a result, it must be shown that he/she does not have a communicable disease, does not require medical or hospital care for which the home is not equipped to provide, and does not have violent traits which may prove dangerous to the physical well-being of other residents or employees.

4. The veteran must consent to abide by all the rules and regulations governing the home and to follow the course of treatment prescribed by the Veterans' Home medical staff.

5. Every resident of the home shall be responsible for payment of the full resident care and maintenance charge. The home administrator may consider waiver of payment of care and maintenance charges only for the amount of difference of income the veteran has and the total charge of care and maintenance.

6. Care and maintenance fees will be based on all family income. This includes income from all sources (Social Security, Veterans Administration pension, private pension, interest from savings account(s), income from any/all sources). In no case will the fees charged to the resident be more than the actual cost of care as determined by the director of the Louisiana Department of Veterans Affairs and the Veterans Affairs Commission.

7. SECTION A. When computing care and maintenance fees the following rule will apply. For a domiciliary resident he/she may retain the first \$180 per month of his/her income provided income is \$300 or more per month. Any remaining income will be applied to care and maintenance fees until maximum care cost is

reached. If the income is less than \$300 per month resident retains the first \$60 per month and the remainder will be divided equally, half going to the veteran and the other half going toward care and maintenance. The veteran is expected to handle personal expenses out of his retained funds.

SECTION B. If a veteran has a dependent he/she may be allowed a deduction from total income of up to \$300/month for a spouse and up to \$150/month for a dependent child before the care and maintenance fee is figured. The exact amount of deduction will be computed based on dependents' monthly income. This rule also applies to nursing care residents.

SECTION C. Exclusion—All income received as a direct result of arts and crafts made at the home shall be exempt and excluded as income for consideration in computing the care and maintenance charges.

8. SECTION A. For Nursing Care I and II (PEA) residents, the following rule will apply when computing care and maintenance fees. Residents will retain the first \$60 per month, to be used for personal expenses. The remaining income will be applied to care and maintenance fee until maximum care cost is reached.

SECTION B. For Nursing Care III, intermediate level care residents, the following rule will apply when computing care and maintenance fees. Residents will retain the first \$100 per month, to be used for personal expenses. The remaining income will be applied to care and maintenance fee until maximum care cost is reached.

9. Residents must apply for all monetary benefits for which they may be entitled from both the state and federal government.

10. Care and maintenance fees are payable one month in advance. These fees are due before the tenth of each month. A portion of a month will be prorated according to the number of days stay. Residents will not be charged care and maintenance fees for periods of hospital confinement in excess of 96 hours unless they desire that a bed be held until their return. For periods of leave from the home, maintenance fees are payable as arranged with the administrator or his designee. Note: Residents that are unable to pay charges in advance will be allowed to prorate the advance month fee over a 12-month period.

11. Care and maintenance fees will be adjusted when it has been established that there is a change in the veteran's income or family income if he has a dependent. The home reserves the right to request updated income information from the resident, dependents, or any other source (signed authority at admission by veteran and/or next of kin). The home also reserves the right to establish retroactive charges effective to the date a change in income occurs.

12. In addition to the regular care and maintenance fees collected, if less than maximum monthly amount and the resident has a savings account in excess of \$500 if single, and \$5,000 if married, the resident will be assessed an amount that would bring his care and maintenance fees up to the maximum amount allowable per month until this account is reduced to the above stated balance. This rule also applies to residents' in-house accounts in excess of \$2,500.

13. There will be no income limitation as an eligibility requirement for admission in the Louisiana War Veterans Home. Applicants' income or net worth, available or lacking, shall not be a bar to admission.

14. The home administrator when given incorrect income information will avail himself of all state laws to recoup all monies that should have been available to the home for care and maintenance fees, retroactive to the time that these monies became available for the residents use while he/she was staying at the Louisiana War Veterans Home.

15. All residents of the Louisiana War Veterans Home who

feel that they have unusual circumstances can request relief and consideration of reduction of care and maintenance fees. The resident must apply for this consideration through the War Veterans Home administrator for recommendation to the director of Veterans Affairs for approval or disapproval. In the event this request is denied, an appeal may be submitted to the Veterans Affairs Commission for their consideration. The Veterans Affairs Commission's decision shall be rendered final.

Cleo C. Yarbrough
Executive Director

RULE

Office of the Governor Office of Elderly Affairs

In accordance with Louisiana Revised Statutes 49:950 et seq., the Administrative Procedure Act, notice is hereby given that the proposed revision of Subsection 708 of the Governor's Office of Elderly Affairs Policy Manual which was published in the November 20, 1984 issue of the *Louisiana Register* has been adopted in its entirety with one addition: State Ombudsman staff will handle all referrals to out-of-parish agencies.

RULE

Effective January 20, 1985, the Governor's Office of Elderly Affairs Policy Manual has been amended to incorporate the revision of the Ombudsman rules published in the November 20, 1984 issue of the *Louisiana Register*, including the addendum below:

G.4. Complaint Resolution—In the process of resolving complaints, the ombudsman shall encourage residents to resolve complaints themselves. If the ombudsman is asked to act on behalf of a resident, the ombudsman shall seek to resolve the problem within the long term care facility by contacting the administrator or staff of the facility. If a referral to another agency is appropriate, the ombudsman shall make such a referral with the permission of the complainant. *Referrals to out-of-parish agencies will go through the State Ombudsman staff.* Follow-up shall be provided on referrals of the ombudsman. The complainant will always be kept informed by the ombudsman of the status of the complaint and may choose to stop the investigation or resolution process at any time.

Sandra C. Adams
Director

RULE

Department of Health and Human Resources Cancer and Lung Trust Fund Board

The Louisiana Cancer and Lung Trust Fund Board is adopting the following rule pursuant to LSA-R.S. 40:1299.80 et seq. effective January 20, 1985.

PROCEDURAL REGULATIONS OF THE BOARD OF THE LOUISIANA CANCER AND LUNG TRUST FUND

I. PURPOSE

The purpose of the Louisiana Cancer and Lung Trust Fund Board is to annually receive monies appropriated by the Legislature and other sources to be used solely for research on cancer and cardio-pulmonary diseases and clinical investigations and training in the fields of cancer and cardio-pulmonary diseases. The board is to direct the disbursement of these monies to those persons/institutions whose proposed grant applications have been reviewed and approved by Peer Review Committees and reaffirmed by a majority vote of the board. The board is also responsible for other

activities as provided under R.S. 40:1299.80 through 1299.90 including developing policies for the operation of a Louisiana State Tumor Registry and establishing rules and regulations for accumulation and distribution of data collected.

II. MEMBERSHIP

A. Membership of the board is determined by R.S. 40:1299.88(D) and consists of members appointed and reappointed by the governor, to serve at his pleasure, upon recommendation of each institution and organization represented: 1) a representative from Tulane University School of Medicine, 2) a representative from the Louisiana State University School of Medicine, New Orleans, 3) a representative from the Louisiana State University School of Medicine, Shreveport, 4) a representative from the Alton Ochsner Medical Foundation, 5) a representative of the American Cancer Society, Louisiana Division, 6) a representative of the American Lung Association of Louisiana, Inc., 7) a representative of the Leukemia Society of America, Inc., Louisiana Chapter, 8) a representative of the Mary Byrd Perkins Cancer, Radiation and Research Foundation, Inc., 9) a representative of the Flint Goodridge Hospital, and 10) a representative of the Louisiana State Medical Society.

B. A member will serve on the board for an unlimited term, subject to R.S. 1299.88(D).

C. A member of the board may send a substitute to a board meeting, but that substitute is not entitled to a vote, nor entitled to any authorized reimbursement of expenses to which the member is entitled under R.S. 1299.88(E)3. A substitute member shall not be counted towards a quorum.

D. If any member of the board misses three consecutive meetings the member's sponsoring institution or organization will be requested to recommend a replacement for that member to the governor. The only exception to this Section will be for circumstances uncontrolled by the absentee member explained in writing and accepted by a majority vote of the board.

III. OFFICERS

A. There shall be a chairman, vice-chairman, secretary, and treasurer of the board, with duties provided under R.S. 1299.88(E). Any member may hold two of these positions.

B. Officers shall serve one-year terms, beginning on the first day of October. No officer shall hold the same office more than two consecutive years.

C. At the first meeting after January 1, the chairman shall appoint a two-person Nominating Committee for the purpose of soliciting candidates for office. The Nominating Committee shall submit either a single or double slate of recommendations to the chairman at the regular meeting immediately prior to October 1. Election of officers will be by voice vote at that meeting and the new officers will begin their terms on October 1.

IV. MEETINGS

A. The board will meet at least three times per calendar year, with notices being mailed 30 days prior to the meeting. Emergency meetings may be held upon 24 hours actual notice and business may be transacted, provided that not less than a majority of the full board concurs in the proposed action.

B. Six members shall constitute a quorum for the transaction of business; however, no board action shall be taken by a vote of less than a majority of the full board. The chairman shall vote only when it would affect the outcome.

C. The board shall meet at a convenient place selected by the chairman.

V. COMMITTEES

A. Peer Review Committees shall be appointed by a vote of the board as provided under R.S. 1299.88(D)1. Reimbursement for expenses, including travel expenses, incurred in the discharge of their duties will be provided to members of the Peer Re-

view Committees. The board may elect to provide honorariums to members of these committees within the budget and statutory provisions of the Trust Fund Act and the state. Board members or Advisory Committee members are not entitled to honorariums should they serve on Peer Review Committees.

B. The board may establish Advisory Committees as provided under R.S. 1299.88(E)8.

C. The chairman may appoint Ad Hoc Committees as determined by the needs of the board. Members of these committees, if not regular members of the board, are not entitled to any reimbursements for expenses.

VI. DISBURSEMENT OF GRANT FUNDS

A. All applications for funding will undergo evaluation and priority rating by a Peer Review Committee. The applications shall be submitted by the Peer Review Committee to the board, who will elect to award funds to the applications. Decisions of the board are final.

B. Grant applications will be handled in the following manner: Advertisement of monies available and where to obtain grant applications shall be made in the *Louisiana Register* and directly to all appropriate institutions, organizations, and individuals. Grant applications will be forwarded to the appropriate Peer Review Committees.

The Board shall review the Peer Review Committees' recommendations and notify all applicants of the funding decisions. The chairman of the board shall be responsible for notifying all grant applicants via mail of the decisions of the board within 10 days of the board meeting.

VII. RULES OF OPERATION AND REVISIONS

A. The operation of the board and all committees will be guided by *Robert's Rules of Order Revised*, 1979 Edition, in all instances not covered by these procedures.

B. Any revisions to R.S. 40:1299.80 through 1299.90, the Louisiana Cancer and Lung Trust Fund statutes, by the Legislature will automatically affect these procedures. Subsequent additions and amendments are to be proposed by a member of the board in writing, and approved by a three-fourths vote of the full board.

Pelayo Correa, M.D.
Chairman

RULE

Department of Health and Human Resources Office of Family Security

The Department of Health and Human Resources (DHHR), Office of Family Security (OFS), shall implement the following policy.

Effective February 1, 1985, the Medical Assistance Program shall elect the option to allow small rural hospitals to provide long term care services under certain conditions. This action is in accordance with federal regulations published in the *Federal Register* dated July 20, 1982, Volume 47, No. 139, pages 31518 through 31533.

RULE

Swing Bed Provision

A swing bed hospital is a small rural hospital that has been approved by the Health Care Financing Administration (HCFA) to use its beds interchangeably to furnish Skilled Nursing Facility (SNF) type services to Medicaid and Medicare beneficiaries. In such hospitals, a certain number of beds may be utilized as either long term care beds or acute care beds. The level of care for an individual occupying a long term care swing bed is determined using established criteria for routine SNF care. The requirements for swing bed

hospitals are the same as for SNF facilities, except for those requirements which are also hospital requirements. SNF standards for payment are used to monitor the services provided.

Other than the exceptions listed in the following sections, nursing home services in swing bed facilities are the same as in free standing SNF facilities. Physician certification, plan of care, social service designee, patient activities, patient funds, patient rights, complaint investigation, record keeping, etc. are required as stated in the Standards for Payment.

Certification for Participation

Small rural hospitals may be certified to provide SNF services if all of the following conditions are met:

1. The hospital has a valid agreement as a Title XVIII provider of swing bed services;

2. The hospital has fewer than 50 hospital beds, excluding beds for newborns and beds in intensive care type inpatient units. Beds in a separately certified "distinct part" of the hospital are also excluded in determining bed count;

3. The hospital is located in an area not designated as "urban" in the most recent census;

4. A determination has been made under Section 1122. A determination of "not subject to review" shall be considered the same as approval;

5. The hospital is not operating under a waiver of the hospital requirement for 24 hour nursing services;

6. The hospital has a valid Title XIX agreement as a provider of acute care hospital services;

7. The hospital has not had a swing bed Title XVIII or XIX approval terminated within the two years previous to application.

Conditions of Participation

Swing bed hospitals must comply with the standards for SNF participation except for those SNF requirements which overlap with hospital certification requirements. These are:

1. State and local laws;

2. Governing body and management (except patients' rights);

3. Medical direction;

4. Dietary services;

5. Specialized rehabilitative services - outpatient physical therapy services;

6. Pharmaceutical services;

7. Laboratory and radiological services;

8. Medical records;

9. Physical environment;

10. Infection control;

11. Transfer agreement;

12. Disaster preparedness.

A provider of swing bed services must comply with conditions for Title XIX participation as both an acute care hospital and a SNF facility; however, lack of compliance with SNF requirements does not affect participation as a provider of acute care hospital services.

Provider Enrollment

DHHR will enter into a separate enrollment agreement with hospitals electing to become swing bed providers. A separate provider number will be assigned for reimbursement of swing bed services.

Change in Type of Care Within a Swing Bed Facility

Under the swing bed reimbursement method, a recipient patient may be admitted to a swing bed hospital as an inpatient requiring a hospital level of care and subsequently require a reduced level of care at a SNF. When a recipient's level of care is

reduced to the SNF level, the situation is treated as a discharge from the hospital and an admission to a SNF bed, even though the change in level of care may not involve a physical move of the patient. The day on which a recipient begins to receive SNF type services is considered to be the day of discharge from the hospital and the day of admission to a SNF bed. Admissions and discharges of the recipients are handled exactly like SNF following the same guidelines. Reimbursement is filed individually for each patient according to the assigned provider number. The swing bed program will be administered by the hospital staff and the hospital administrator.

Reimbursement

Swing bed hospitals will be paid for SNF services at the statewide rate paid under the State Plan. Ancillary services will be reimbursable at the rates currently in effect for those services. Reimbursement will not be made to swing bed hospital for individuals requiring ICF services.

Reimbursement for the acute care services provided in swing bed hospitals must be determined after the total reimbursement for long term care services is subtracted from total facility costs (the carve out method).

Claims Processing

SNF routine services will be billed using the same claims processing procedures used by other long term care facilities. Ancillary services will be billed using the hospital claim form. Acute care services will be billed in the usual manner.

Admissions Review

Admissions review for all applications for swing bed services is the responsibility of the OFS regional office. All procedures and policies governing admissions review will be used. Recipients requiring ICF care shall not be certified for swing bed services even as a waived service.

Eligibility Determination

Applications for swing bed vendor payment are handled the same as an application for routine SNF vendor payment. All procedures and policies, applicable to SNF, including first full month of institutionalization, will be applicable to swing bed vendor payment grants. There will be no reimbursement for hospital leave days since the client is in a hospital bed. Home leave days are allowable in accordance with policy.

Utilization Review (UR)

UR is conducted by the OFS Regional Office using all policies and procedures applicable to SNF facilities. Changes in level of care are handled in the usual manner, except that a determination that a resident no longer requires SNF care will result in decertification of the resident.

Professional Medical Review

Professional medical reviews are conducted using the standards for payment for SNFs. Review reports are handled as for any long term care facility.

Program Monitoring/Abuse

At the end of each quarter, provider and recipient profiles will be pulled for all recipients who have received swing bed services for that quarter. The Surveillance Utilization Review System (SURS) of OFS will analyze these reports to determine if a pattern of abuse related to acute care hospital utilization has occurred. It may be necessary to perform on-site reviews of the swing bed hospitals records to determine if a pattern of abuse exists. It may also

be necessary to review the records of other hospitals utilized by the swing bed recipients.

Implementation is subject to approval by the Health Care Financing Administration (HCFA) as required for all Title XIX policy changes. If disapproved by HCFA, the policy prior to this proposed amendment remains in effect.

Sandra L. Robinson, M.D., M.P.H.
Secretary and State Health Officer

RULE

Department of Health and Human Resources Office of Family Security

The Department of Health and Human Resources, Office of Family Security, shall provide for penalties for violating nursing home standards. Act 730 of the 1984 Regular Session of the Louisiana Legislature authorizes these changes.

RULE

Effective February 1, 1985, Attachment 4.19-D, section I.A(1), pages 7a and 7b will be included in the Standards for Payment to Skilled Nursing Facilities and Intermediate Care Facilities I and II Participating in the Louisiana Medical Assistance Program (Title XIX) to read as follows:

A. (1) PENALTIES FOR VIOLATIONS

1. The facility shall comply with La. R.S. 40:2009.1 through 40:2009.11, which provide that any facility violating any state or federal regulation or departmental rule where such violation poses a serious threat to the health, safety, rights, or welfare of a nursing home resident shall be liable to civil fines of one hundred dollars per day for first violation and \$1000 per day for confirmed repeat violations for each day that such violations continue. These civil fines shall be in addition to any criminal action which may be brought under other applicable laws.

2. Where the department has reasonable cause to believe that there has been a serious violation, the secretary shall give written notice by certified mail to the operator of the facility in question. The written notice shall specify the alleged violations, cite the legal authority which establishes such violations, and advise the operator that he has three days from receipt of the notice to request an appeal hearing. If no appeal is requested, the department shall determine whether such alleged violations did occur, and if so, shall assess civil fines as provided in Paragraph 1. The department shall forward its findings to the facility by certified mail, and any fines imposed shall commence as of the date such determination is received by the alleged violator.

3. If an appeal is requested on a timely basis, the department shall conduct an administrative hearing in accordance with the provisions of the Administrative Procedure Act. Such hearing must be held within one week of receipt of the request. The department shall review all relevant evidence and make its final written determination in the matter no later than three days after the administrative hearing is begun, provided that the hearing officials may continue the matter for good cause shown where such continuance will not jeopardize the health, safety, rights, or welfare of the facility's residents.

4. At the conclusion of an administrative hearing, the department shall make specific written findings as to each alleged violation. The agency's findings shall be mailed to the facility at the last known address by certified mail. Any fines imposed shall commence as of the date such agency findings are received by the alleged violator.

5. If the department's findings are adverse to the facility, it may request judicial review of such matter to the Nineteenth Ju-

dicial District Court within 15 days of receipt of such findings. Such appeal shall be suspensive.

The facility shall furnish, with the appeal, bond in the minimum amount of one and one-half times the amount of the fine imposed by the *département*. The bond furnished shall provide in substance, that it is furnished as security that the facility will prosecute its appeal, that any judgment against it will be paid or satisfied from the amount furnished or that otherwise the surety is liable for the amount assessed against the facility. The appeal shall be heard in a summary proceeding which shall be given precedence over other pending matters.

6. At the conclusion of the judicial review, the court shall enter an appropriate order either reversing or modifying the agency's findings or upholding the agency's findings. If the agency's findings are upheld, the court shall order the payments of all fines imposed.

7. The department is empowered to institute all necessary civil court action to collect fines imposed and not timely appealed. No nursing home may claim imposed fines as reimbursable costs, nor increase charges to residents as a result of such fines.

Implementation is subject to approval by the Health Care Financing Administration (HCFA) as required for all Title XIX policy changes. If disapproved by HCFA, the policy prior to this proposed amendment remains in effect.

Dr. Sandra L. Robinson, M.P.H.
Secretary and State Health Officer

RULE

Department of Health and Human Resources Office of Family Security

The Department of Health and Human Resources, Office of Family Security, shall implement the following changes in the Food Stamp Program as mandated by federal regulations as published in the *Federal Register*, Volume 49, Number 193, Wednesday, October 3, 1984, pages 39035-39038. Section 12-229 of the Food Stamp Operating Guidelines will be revised to reflect these changes.

Effective January 2, 1985, the rule entitled "Voluntary Quit in the Food Stamp Program" published in the *Louisiana Register* Volume 5, Number 8, August 20, 1979, pages 245-246, shall be amended to read as follows:

RULE

VOLUNTARY QUIT. No household whose primary wage earner voluntarily quit his or her most recent job without good cause shall be eligible for participation in the program as specified below. At the time of application, the state agency shall explain to the applicant the consequences of the household's primary wage earner quitting his or her job without good cause.

DETERMINING WHETHER A VOLUNTARY QUIT OCCURRED AND APPLICATION PROCESSING.

1. When a household files an application for participation, or when a participating household reports the loss of a source of income, the Office of Family Security (OFS) shall determine whether any household member voluntarily quit his or her job. Benefits shall not be delayed beyond the normal processing times pending the outcome of this determination. This provision applies only if the employment involved 20 hours or more per week or provided weekly earnings equivalent to the federal minimum wage multiplied by 20 hours; the quit occurred within 60 days prior to the date of application or anytime thereafter; and the quit was without good cause. Changes in employment status that result from

reducing hours of employment while working for the same employer, terminating a self-employment enterprise or resigning from a job at the demand of the employer will not be considered a voluntary quit for purposes of this section. An employee of the federal government, or of a state or local government who participates in a strike against such government, and is dismissed from his or her job because of participation in the strike, shall be considered to have voluntarily quit his job without good cause.

2. In the case of an applicant household, the OFS shall determine whether any currently unemployed (i.e. employed less than 20 hours per week or receiving less than weekly earnings equivalent to the federal minimum wage multiplied by 20 hours) household member who is required to register for work has voluntarily quit his or her most recent job within the last 60 days. If the OFS learns that a household has lost a source of income after the date of application but before the household is certified, the OFS shall determine whether a voluntary quit occurred.

3. In the case of a participating household, the OFS shall determine whether any household member voluntarily quit his or her job while participating in the program.

4. If a determination of voluntary quit is established, the OFS shall then determine if that member is the household's primary wage earner. The primary wage earner shall be the household member age 18 or over who was acquiring the greatest amount of earned financial support for the household at the time of the quit. The primary wage earner is determined by comparing the projected earnings of the member who quit employment in the month the voluntary quit occurred as if he/she had not ceased employment against the actual or, if not available, the projected earnings of the remaining household members.

5. If an application for participation is filed in the third month of disqualification, the eligibility worker shall use the same application for the denial of benefits in the remaining month of disqualification and certification for any subsequent month(s) if all other eligibility criteria are met.

6. Upon a determination that the primary wage earner voluntarily quit employment, the OFS shall determine if the voluntary quit was with good cause. In the case of an applicant household, if the voluntary quit was without good cause, the household's application for participation shall be denied and sanction imposed for 90 days, starting from the date of application. The OFS shall provide the applicant household with a notice of denial. The notice shall inform the household of the proposed period of disqualification; its right to reapply at the end of the 90 day period; and of its right to a fair hearing. In the case of participating households, benefits shall be terminated for a period of 90 days.

7. If the OFS determines that the primary wage earner of a participating household voluntarily quit his or her job, while participating in the program, the OFS shall provide the household with a notice of adverse action within 10 days after the determination of a voluntary quit is made. Such notification shall contain the proposed period of disqualification and shall specify that the household may reapply at the end of the disqualification period. Except as otherwise specified in this Paragraph, the disqualification period shall be for three months or 90 days beginning with the first of the month after all normal procedures for taking adverse action have been followed. The 90 day disqualification period may be converted to a three calendar month period only for participating households. For those households which leave the program before the sanction can be levied, the sanction shall not be imposed until the household returns to the program. Each household has a right to a fair hearing to appeal a reduction or termination of benefits due to a determination that the household's primary wage earner voluntarily quit his or her job without good cause. If the participating household requests a fair hearing and the OFS's de-

termination is upheld, the disqualification period shall begin the first of the month after the hearing decision is rendered.

Exemptions From Voluntary Quit

Persons exempt from full-time work registration provisions are exempt from Voluntary Quit provisions.

Emergency rulemaking was invoked to implement this policy effective January 2, 1985. The Emergency Rule was published in the November 20, 1984 *Louisiana Register* (Volume 10, Number 11).

Sandra L. Robinson, M.D., M.P.H.
Secretary and State Health Officer

RULE

Department of Health and Human Resources Office of Family Security

The Department of Health and Human Resources, Office of Family Security, shall implement the following changes in the Food Stamp Program as mandated by federal regulations as published in the *Federal Register*, Volume 49, Number 193, Wednesday, October 3, 1984, pages 39035-39038. Section 12-229 of the Food Stamp Operating Guidelines will be revised to reflect these changes.

RULE

Effective January 1, 1985, each household member who is not exempt from work registration shall be registered for employment at the time of application and once every 12 months after initial registration, as condition of eligibility.

FAILURE TO COMPLY WITH A COMPARABLE WORK INCENTIVE (WIN) OR UNEMPLOYMENT COMPENSATION WORK REQUIREMENT.

A household containing a member who was exempt from work registration because he or she was registered for work under WIN or unemployment compensation and who fails to comply with a WIN or unemployment compensation requirement comparable to a food stamp work registration requirement shall be treated as though the member had failed to comply with the corresponding food stamp requirements.

1. If the Office of Family Security (OFS) learns that a household member has refused or failed without good cause to comply with a WIN or unemployment compensation requirement, the OFS shall determine whether the requirement was comparable. Similarly, if the household reports the loss or denial of AFDC or unemployment compensation or if the OFS otherwise learns of such loss or denial, the OFS will determine whether the loss or denial was caused by a determination by the administering agency that a household member refused or failed without good cause to comply with the work requirement and, if so, whether the requirement was comparable to the work registration requirement. The WIN or unemployment compensation requirement shall not be considered comparable if it places responsibilities on the household which exceed those imposed by the food stamp work registration requirements.

2. If the OFS determines that the requirement is comparable, the entire household shall be disqualified in accordance with the following provisions. The OFS shall provide the household with a notice of adverse action within 10 days after learning of the household member's noncompliance with the unemployment compensation or WIN requirement. A household shall not be disqualified from participation if the noncomplying member meets one of the work registration exemptions. Household members who fail

to comply with a noncomparable WIN or unemployment compensation requirement shall lose their exemption.

3. If the state agency determination of noncompliance with a comparable WIN or unemployment compensation work requirement leads to a denial or termination of the household's food stamp benefits, the household has a right to appeal the decision.

4. A disqualified household may resume participation in the program in accordance with 12-229 I.

EXEMPTIONS FROM WORK REGISTRATION

Section 12-229 B.(1)(b) was revised to exempt from work registration a parent or other household member who is responsible for the care of a dependent child under the age of six. Section 12-229 B.(1)(c) was omitted to delete the exemption from work registration for a parent or caretaker of a child under 18 in a household where another able bodied person is subject to the work registration requirement.

DETERMINING GOOD CAUSE

The Office of Family Security shall be responsible for determining good cause in those instances where the work registrant has failed to comply with the work registration and voluntary quit requirements. In determining whether or not good cause exists, the Office of Family Security shall consider the facts and circumstances, including information submitted by the household member involved and the employer. Good cause shall include circumstances beyond the member's control, such as, but not limited to, illness, illness of another household member requiring the presence of the member, a household emergency, the unavailability of transportation, or the lack of adequate child care for children who have reached age six but are under age 12.

JOB SEARCH

The Office of Family Security has opted not to impose job search at the time of application.

Emergency rulemaking was invoked to implement this policy effective January 2, 1985. The Emergency Rule was published in the November 20, 1984, *Louisiana Register* (Volume 10, Number 11).

Sandra L. Robinson, M.D., M.P.H.
Secretary and State Health Officer

RULE

Department of Health and Human Resources Office of Hospitals

The Department of Health and Human Resources, Office of Hospitals, Emergency Medical Services hereby adopts the following standards for Emergency Medical Technician training courses in the Emergency Medical Services Program. These standards are being adopted under the authority granted to the secretary by R.S. 40:1231.

1. The Emergency Medical Technician programs, Basic, Intermediate and Paramedic must meet or exceed the current minimum course requirements of the United States Department of Transportation National Standard Curricula and the Department of Health and Human Resources - Office of Hospitals.

2. The Department of Health and Human Resources - Office of Hospitals adopts the program guidelines of the National Registry of Emergency Medical Technicians as the minimum standards for the EMT-Basic, EMT-Intermediate, and the EMT-Paramedic training programs. The guidelines of the National Registry of Emergency Medical Technicians may be obtained from the

Emergency Medical Services Program Administrator, Office of Hospitals, Box 44215, Baton Rouge, La. 70804.

3. Certification for Emergency Medical Technician-Basic, Intermediate and Paramedic is contingent upon successful completion of the established criteria of the National Registry of Emergency Medical Technicians at the respective level. The Department of Health and Human Resources-Office of Hospitals will serve as the certifying agent for the Emergency Medical Technician-Basic and the Louisiana State Board of Medical Examiners shall serve as the certifying agent for the Intermediate and Paramedic.

4. The Emergency Medical Technician-Basic, Intermediate and Paramedic programs must incorporate medical involvement and supervision.

5. The Emergency Medical Technician-Basic, Intermediate and Paramedic training programs must have as its lead instructor/coordinator an individual who has been certified by the Department of Health and Human Resources-Office of Hospitals to teach the particular course level involved.

6. The Emergency Medical Technician training program must be sponsored by either the Department of Health and Human Resources-Office of Hospitals, or accredited academic institution (college or university), a vocational-technical training institution certified by the Accrediting Commission of the National Association of Trade and Technical Schools approved by the Proprietary School Commission, and approved and/or operated by the Board of Elementary and Secondary Education, or a hospital accredited by the Joint Commission on Accreditation of Hospitals.

7. The Department of Health and Human Resources-Office of Hospitals will have the responsibility for the establishment of the student selection criteria which will be implemented by those agencies administering the Emergency Medical Technician-Basic, Intermediate and Paramedic programs. The student selection criteria is as follows:

1. Ambulance
2. Provisional Ambulance
3. Law Enforcement
4. Part Time/Volunteer Personnel
5. Fire Safety
6. Health Care
7. Industrial Safety
8. U.S. Military Applicants
9. U.S. Government
10. All Other Applicants

8. There must be a signed agreement of sponsorship between the authorized agents of the sponsoring institution i.e., hospital and those agencies administering the EMT-Basic, Intermediate and Paramedic programs.

Sandra L. Robinson, M.D., M.P.H.
Secretary and State Health Officer

RULE

Department of Natural Resources Division of State Lands

The Louisiana Department of Natural Resources adopts rules and regulations pursuant to authority granted by Act 233 of the 1984 Louisiana Legislature. The rules and regulations establish procedures for the notification of applicants and receipt of applications, as necessary to implement Act 233 of 1984.

SECTION I - DEFINITIONS

As used in these rules and regulations, the words and phrases defined shall have the following meanings:

1. "Applicant" shall mean a person submitting an application to the Department and claiming to be (1) the original owner

of the property on the date of its expropriation by or sale under threat of expropriation to the Orleans Levee Board, or (2) the original owner's lawful heir, or legatee or their duly constituted succession representative. If the original owner was a corporation or association (other than a partnership or limited partnership or partnership in commendam) which has been merged or consolidated into another such corporation or association, "applicant" shall mean the corporation or association into which the owner has been merged. If the owner was a partnership or limited partnership or partnership in commendam which has changed its composition subsequent to the date of expropriation by or sale to the Orleans Levee Board, "applicant" shall mean those persons, firms or corporations who were partners on the said date. If individual partners are no longer living, "applicant" shall mean those surviving persons, firms or corporations who were partners on the said date, together with the succession representative of such partners who are deceased. The submission of an application creates no presumption as to the validity of the claims of ownership or heirship contained therein.

2. "Application" - that form furnished by the Department to be completed and returned by the applicant, together with any attachments, pursuant to these rules.

3. "Board" shall mean the Board of Levee Commissioners of the Orleans Levee District.

4. "Department" shall mean the Department of Natural Resources of the State of Louisiana, the secretary thereof or his designee.

5. "Property" shall mean the individual tracts of private property expropriated or purchased under threat of expropriation by the board, pursuant to Act 99 of the 1924 Regular Session of the Legislature, for purposes of establishing the Bohemia Spillway, located on the east bank of the Mississippi River in Plaquemines Parish. "Property" shall include the acreage, arpents or quantity in measurements existing at the time of acquisition by the Board except to the extent that the tract has been reduced by erosion or augmented by riverine accretion.

SECTION II - NOTIFICATION, APPLICATION FORMS

A. The Department shall cause a notice to be published every third day for a period of 30 days in the *New Orleans Times Picayune*. Notice shall also be published once a week for four successive weeks in the *Plaquemines Gazette*, the official journal of Plaquemines Parish. The notice shall be entitled "Notice of Return of Bohemia Spillway Lands, Plaquemines Parish", and shall contain the following information:

1. A statement that Act 233 of the 1984 Louisiana Legislature directed the return of land expropriated or purchased under the threat of expropriation for the construction of the Bohemia Spillway to its former owners or their successors.

2. Persons claiming ownership pursuant to Act 233 of 1984 can obtain an application form and a copy of existing rules for the return of the land by sending a written request to the Department, or its designee, at the address and place specified in the notice.

3. No application for return of the land or property will be accepted after 180 days from the date of final publication of the notice.

4. Copies of the list of original owners of the property and other information will be available for public inspection and review at the Plaquemines Parish Library locations in Buras and Belle Chasse, the Plaquemines Parish Court House, the Board's Office, and any other public building specified in the notice.

B. The Department shall prepare and have available for distribution, application forms and appropriate attachments for individuals and for corporations, partnerships or associations seeking ownership of property, pursuant to Act 233 of 1984. Within 10 days of receipt of a request for an application, the Department shall

forward the appropriate form and any attachments to the requestor, together with a copy of the existing regulations adopted pursuant to Act 233 of 1984. The Department will only consider and process apparently complete applications received on or before the one hundred eightieth day from the date of final publication of the notice, as specified hereinabove.

C. Prior to the first publication of notice, hereunder, the Department, or the Board upon direction of the secretary, shall provide the Plaquemines Parish Libraries and Clerk of Court's Office and any other custodian of a public building specified by the secretary, three copies, each, of the list of original owners of property on the date of acquisition by the Board, and such other information as required by the Department. Said lists and information shall be available for public review and inspection at the sites specified herein and the Board's offices, during regular business hours, from the date of first publication of notice, until 180 days after the last publication of notice.

B. Jim Porter
Secretary

RULE

Department of the Treasury Deferred Compensation Commission

LOUISIANA PUBLIC EMPLOYEES' DEFERRED COMPENSATION PLAN

The Louisiana Public Employees' Deferred Compensation Plan (the "Plan") was adopted by the Louisiana Deferred Compensation Commission, effective September 15, 1982. The Plan was established in accordance with Louisiana Revised Statutes 42:1301 through 42:1308 and Section 457 of the Internal Revenue Code of 1954, as amended for the purpose of providing supplemental retirement income to employees and independent contractors by permitting such individuals to defer a portion of compensation to be invested and distributed in accordance with the terms of the plan.

Effective October 1, 1984, the plan is hereby amended and restated in its entirety. The restated plan shall supercede all plans and rules previously adopted in connection with the Louisiana Public Employees' Deferred Compensation Plan.

ARTICLE I DEFINITIONS

1. *Beneficiary* means the person or persons entitled to receive a deceased participant's interest in compensation deferred in accordance with the terms of the plan.
2. *Code* means the Internal Revenue Code of 1954, as amended (or a successor statute).
3. *Commission* means the Louisiana Deferred Compensation Commission established in accordance with Louisiana Revised Statute 42:1302, which Commission shall be comprised of the state treasurer, the commissioner of administration, the commissioner of insurance, the commissioner of financial institutions, and three participant members (elected by the participants). The *Commission* also means the duly authorized designees of such individuals.
4. *Compensation* means all remuneration paid by the employer to an employee or independent contractor for services rendered for or on behalf of the employer during the taxable year, which compensation is includible in gross income, if not deferred pursuant to the plan.
5. *Deferred Compensation* means the portion of a participant's compensation which such participant and the commission agree to defer pursuant to the terms of the plan.
6. *Employee* means any individual, including an individual who is elected or appointed, providing personal services to the

employer; provided, however, that an independent contractor shall not be treated as an employee.

7. *Employer* means the State of Louisiana, including any political subdivision of the state and any agency or instrumentality of the state or of a political subdivision of the state.

8. *Includible Compensation* means compensation currently includible in gross income (reduced by Compensation excluded under Code Section 403(b), if any, and the plan).

9. *Interest or Interest in Compensation Deferred Under the Plan* means the aggregate of (a) a participant's deferred compensation for his or her entire period of participation in the plan, and (b) the earnings or losses allocable to such amount, such interest represents an accounting entry only and does not constitute an ownership interest in any specific fund or asset of the employer.

10. *Investment Product* means any form of investment designated by the commission for the purpose of receiving funds under the plan.

11. *Independent Contractor* means an individual who is receiving (or has received) compensation for services rendered to or on behalf of the employer in accordance with a contract between such individual and the employer.

12. *Normal Retirement Age* means the age designated by a participant, which age shall be between (a) age 55 or the earliest date on which such participant is entitled to retire under the Louisiana State Employees' Retirement System, and (b) 70-1/2; provided, however, that if a participant continues in the employ of the Employer beyond 70-1/2, *Normal Retirement Age* means the age at which the participant separates from service.

13. *Participant* means an employee or independent contractor who has executed an effective Deferral Authorization, provided such employee or independent contractor has not received a complete distribution of his or her interest in compensation deferred under the plan.

14. *Pay Period* means a regular accounting period designated by the employer for the purpose of measuring and paying compensation earned by an employee or independent contractor.

15. *Plan* means the Louisiana Public Employees' Deferred Compensation Plan established by this document and any applicable amendment.

16. *Separation From Service or Separates From Service* means, with respect to an Employee, the permanent severance of the employment relationship with the employer on account of such employee's (a) retirement, (b) discharge by the employer, (c) resignation, (d) layoff (provided the employee's reemployment rights attributable to the layoff, if any, have lapsed), or (e) in the case of an employee who is an appointed or elected officer, the earlier of (i) the taking of the oath of office of such officer's successor, or (ii) the cessation of the receipt of compensation. If an employee incurs a break in service for a period of less than 30 days or transfers among various Louisiana governmental entities, such break or transfer shall not be considered a separation from service. With respect to an independent contractor, *Separation From Service* means the expiration of all contracts pursuant to which services are performed for or on behalf of the employer.

17. *Unforeseeable Emergency* means a severe financial hardship resulting from (a) the sudden or unexpected illness or accident of a participant or a participant's dependent, or (b) the loss of a participant's property due to a casualty or other similar extraordinary and unforeseeable circumstance beyond the control of the participant. A financial need created by an educational expense, a participant's desire to purchase a home or other foreseeable expense which is under the control of the participant shall not constitute an unforeseeable emergency.

ARTICLE II
ELIGIBILITY AND PARTICIPATION

1. Deferral Authorization. For purposes of this Article, the term *Deferral Authorization* means a form, provided by the commission, which provides for:

- a. The designation of an amount (or percentage) of compensation to be deferred by a participant;
- b. The designation of an investment product or products and the amount (or percentage) of deferred compensation to be allocated to each such investment product or products;
- c. The designation of the method of distribution payable upon a participant's separation from service;
- d. The designation of a participant's beneficiary;
- e. The designation of the method of distribution payable to a participant's beneficiary;
- f. The designation of a participant's normal retirement age; and
- g. Such additional elections or information as may be required by the commission.

The commission shall be entitled to rely on the information provided by the participant in connection with his or her Deferral Authorization; the commission shall have no obligation to verify, at any time, the accuracy of such information.

2. Eligibility. All employees and independent contractors receiving compensation shall be eligible to participate in the plan, including employees who are members of the commission.

3. Participant. An employee or an independent contractor eligible to participate in the plan shall become a participant upon the acceptance by the commission of his or her complete Deferral Authorization.

ARTICLE III
DEFERRALS

1. Amount of Deferral. The following special rules apply to compensation deferred under the plan:

- a. A participant may not defer any compensation for a calendar month unless a Deferral Authorization providing for such deferral has been completed by the participant and accepted by the commission prior to the beginning of such month.
- b. The minimum amount of compensation deferred under a Deferral Authorization shall equal the greater of (i) \$25 for each pay period, or (ii) \$50 for each calendar month; provided, however, that such minimum deferral shall not apply to a participant whose Deferral Authorization (or similar form) in effect on October 1, 1984, permitted a smaller deferral.
- c. The maximum amount of compensation which may be deferred during a calendar year shall not exceed the lesser of (i) 33 $\frac{1}{3}$ percent of a participant's includible compensation, or (ii) \$7,500. Such amount shall be reduced by compensation excludible from a participant's gross income under Code Section 403(b), if any, which is attributable to contributions made by the employer.

2. Catch-Up. Notwithstanding any provision of the plan to the contrary, for each of the three calendar years prior to the calendar year in which a participant reaches his or her designated normal retirement age (or a lesser period of years designated by the participant), a participant may elect to defer an amount equal to the lesser of:

- a. \$15,000 (reduced by amounts excludible from compensation, if any, under Code Section 403(b) which are attributable to contributions made by the employer); or
- b. The sum of (i) the limitation set forth in Paragraph 1, above, for the current taxable year, and (ii) the limitation set forth in Paragraph 1, above, for prior taxable years less deferred compensation attributable to such prior taxable years.

For purposes of this Paragraph 2, the term *Prior Taxable*

Year means a calendar year beginning after 1978, provided (a) the participant was eligible to participate in the plan during all or a portion of such year, and (b) deferred compensation, if any, attributable to such year was subject to the limitation set forth in Paragraph 1, above.

3. Modification of Deferral Authorization. The following special rules apply to the modification of a participant's Deferral Authorization.

a. Amount. A participant shall be entitled to reduce the amount (or percentage) of deferred compensation allocable to an investment product once each calendar year. A participant shall be entitled to increase deferred compensation allocable to an investment product at any time during a calendar year; provided, however, that the minimum increase permitted under this Subparagraph (a) shall be \$25 per month.

b. Designation of Investment Products. A participant shall be entitled to modify his or her designation of investment products once each calendar year.

c. Form of Modification. A modification permitted under this Paragraph 3 shall be made, in writing, on forms provided by the commission. Any such modification shall become effective no later than the commencement of the first pay period which begins at least 30 days after receipt and approval by the commission; provided, however, that the commission shall not be liable for any delay which occurs despite its good faith efforts.

d. Authority of the Commission. Notwithstanding the provisions of this Paragraph 3, the commission, in its sole discretion, may prohibit (i) the modification of the amount (or percentage) of deferred compensation allocable to an investment product, and (ii) the modification of the investment product or products selected by the participant, during the 12-month period commencing on the date the investment product or the amount of deferred compensation allocable to an investment product is designated. Further, the commission, in its sole discretion, may authorize more frequent modifications of (i) the investment product or products, and (ii) the amount of deferred compensation allocable to the investment products.

e. Normal Retirement Age. If a participant separates from service before he or she attains age 70 $\frac{1}{2}$, such participant shall be entitled to modify his or her designation of a normal retirement age in accordance with the limitations set forth in Article I, Paragraph 13. Any such modification shall be made, in writing, on forms acceptable to the commission and shall be filed with the commission on or before the ninetieth day following the participant's separation from service. The designation of a participant's normal retirement age shall become irrevocable at the close of the ninetieth day after the participant separates from service.

4. Revocation of Deferral Authorization. A participant may, at any time, revoke his or her Deferral Authorization by notifying the commission, in writing, on forms acceptable to the commission. Upon the acceptance of such notification, deferrals under the plan shall cease no later than the commencement of the first pay period beginning at least 30 days after acceptance; provided, however, that the commission shall not be responsible for any delay which occurs despite its good faith efforts.

In no event shall the revocation of a participant's Deferral Authorization permit a distribution of deferred compensation, except in accordance with the provision of Article IV.

5. Duration of Deferral Authorization. A Deferral Authorization shall continue in effect until (a) a participant experiences a separation from service, or (b) such Deferral Authorization is modified or revoked in accordance with the provisions of this Article III.

ARTICLE IV
DISTRIBUTIONS AND WITHDRAWALS

1. Distribution Events. If a participant (a) incurs a separa-

tion from service, or (b) receives a determination of unforeseeable emergency, all or a portion of the interest of such participant in compensation deferred under the plan shall be distributed to such participant in accordance with the provisions of this Article IV.

2. Form of Distribution. A participant shall be entitled to select the method of distribution of his or her interest in compensation deferred under the plan in accordance with this Paragraph 2; provided, however, that a single-sum distribution shall be made if a participant's (or beneficiary's) interest is \$2,000 or less.

A participant shall initially designate the method of distribution applicable to his or her interest in compensation deferred under the plan, in writing, on his or her Deferral Authorization; a participant may designate a separate form of distribution for each investment product in which his or her interest is invested. A participant shall be entitled to modify such designation, in writing, on forms acceptable to the commission. Any such modification must be filed with the commission on or before the thirtieth day prior to date on which distributions are scheduled to commence in accordance with the provisions of Paragraph 4. An election as to the method of distribution shall become irrevocable at the close of the thirtieth day prior to the date on which distribution is scheduled to commence.

Distribution shall be made in the form of:

a. A single-sum payment; or
b. Monthly, quarterly, semi-annual or annual installment payments for a designated term which is not in excess of (i) the life expectancy of the participant or (ii) the joint and last survivor life expectancy of the participant and his or her spouse.

3. Amount of Distribution. If a participant elects installment payments as a method of distribution, the minimum annual payment shall be the greater of \$600 per year or an amount computed as follows:

a. Each calendar year, the participant's remaining interest in compensation deferred under the plan, determined as of the beginning of such year, shall be divided by the life expectancy of the participant (or the joint and last survivor life expectancy of the participant and his or her spouse or any shorter period designated in accordance with Paragraph 2(b)).

b. Life expectancy (or a shorter term designated by the participant) shall initially be determined as of the date on which distributions commence. Each calendar year, the remaining life expectancy (or term) shall be computed by subtracting the whole number of years passed since such life expectancy or term was initially determined.

4. Time of Distribution. If a participant separates from service before he or she attains age 70½, the distribution of such participant's interest in compensation deferred under the plan shall be made or commence 120 days following the participant's separation from service; provided, however, that such participant shall be entitled to irrevocably elect to defer the commencement of distributions by modifying his or her designation of a normal retirement age in accordance with Article III, Paragraph (3)(e). The deferred distribution of such participant's interest in the plan shall commence 60 days after the close of the calendar year in which the participant attains his or her designated normal retirement age.

If a participant separates from service on or after the date on which he or she attains age 70½, the distribution of such participant's interest in the plan shall commence on the earlier of (a) 120 days after the separation from service occurs, or (b) 60 days following the close of the calendar year in which the participant separates from service.

If the participant is an independent contractor, (a) in no event shall distributions commence prior to the conclusion of the 12-month period beginning on the date on which all such participant's contracts to provide services to or on behalf of the em-

ployer expire, and (b) in no event shall a distribution payable to such participant pursuant to this Paragraph (4) commence if, prior to the conclusion of the 12-month period, the participant performs services for the employer as an employee or independent contractor.

5. Unforeseeable Emergency. The Emergency Committee may authorize the withdrawal of all or a portion of a participant's interest in compensation deferred under the plan subject to the limitations set forth in Article VII, Paragraph 2, provided such participant establishes that he or she has experienced an unforeseeable emergency.

6. Leave of Absence. An approved leave of absence with pay shall not affect a participant's interest in compensation deferred under the plan. If a participant obtains an approved leave of absence without pay, he or she shall be treated as an inactive participant during the period of such leave. Upon returning to active status, the participant shall be entitled to execute a new Deferral Authorization.

7. Inactive Participants. If a participant is treated as an inactive participant and his or her interest in compensation deferred under the plan is \$500 or less, the commission, in its sole discretion, may, at any time after approval of this Paragraph (7) by the Internal Revenue Service, elect to pay-out such interest in a single-sum payment.

8. Definition. For purposes of this Article, the term Inactive Participant means a participant who does not have a Deferral Authorization in effect for all or a portion of a particular calendar year.

ARTICLE V DEATH BENEFITS

1. Designation of Beneficiary. A participant shall initially designate his or her beneficiary on the Deferral Authorization provided by the commission. A participant may, at any time, modify his or her designation of beneficiary on forms acceptable to the commission; such modification shall become effective upon acceptance by the committee and shall constitute a revocation of all previous designations.

If no designated beneficiary survives the participant, the interest of the participant in compensation deferred under the plan shall be distributed to the legal representative of the participant's estate or to a successor in accordance with a Judgment of Possession.

2. Form of Distribution. If a participant dies before his or her entire interest in compensation deferred under the plan has been distributed, the distribution of the participant's remaining interest shall commence 60 days after the participant's death. Such distribution shall be made in the form of:

a. A single-sum payment;
b. If the beneficiary is the participant's surviving spouse, substantially equal monthly, quarterly, semi-annual or annual installment payments for a designated term not in excess of such surviving spouse's life expectancy; or
c. If the beneficiary is not the participant's surviving spouse, substantially equal monthly, quarterly, semi-annual or annual installment payments for a designated term not in excess of 15 years.

A participant shall initially designate the method of distribution payable to his or her beneficiary on the Deferral Authorization. The participant shall be entitled to modify such designation, at any time, on forms acceptable to the commission, such modification shall become effective upon acceptance by the commission.

A beneficiary shall be entitled to modify the participant's designation of the form of distribution during the period which commences as of the participant's death and ends at the close of the thirtieth day after the participant's death. Any such modification shall be made, in writing, on forms acceptable to the com-

mission and shall be filed with the commission during the period described above. The designation of the method of distribution shall become irrevocable at the close of the thirtieth day following the participant's death.

3. Amount of Distribution. If installment payments are designated as the method of distribution, the amount of the minimum annual payment shall be \$600.

ARTICLE VI FUNDING

1. Fund. No fund or other account shall be established to provide benefits under the terms of the plan. All (a) deferred compensation, (b) property and rights purchased with such deferred compensation, and (c) income or earnings attributable to such deferred compensation, property or rights shall constitute assets of the State of Louisiana and remain (until made available to a participant or beneficiary) the property of the State of Louisiana, subject only to the claims of the general creditors of the State of Louisiana.

2. Investment Products. Notwithstanding any provision of the plan to the contrary, the State of Louisiana shall be the owner and sole beneficiary of any investment product obtained in connection with the plan.

ARTICLE VII ADMINISTRATION

1. Powers. The commission shall have full power and authority to adopt rules or policies required to implement the plan and to interpret, amend or repeal any such rule or policy.

In addition, the commission shall have full power and authority to administer the plan or to arrange for the administration of the plan through appropriate contracts or agents in accordance with applicable state law. The power and authority of such agents shall be limited to the powers enumerated in the contractual agreements between the commission and such agents.

2. Emergency Committee. This commission shall appoint an Emergency Committee comprised of three individuals. Applications for a withdrawal of deferred compensation based on an unforeseeable emergency shall be approved or disapproved by such committee.

A participant shall furnish medical or other evidence to the Emergency Committee to establish and substantiate the existence of an unforeseeable emergency.

If an application for a withdrawal based on unforeseeable emergency is approved, the amount of the withdrawal shall be limited to the amount required to meet such emergency. Payment shall not be made to the extent such emergency is relieved:

a. Through reimbursement or compensation by insurance or otherwise;

b. By the liquidation of the participant's assets, provided the liquidation does not cause a financial hardship; or

c. By the revocation of the participant's Deferral Authorization.

3. Actions. The commission shall act with reasonable prudence, due diligence, and care. All actions of the commission shall be made in a uniform and nondiscriminatory manner.

No member of the commission or a committee, if a participant, shall make any determination (other than a policy decision which affects all participants) with respect to his or her specific interest in compensation deferred under the plan.

4. Liability. Neither the commission nor the employer guarantee compensation deferred pursuant to the plan from loss or depreciation in value. Neither the commission nor the employer shall be liable to anyone for any action or inaction taken in good faith in accordance with the terms of the plan or applicable law.

5. Cost of Administration. The commission may, in its sole

discretion, use one or more of the following methods to meet the costs of administering the plan:

a. The commission may establish a reasonable monthly or annual administrative charge;

b. The commission may deduct an allocable portion of administrative costs from deferred compensation;

c. The commission may deduct an allocable portion of administrative costs from the income or earnings of investment products;

d. The commission may authorize any duly appointed administrator to accept commissions from providers of investment products; provided, however, that the amount of such commissions may not exceed the amount of similar commissions paid to unrelated third parties;

e. The commission may deduct administrative costs from funds on deposit in financial institutions; and/or

f. Any other reasonable fee or commission required to defray the costs of administering the plan.

6. Investment Products. The commission, in its sole discretion, shall be entitled to select the various investment products available under the plan.

Notwithstanding any provision of the plan to the contrary, the commission, in its sole discretion, may direct the investment of all funds attributable to the plan. If practicable, however, investments shall be made in accordance with the Deferral Authorization executed by each participant.

In the event funds are invested in an investment product designated by the participant or the commission and the commission elects to discontinue the availability of the investment product, the commission, in its sole discretion, shall be entitled to substitute a reasonable alternative.

7. Participant Statements. The commission shall provide each participant with a statement of the amount of his or her deferred compensation for the calendar year and the earnings or losses attributable to such amount, if any, within a reasonable time after the close of such year. Such statements shall be for information purposes only and shall not represent a secured interest in any identifiable assets of the State of Louisiana.

8. Custodian. The commission or any duly appointed agent shall be the custodian of all evidence of ownership in investment products acquired pursuant to the plan.

9. Form of Distribution. The commission, in its sole discretion, shall select the methods of distribution available under the plan. In the event a participant's deferral authorization (or other similar election form) provides for a method of distribution not available under the terms of the plan as of the earliest date on which distributions to such participant may commence, the commission, in its sole discretion, may substitute another method of distribution.

ARTICLE VIII MISCELLANEOUS

1. Employment Rights. Nothing contained in the plan shall be deemed to constitute an employment agreement or contract between a participant and the employer. Further, nothing contained in the plan shall be deemed to give a participant any right to be retained in the employ of the employer.

2. Nonassignability. Neither the Deferral Authorization executed pursuant to the terms of the plan nor the benefits, proceeds or payments attributable to such authorization can be sold, assigned, anticipated, pledged, commuted, transferred or otherwise conveyed by a participant or beneficiary. The commission shall not recognize any attempt to assign or transfer such amounts.

A participant's or beneficiary's interest in compensation deferred under the plan shall not be subject to attachment, gar-

nishment, execution or transfer by operation of law in the event of the bankruptcy or insolvency of a participant or beneficiary.

3. Headings and Subheadings. The headings and subheadings are inserted for convenience only and are to be ignored in the construction and interpretation of the plan.

4. Severability. If a provision of the plan is deemed to be invalid or unenforceable, the remaining provisions shall continue in force and effect.

5. Days and Dates. Whenever time is expressed in terms of a number of days, the days shall be consecutive calendar days, including weekends and holidays; provided, however, that if the last day of a period occurs on a Saturday, Sunday or other holiday recognized by the employer, the last day of the period shall deem to be the following business day.

6. Conflicts. In the event any form or other document used in connection with the plan (including, but not limited to, Deferral Authorizations and investment products) conflicts with the terms of the plan, the terms of the plan shall govern.

7. Copy of Plan. A copy of the plan shall be made available to each participant or employee eligible to participate in the plan.

8. Amendment or Termination of Plan. The commission, in its discretion, shall have the authority to (a) amend the plan, (b) terminate the plan, or (c) substitute a new plan for the plan.

Ellis C. Magee
Chairman

RULE

Department of the Treasury Interim Emergency Board

In accordance with the provisions of R.S. 49:950 et seq., the Administrative Procedure Act, the Interim Emergency Board adopted rules on Policies and Procedures to implement Article VII, Section 7 of the Louisiana State Constitution of 1974 and R.S. 39:461 et seq. relative to emergency appropriations and deficit spending.

POLICIES AND PROCEDURES FOR THE INTERIM EMERGENCY BOARD

1. For purposes of a definition, an emergency is an event or occurrence not reasonably anticipated by the Legislature, that is one not considered and rejected, in the same relative form or content, by a vote of the Legislature or a committee thereof.

2. Requests for programs or projects which may require future continuing state appropriations shall not be acted upon by the board except by request for deficit spending. Should such deficit spending be found impractical or impossible, the board may fund such projects with a favorable vote of six members.

3. Requests for emergency appropriations or deficit spending shall be submitted either by an area state legislator for an application made by a political subdivision or by the head of a state department or educational management board, on the official application form promulgated by the board for that purpose. The request shall be made to the board at least 10 working days prior to a scheduled meeting.

4. All educational institutions under the jurisdiction of a management board must submit the approval of that management board with the application.

5. Requests for any priority change in the capital outlay bill or for any certificate of impracticality or impossibility must be accompanied by a recommendation of the commissioner of administration at the time of submission.

6. The agenda of requested items shall be forwarded to each member of the board no later than five days prior to a scheduled meeting.

7. The appropriation of funds by the board shall become effective upon receipt by the board, within 60 days after notice to the applicant of legislative approval, of satisfactory evidence of an obligation to expend such funds.

8. A resolution of the board shall be required for a bank to be designated as a fiscal agent for the State of Louisiana.

9. A budget for the operational expenses of the board shall be prepared for review by the board and submitted to the legislature through the normal budgetary process for inclusion in the general appropriations bill.

10. The board may impose such other qualifications, conditions, limitations, or restrictions on any appropriation it deems necessary and proper.

11. A letter shall be transmitted to the treasurer stating that an appropriation has been made or a deficit has been authorized for a state agency in accordance with the law.

12. Warrants will be drawn only through the Division of Administration.

13. Should an item which was favorably recommended by the board receive legislative approval from one house but fail to receive approval from the other house, such item may be offered for a single reconsideration at any future meeting of the board.

Robert L. Freeman
Chairman

RULE

Department of Urban and Community Affairs Office of Planning and Technical Assistance

The Department of Urban and Community Affairs amends the FY 1982 LCDBG *Final Statement*, Part II, C of the 1982 *Final Statement* to read as follows:

C. Distribution of Funds Between Grants. Figure 1 shows how the funds available will be allocated between the various type grants. Of the total CDBG funds allocated to the State of Louisiana, two percent will be used to administer the program.

Dorothy M. Taylor
Secretary

Notices of Intent

NOTICE OF INTENT

Department of Agriculture Office of Agricultural and Environmental Sciences Advisory Commission on Pesticides

In accordance with the provisions of R.S. 49:950 et seq., the Administrative Procedure Act, and R.S. 3:3203, notice is hereby given that the Department of Agriculture, Advisory Commission on Pesticides, intends to adopt the following amendments to correct typographical errors:

Rule 12.2, Paragraph F, should be amended to read:

In any application of the pesticides listed in Rule 12.2B in any of the areas listed in Rules 12.2 C, 12.2 D, or 12.2 E, the wind speed at the time of application shall determine the distance which

must separate the center of the swath from the nearest inhabited structure and/or susceptible crop, as follows:

Wind Speed	Minimum Distance	
	Aerial Equipment	Ground Equipment
0-3 mph	½ mile downwind	⅛ mile downwind
	½ mile crosswind	⅛ mile crosswind
	50 feet upwind	20 feet upwind
3-6 mph	1 mile downwind	¼ mile downwind
	½ mile crosswind	⅛ mile crosswind
	50 feet upwind	5 feet upwind
6-10 mph	2 miles downwind	½ mile downwind
	½ mile crosswind	¼ mile crosswind
	50 feet upwind	5 feet upwind
Above 10 mph	Prohibited	Prohibited

Note: "Crosswind" means 90 degrees (+ or - 10 degrees) from the flight path or the direction of the application.

Rule 12.2, Paragraph I, should be amended to read:

I. Hand injections of pesticides are exempt from the requirements of Rule 12.2 C.

All inquiries should be sent to Harry Calhoun, Director, Advisory Commission on Pesticides, Department of Agriculture, Box 44153, Baton Rouge, LA 70804, through Thursday, February 14, 1985.

Bob Odom
Commissioner of Agriculture

**Fiscal and Economic Impact Statement
For Administrative Rules**

Rule Title: Advisory Commission on Pesticides

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)
There will be no implementation costs to state or local governmental units.
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)
There will be no effect on revenue collections of state or local governmental units.
- III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS - (Summary)
No costs and/or economic benefits are anticipated.
- IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)
No effect on competition and employment is anticipated.

Richard Allen
Assistant Commissioner

Mark C. Drennen
Legislative Fiscal Officer

NOTICE OF INTENT

**Department of Agriculture
Office of Agricultural and Environmental Sciences
Feed Commission**

In accordance with the provisions of R.S. 49:950 et seq., the Administrative Procedure Act, and R.S. 3:1892 (B), notice is hereby given that the Department of Agriculture, Louisiana Feed Commission, will conduct a public hearing on Thursday, January 24, 1985, beginning at 9:30 a.m., in House Committee Room 5, State Capitol, Baton Rouge, LA.

The purpose of the hearing will be to consider the adoption of comprehensive rules and regulations for the Louisiana Feed Commission in order to conform with new legislation.

A copy of the proposed rules may be obtained from Hershel Morris, State Chemist, Department of Agriculture, Box 16390-B, University Station, Baton Rouge, LA 70893 or Harry D. Wilson Building, LSU Campus, Baton Rouge, Louisiana. Mr. Morris will accept comments from any interested person through Thursday, February 14, 1985.

All interested persons will be afforded an opportunity to submit data, views, or arguments orally or in writing, at the public hearing prior to final action being taken by the commission with regard to the adoption of rules and regulations.

Bob Odom
Commissioner

**Fiscal and Economic Impact Statement
For Administrative Rules**

Rule Title: Feed Commission

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)
Adoption of these regulations will produce no additional costs or savings to state or local governmental units.
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)
Adoption of these regulations will increase self-generated revenue collections of the Louisiana Feed Commission by an estimated \$700.
- III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS - (Summary)
The additional \$700 increase in fees assessed will cause the 304 registered feed companies to incur the aforementioned increase in expenditures.
- IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)
As the increase in fees charged by these rule changes is minimal, the effect on competition and employment should be minimal.

Richard Allen
Assistant Commissioner

Mark C. Drennen
Legislative Fiscal Officer

NOTICE OF INTENT

**Department of Agriculture
Office of Agricultural and Environmental Sciences
Horticulture Commission**

In accordance with the provisions of R.S. 49:950 et seq., the Administrative Procedure Act, and R.S. 3:1961(F), notice is hereby given that the Department of Agriculture, Horticulture Commission, intends to adopt the following amendment to correct a typographical error:

Rule 9.5, Paragraph (B)(1) should be amended to read:

9.5 General Requirements for Arborist

(B)(1) A certificate of insurance, written by an insurance company authorized to do business in Louisiana, covering the public liability of the applicant for personal injuries and property damages, providing for not less than \$25,000 per person for personal injuries and not less than \$50,000 for property damages, both limits applicable to each separate accident, provided that the commission may waive the requirement for the stated insurance coverages for any licensed arborist who does not physically work on

trees or accept responsibility for work on trees, but only provides consultation with respect to work on trees. The certificate of insurance must provide for 30 days' written notice to the commissioner prior to cancellation.

All inquiries should be sent to Dr. John W. Impson, Assistant Commissioner, Department of Agriculture, Box 44153, Capitol Station, Baton Rouge, LA 70804 through Thursday, February 14, 1985.

Bob Odom
Commissioner

**Fiscal and Economic Impact Statement
For Administrative Rules
Rule Title: Horticulture Commission**

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)
There will be no implementation costs to state or local governmental units.
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)
There will be no effect on revenue collections of state or local governmental units.
- III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS - (Summary)
No costs and/or economic benefits are anticipated.
- IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)
No effect on competition and employment is anticipated.

Richard Allen
Assistant Commissioner

Mark C. Drennen
Legislative Fiscal Officer

NOTICE OF INTENT

**Department of Agriculture
Office of Agricultural and Environmental Sciences
Quarantine Programs**

In accordance with the provisions of R.S. 49:950 et seq., the Administrative Procedure Act, and R.S. 3:1655, notice is hereby given that the Department of Agriculture, Quarantine Programs, intends to repromulgate existing rules and regulations into a condensed version which will meet guidelines for publication in the *Louisiana Administrative Code*.

A copy of the proposed rules and regulations may be obtained from Dr. John W. Impson, Assistant Commissioner, Department of Agriculture, Box 44153, Capitol Station, Baton Rouge, LA 70804. Dr. Impson will accept comments from any interested persons through Thursday, February 14, 1985.

Bob Odom
Commissioner

**Fiscal and Economic Impact Statement
For Administrative Rules
Rule Title: Crop Pests & Diseases**

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)
There will be no implementation costs to state or local governmental units.

- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)
There will be no effect on revenue collections of state or local governmental units.
- III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS - (Summary)
No costs and/or economic benefits are anticipated.
- IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)
No effect on competition and employment is anticipated.

Richard Allen
Assistant Commissioner

Mark C. Drennen
Legislative Fiscal Officer

NOTICE OF INTENT

Department of Agriculture

In accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., notice is hereby given that the Department of Agriculture intends to repeal the following rules and regulations which have been filed with the Department of the State Register or promulgated by the Department of Agriculture and published in the "*Louisiana Register*":

Office of Marketing:

Farm Youth Loan Program—

Authorization and Administration of Farm Youth Loans and Loan Guarantees (August, 1981)

State Market Commission—

Procedures for Developing and Executing Market Commission Loans and/or Guarantees (Adopted in December, 1978 and amended in February, 1980)

Regulations Governing the Certification of Official State Grades of Poultry, Poultry Products, and Shell Eggs (December, 1981)

Office of Agricultural and Environmental Sciences:

Advisory Commission on Pesticides—

Mixing and Application of Pesticides (Adopted in September, 1977 and amended in November, 1977)

Recertification of Pesticide Applicators for the Enforcement of the Louisiana Pesticide Control Act (July, 1979)

Certification and Recertification of Pesticide Sales Supervisors (November, 1981)

Aerial Application of Pesticides to Rights-of-Way to Control Woody Vegetation (December 1, 1981)

Fertilizer Commission—

Fertilizer Commission (December, 1978)

Horticulture Commission—

Horticulture Regulations (September 1, 1975)

Horticulture Regulations (Place of Business) (November, 1977)

Horticulture Commission (Licensees Identification) (February, 1980)

Horticulture Commission (Examination Fees for Licensure in Landscape Architect) (January, 1981)

Horticulture Commission (Landscape Architect Application Manual) (November, 1977)

Office of Agro-Consumer Services:

Agricultural Commodities Commission—

State Warehouse Commission (August, 1972)

Milk Testing and Bonding Program—

Orderly Milk Marketing Regulation (March 1, 1966)

State Order No. 3 (Order Regulating the Handling of Milk in the New Orleans Milk Marketing Area) (Adopted on August 16, 1966 and amended on May 1, 1968; August 20, 1973; December 1, 1973; and August 1, 1974)

State Order No. 2 (Order Regulating the Handling of Milk in the Greater Louisiana Milk Marketing Area) (Adopted on July 9, 1968 and amended on August 20, 1973; December 1, 1973; and August 1, 1974)

Code of Minimum Wholesale Prices for Frozen Deserts in All Commission Sales Areas (March 1, 1973)

Code of Minimum Prices for Fluid Milk Products—Commission Sales Area No. 1 (December 1, 1973)

Code of Minimum Prices for Fluid Milk Products—Commission Sales Area No. 2 (December 1, 1973)

Code of Minimum Prices for Fluid Milk Products—Commission Sales Area No. 3 (December 1, 1973)

Code of Minimum Prices for Fluid Milk Products—Commission Sales Area No. 4 (December 1, 1973)

Code of Minimum Prices for Fluid Milk Products—Commission Sales Area No. 5 (December 1, 1973)

Dairy Stabilization Board:

Dairy Stabilization Regulations (September 23, 1974)

Louisiana Dairy Stabilization Board—Partial Regulations (October 24, 1974)

Production Stabilization Plan for Production Marketing (December 16, 1974)

Distribution Stabilization Plan (Adopted in May, 1975 and amended in January, 1977)

Code of Minimum Prices for Fluid Milk Production (July, 1975)

Production Stabilization Plan for Production Marketing (December, 1975)

Production Stabilization Plan (Adopted in April, 1976 and amended in May, 1976 and October, 1976)

Dairy Stabilization Board Rules and Regulations 1977 Edition (Adopted in 1977 and amended in November, 1977)

Dairy Stabilization Board Rules and Regulations 1978 Edition (1978)

Dairy Stabilization Board General Provisions (Adopted in November, 1978 and amended in September, 1979)

Dairy Stabilization Board Rules and Regulations 1979 Edition (1979)

Copies of the rules and regulations which are to be repealed will be available for public inspection between the hours of 8 a.m. and 4:30 p.m. at 12055 Airline Highway, Baton Rouge, LA through Thursday, February 14, 1985. Please direct all inquiries to Carol H. Guidry, Fiscal Officer, Department of Agriculture, Box 44182, Baton Rouge, LA 70804 or phone (504) 292-3200.

Bob Odom
Commissioner

**Fiscal and Economic Impact Statement
For Administrative Rules
Rule Title: Administrative Repeal of Rules
and Regulations**

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)
Repeal of these rules will not affect costs or savings of state or local governmental units.

- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)

Repeal of these rules will not affect revenue collections of state or local governmental units.

- III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS - (Summary)

Repeal of these rules will not cause affected groups to incur any additional economic costs or benefits.

- IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)

Repeal of these rules will not affect competition or employment.

Richard Allen
Assistant Commissioner

Mark C. Drennen
Legislative Fiscal Officer

NOTICE OF INTENT

**Department of Agriculture
Office of Agricultural and Environmental Sciences
Structural Pest Control Commission**

In accordance with the provisions of R.S. 49:950 et seq., the Administrative Procedure Act, and R.S. 3:3306, notice is hereby given that the Department of Agriculture, Structural Pest Control Commission, intends to repromulgate existing rules and regulations which were adopted originally through authority of R.S. 40:1263 (B).

A copy of the proposed rules and regulations may be obtained from James Arceneaux, Director, Structural Pest Control Commission, Department of Agriculture, Box 44153, Capitol Station, Baton Rouge, LA 70804. Mr. Arceneaux will accept comments from any interested persons through Thursday, February 14, 1985.

Bob Odom
Commissioner

**Fiscal and Economic Impact Statement
For Administrative Rules
Rule Title: Structural Pest Control Commission**

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)
There will be no implementation costs to state or local governmental units.
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)
There will be no effect on revenue collections of state or local governmental units.
- III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS - (Summary)
No costs and/or economic benefits are anticipated.
- IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)
No effect on competition and employment is anticipated.

Richard Allen
Assistant Commissioner

Mark C. Drennen
Legislative Fiscal Officer

NOTICE OF INTENT

Department of Agriculture Office of Agro-Consumer Services Agricultural Commodities Commission

In accordance with the provisions of R.S. 49:950 et seq., the Administrative Procedure Act, and R.S. 3:3405, notice is hereby given that the Department of Agriculture, Agricultural Commodities Commission, intends to adopt the following amendments to correct typographical and grammatical errors:

Rule 4.1, Paragraph W, should be amended to read:

Grain dealer applicants only: Average amount paid to producers during applicant's most recent fiscal year.

Rule 6.7 should be amended to read:

Licenses issued by the commission shall be consecutively numbered and the number shall include a fiscal year designation.

Rule 7.6 should be amended to read:

All catwalks must be equipped with railings, must be structurally sound, and must be kept free of all grain or other matter which might endanger human life.

Rule 17.3, Paragraph B, should be amended to read:

B. Agents of the commission shall note the issuance of all partial releases, by number of each such partial release, on the original receipt.

Rule 24.1 should be amended to read:

Each licensee shall post the original of his license issued by the commission in a conspicuous location at his principal place of business. A copy of the license shall be posted at all other locations covered by the license.

Rule 24.4 should be amended to read:

Grain dealers who are not licensed by the commission or under the U.S. Warehouse Act must post a sign reading as follows:

"This facility is not licensed to store agricultural commodities for producers. Title must pass from the producer upon delivery."

Note for Informational Purposes Only, Paragraph 1, should be amended to read:

1. R.S. 14:123, referenced in R.S. 3:3408 A (9), provides that persons found guilty of perjury may be: (a) imprisoned at hard labor for not more than 10 years when convicted of a felony, or (b) in all other cases, fined not more than \$1,000 or imprisoned for five years, or both fined and imprisoned.

All inquiries should be sent to Manning Broussard, director, Agricultural Commodities Commission, Department of Agriculture, Box 44456, Baton Rouge, LA 70804-4302 through Thursday, February 14, 1985.

Bob Odom
Commissioner

Fiscal and Economic Impact Statement For Administrative Rules

Rule Title: Ag. Commodities Commission

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)

There will be no implementation costs to state or local governmental units.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)

There will be no effect on revenue collections of state or local governmental units.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS - (Summary)

No costs and/or economic benefits are anticipated.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)

No effect on competition and employment is anticipated.

Richard Allen
Assistant Commissioner

Mark C. Drennen
Legislative Fiscal Officer

NOTICE OF INTENT

Department of Agriculture Office of Agro-Consumer Services Milk Testing and Bonding Program

In accordance with the provisions of R.S. 49:950 et seq., the Administrative Procedure Act, and R.S. 3:642 and R.S. 40:883, notice is hereby given that the Department of Agriculture, Milk Testing and Bonding Program, intends to promulgate rules and regulations.

A copy of the proposed rules and regulations may be obtained from Julie Easterly, Department of Agriculture, Box 44456, Capitol Station, Baton Rouge, LA 70804. She will accept comments from any interested persons through Thursday, February 14, 1985.

Bob Odom
Commissioner

Fiscal and Economic Impact Statement For Administrative Rules

Rule Title: Milk Testing & Bonding Program

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)

There will be no implementation costs to state or local governmental units.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)

There will be no effect on revenue collections of state or local governmental units.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS - (Summary)

No costs and/or economic benefits are anticipated.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)

No effect on competition and employment is anticipated.

Richard Allen
Assistant Commissioner

Mark C. Drennen
Legislative Fiscal Officer

NOTICE OF INTENT

Department of Agriculture Office of Animal Health Services Livestock Sanitary Board

In accordance with the provisions of R.S. 49:950 et seq., the Administrative Procedure Act, and R.S. 3:2093, notice is hereby given that the Department of Agriculture, Livestock Sanitary Board, intends to repromulgate existing rules and regulations into a condensed version which will meet guidelines for publication in the *Louisiana Administrative Code*.

A copy of the proposed rules and regulations may be obtained from Dr. William B. Fairchild, Director, Livestock Sanitary Board, Department of Agriculture, Box 1951, Baton Rouge, LA

70821. Dr. Fairchild will accept comments from any interested persons through Thursday, February 14, 1985.

Bob Odom
Commissioner

**Fiscal and Economic Impact Statement
For Administrative Rules
Rule Title: Livestock Sanitary Board**

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)
There will be no implementation costs to state or local governmental units.
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)
There will be no effect on revenue collections of state or local governmental units.
- III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS - (Summary)
No costs and/or economic benefits are anticipated.
- IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)
No effect on competition and employment is anticipated.

Richard Allen
Assistant Commissioner

Mark C. Drennen
Legislative Fiscal Officer

**NOTICE OF INTENT
Department of Agriculture
Office of Animal Health Services
Meat and Poultry Inspection Program**

In accordance with the provisions of R.S. 49:950 et seq., the Administrative Procedure Act, and R.S. 40:2282, notice is hereby given that the Department of Agriculture, Meat and Poultry Inspection Program, intends to adopt the following amendments to the Louisiana Cooperative Federal/State Meat and Poultry Program rules and regulations:

Rule 3.3 should be amended to read:

All applicants shall pay an annual registration fee of \$25 by April 1 of each fiscal year to cover the costs of processing of registrations and issuance of certificates of registration.

A new rule should be added and should read as follows:

17.0 Overtime and Holiday Inspection Service

17.1 Official establishments shall be provided inspection service, without charge, up to a 40 hours workweek Sunday through Saturday.

17.2 Official establishments shall pay the Department of Agriculture \$15.50 per hour per department employee to reimburse the department for the cost of the inspection service furnished for more than 40 hours in any workweek Sunday through Saturday.

17.3 Holidays for state employees shall be New Year's Day, January 1; Independence Day, July 4; Labor Day, the first Monday in September; Thanksgiving Day, the fourth Thursday in November; and Christmas Day, December 25.

17.4 Each recipient of overtime or holiday inspection service shall be billed at the rate established in Rule 17.2, in increments of quarter hours. For billing purposes, eight or more minutes shall be considered a full quarter hour. Billings will be for each quarter hour service rendered by each department employee.

17.5 Establishments requesting and receiving the services

of a department employee after he has completed his day's assignment and left the premises, or called back to duty during any overtime or holiday period, shall be billed for a minimum of two hours overtime or holiday inspection service at the established rate.

17.6 Bills are payable upon receipt and become delinquent 30 days from the date of the bill. Overtime or holiday inspection will not be performed for anyone having a delinquent account.

A public hearing will be conducted on Wednesday, January 30, 1985, beginning at 10 a.m., in the State Capitol, Baton Rouge, LA, Twenty-first Floor, Conference Room.

Comments will be accepted by Bobby Durr, Director, Federal/State Meat and Poultry Inspection Program, Department of Agriculture, Box 1951, Baton Rouge, LA 70821, through Thursday, February 14, 1985.

All interested persons will be afforded an opportunity to submit views or arguments orally or in writing, at the public hearing prior to final action being taken by the commissioner with regard to the adoption of these amendments.

Bob Odom
Commissioner

**Fiscal and Economic Impact Statement
For Administrative Rules
Rule Title: Louisiana Cooperative Federal/State Meat and Poultry Inspection Program**

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)
Adoption of this regulation will not cause any state or local governmental unit to incur any additional costs or savings.
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)
It is estimated that the increase in overtime pay charged by this rule change from \$13 per hour to \$15.50 per hour will cause the agency to collect an additional \$4,820 in self-generated revenues annually.
- III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS - (Summary)
The adoption of the amendment will cause the 265 meat processing plants an additional \$4,820 on an annual basis.
- IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)
As the increase in overtime charges is minimal and spread among the 265 processors, the effect on competition and employment should be minimal.

Richard Allen
Assistant Commissioner

Mark C. Drennen
Legislative Fiscal Officer

**NOTICE OF INTENT
Department of Agriculture
Market Commission
Fruits and Vegetables Division**

In accordance with the provisions of R.S. 49:950 et seq., the Administrative Procedure Act, and R.S. 3:404, notice is hereby given that the Department of Agriculture, State Market Commission, intends to repromulgate existing rules and regulations into a condensed version which will meet guidelines for publication in the *Louisiana Administrative Code*.

A copy of the proposed rules and regulations may be obtained from Donald Kimball, Produce Supervisor, Department of Agriculture, Box 44456, Capitol Station, Baton Rouge, LA 70804-4302. He will accept comments from any interested persons through Thursday, February 14, 1985.

Bob Odum
Commissioner

**Fiscal and Economic Impact Statement
For Administrative Rules
Rule Title: State Market Commission—
Fruits and Vegetables**

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)
There will be no implementation costs to state or local governmental units.
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)
There will be no effect on revenue collections of state or local governmental units.
- III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS - (Summary)
No costs and/or economic benefits are anticipated.
- IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)
No effect on competition and employment is anticipated.

Richard Allen
Assistant Commissioner

Mark C. Drennen
Legislative Fiscal Officer

**NOTICE OF INTENT
Department of Commerce
Board of Cosmetology**

The Louisiana State Board of Cosmetology advertises its intent to adopt a policy to report hours earned in beauty schools by students, to the board, once a calendar month, instead of once a week.

Interested persons may submit written comments on the proposed regulation at the following address: Margaret Bell, Secretary to the Board, Louisiana State Board of Cosmetology, Colonial Bank Bldg., Room 412, 2714 Canal Street, New Orleans, La. 70119-5593.

Joel C. Mumphrey
Chairman

**Fiscal and Economic Impact Statement
For Administrative Rules
Rule Title: Reporting of Hours**

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)
Implementation of this regulation will cause state or local governmental units to incur no additional costs or savings.
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)
Implementation of this regulation will cause no effect on revenue collections of the state or local governmental units.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS - (Summary)

This regulation will produce no additional costs. It will benefit beauty school operators by reducing the number of attendance reports from 52 per year to 12 per year.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)

Implementation of this regulation will have no effect on competition and employment.

Margaret J. Bell
Secretary

Mark C. Drennen
Legislative Fiscal Officer

**NOTICE OF INTENT
Department of Commerce
Licensing Board for Contractors**

At its meeting on January 8, 1985, the State Licensing Board for Contractors made a motion which unanimously passed to amend Rule IV changing the month of October to July. No other changes are to be made.

Explanation: Fees are collected on a calendar year basis with all licenses expiring on December 31. Renewals are mailed out commencing in November; therefore, if there is a change in the fee structure and this is made during the month of October, it does not give the staff sufficient time to make the fee changes on renewal forms.

Rule VI C.3 proposed to amend and re-enact as follows: "The classification(s) will become effective immediately upon taking and successfully passing the required examination."

Explanation: Present rule requires a 30 day waiting period or a board meeting prior to an additional classification becoming effective. Act No. 915 of the 1984 Session amended Section 2159, Paragraph C to eliminate any waiting period on additional classifications.

Rule XXVIII changed Section 2157D. to read Section 2160D.

Explanation: To correct error made as to applicable Section.

The Board further unanimously voted at this meeting their intent to adopt the following rules.

Rule XXX: "The board interprets that a contractor possessing a major classification is permitted to bid or perform any of the specialty type work listed under their respective major classification in Section 2156.2 or any other work that might not be listed which is directly related to the major classification he may hold as long as it is not prohibited by any rule."

Rule XXXI: "Any licensee who has the authority to perform any type of work under his license can also dismantle, demolish or wreck that type work exclusive of explosives."

All interested persons are invited to appear and/or submit written comments at a public meeting scheduled for 9:45 a.m. on February 12, 1985 at the offices of the State Licensing Board for Contractors, 7434 Perkins Road, Baton Rouge, LA. Oral and written comments will be considered by the board before a final decision is rendered to adopt the proposed regulations. All comments and requests to speak at the public meeting should be addressed to Joy Evans, board secretary, State Licensing Board for Contractors, 7434 Perkins Road, Baton Rouge, LA (70808).

J. Warren Landry
Executive Director

**Fiscal and Economic Impact Statement
For Administrative Rules
Rule Title: Rule IV**

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)
Additional costs will be incurred only if the fee schedule is revised. The additional cost would be for materials only, which would be a printed cover letter to accompany renewal forms normally mailed to contractors. Additional costs are estimated at \$200.
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)
The proposed rule change will allow the State Contractors Licensing Board to establish fees, up to the maximum amount, at levels sufficient to meet anticipated annual operating cost. Reductions in fees for 1985 - 1986 are subject to future board decisions.
- III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS - (Summary)
Any reduction in fees charged will benefit contractors which must be licensed by the state.
- IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)
There is no estimated effect on competition or employment as a result of this rule change.

J. Warren Landry
Executive Director

Mark C. Drennen
Legislative Fiscal Officer

**Fiscal and Economic Impact Statement
For Administrative Rules
Rule Title: Rule VI.3**

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)
None.
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)
None.
- III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS - (Summary)
No costs. A contractor may now amend his license on the same day he takes the required examination. Under the prior law, he had to wait 30 days from date of request or until the next board meeting whichever was the lesser.
- IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)
A contractor may amend his license without waiting 30 days or until the regular monthly board meeting which is held the second Tuesday of each month. Because of this change, it is possible that a contractor may be able to bid a job for which he has attained a new classification by examination.

J. Warren Landry
Executive Director

Mark C. Drennen
Legislative Fiscal Officer

**Fiscal and Economic Impact Statement
For Administrative Rules
Rule Title: Rule XXX**

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)
None.

- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)
None.
- III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS - (Summary)
Many times an awarding authority must wait before he can award a contract because a complaint is received and a board hearing must be held. The board follows policy set in making their decision and this would set this policy out in board rule which would make it perfectly clear as to what classification can be held by a contractor to be able to bid a project.
- IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)
It would save time and monies for both the board, the contractor and the awarding authority as it would be made clear as to who could bid a project.

J. Warren Landry
Executive Director

Mark C. Drennen
Legislative Fiscal Officer

**Fiscal and Economic Impact Statement
For Administrative Rules
Rule Title: XXXI**

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)
None.
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)
None.
- III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS - (Summary)
Many times an awarding authority must wait before he can award a contract because a complaint has been received by the board and it necessitates a hearing. The board follows policy set in making their decision and this would set this policy out in board rule which would make it perfectly clear as to who could bid a job.
- IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)
It would save time and monies for both the board, the contractor and the awarding authority as it would be made clear as to who could bid a project.

J. Warren Landry
Executive Director

Mark C. Drennen
Legislative Fiscal Officer

**Fiscal and Economic Impact Statement
For Administrative Rules
Rule Title: XXVIII**

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)
None.
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)
None.
- III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS - (Summary)
None.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)

None.

J. Warren Landry
Executive Director

Mark C. Drennen
Legislative Fiscal Officer

NOTICE OF INTENT

**Department of Culture, Recreation and Tourism
Board of Library Examiners**

The State Board of Library Examiners (R.S. 25:222-223) in accordance with Revised Statutes 36:209 D and H(4) intends to adopt the following proposed regulations. All rules previously adopted are hereby rescinded.

I. Types of Certification

A. The State Board of Library Examiners issues two types of certificates:

1. Executive
2. Temporary

II. Candidate Requirements

A. Requirements to be met by candidates for Executive Certificates are:

1. A baccalaureate degree
2. Professional education, culminating in a degree (either a second Bachelor's degree, as a B.S. in L.S., or a Master's degree with at least one academic year of Library Science) representing a minimum of five years of study beyond secondary school level. This degree must have been granted by a library school accredited by the American Library Association.

3. Three year's executive experience in a public library of recognized standing, after receiving the Library Science Degree.

B. Candidates for temporary certificates must have all of the above qualifications except the years of executive experience. Such certificates are issued by the board only as emergency measures. It is expected that individuals holding temporary certificates will qualify for executive certificates within three years.

C. Candidates must attain a grade of at least 75 in the examination to be granted a certificate.

III. Examination

A. The examination covers the following aspects of public library service:

1. Library Organization and Administration
2. Library Budgets and Financial Operation
3. Standards for Library Service
4. Louisiana Law
5. Current Status of Library Development in Louisiana

B. The examination is given both orally and written. The oral examination includes an interview with the candidate, and may be given on the same day as the written examination. In addition, the written statements from references supplied by the candidates are used in evaluating the candidates.

C. Application blanks for permission to take the examination may be obtained from the State Board of Library Examiners, Louisiana State Library, Box 131, Baton Rouge, LA 70821.

D. At the time of application for examination, all applicants for certificates as librarians shall pay a fee of \$5 to defray expenses of the board, as required by Revised Statutes of 1950, Title 25, Section 222.

E. The examination is given annually on the last Friday in September, unless circumstances necessitate a change of date. Announcement of examinations is made at least two months before each examination is given, and all applications for that examination must be on file in the Louisiana State Library not later

than a month before the date of the examination. In an emergency, with special permission of the board, a candidate may be permitted to take the examination, if his application is received after the announced date.

F. The board reserves the right to cancel any announced examination if fewer than three candidates signify their desire to appear.

G. Any certificate may be revoked for cause.

H. Any executive certificate is issued for five years, and is renewable if the holder of same is serving in a satisfactory administrative capacity in a city, parish or state library position.

I. A temporary certificate may be changed to an executive certificate without the necessity of another examination if the holder completes the prescribed amount of executive experience in a public library of recognized standing.

Interested persons may comment on the proposed regulations in writing through 12 noon, February 8, at the following address: State Board of Library Examiners, Louisiana State Library, Box 131, Baton Rouge, LA 70821.

Glenna Lusk
Chairperson

**Fiscal and Economic Impact Statement
For Administrative Rules
Rule Title: Regulations**

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)

There are no additional implementation costs or savings to state or local governments associated with these regulations. Additional staff will not be needed at state level. Travel funds for the annual meeting for the three members of the board have been budgeted. At the local level, staff time of an administrative librarian to take the examination will be involved; however, the cost associated with such is indeterminate but minimal.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)

The applicants who take the examination are required to pay the Louisiana State Library a \$5 fee in order "to defray incidental expenses for certificates, traveling expenses, stationery, postage, and the like." (LRS 25:222). Generally fewer than five applications are received a year so the impact on revenue collection is miniscule.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS - (Summary)

Persons becoming certified under the regulations to practice the profession of librarian in parish public libraries will be considered to be effective administrators. In some instances, becoming certified may result in a salary increase for a librarian who previously was not certified.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)

Becoming certified will give an individual a competitive edge over others seeking employment who have not become certified.

Thomas F. Jaques
State Librarian

Mark C. Drennen
Legislative Fiscal Officer

NOTICE OF INTENT

**Department of Culture, Recreation and Tourism
Office of State Parks**

The Louisiana Office of State Parks, Department of Cul-

ture, Recreation and Tourism intends to adopt the following proposed fees to become effective March 1, 1985. The fees shall be applicable to all fully operational state parks and state commemorative areas within the State Parks System. See Figure I, User Fee Rates.

FIGURE I

LOUISIANA OFFICE OF STATE PARKS
USER FEE RATES
Effective Date March 1, 1985

FACILITY/ACTIVITY	PRESENT FEE	PROPOSED FEE
1. Audubon SCA	1.00/Vehicle, over 4 people 25¢ ea.	4.00/Vehicle, over 4 people 50¢ ea.
2. Longfellow-Evangeline SCA	1.00/Vehicle, over 4 people 25¢ ea.	4.00/Vehicle, over 4 people 50¢ ea.
3. All Other Museums SCA	1.00/Adult; 50¢/Child	2.00/Adult; 1.00/Child
4. Camp Moore SCA	-0-	2.00/Adult; 1.00/Child
5. Old Arsenal	-0-	2.00/Adult; 1.00/Child
6. All Day Use Areas	1.00/Vehicle, over 4 people 25¢ ea.	2.00/Vehicle, over 4 people 50¢ ea.
7. Overnight Camping	6.00/Site Improved 4.00/Site Unimproved	7.00/Site Improved 5.00/Site Unimproved
8. Overnight Cabins	30.00/Night(Class A) 25.00/Night(Class B)	40.00/Night(Class A) 35.00/Night(Class B) 50.00/Night (Deluxe)
9. Lodges (2 Only)	40.00/Night - 50.00/Night	75.00/Night
10. Group Camps	(See Below)	
11. Boat Rentals	3.00/Boat/Day	5.00/Boat/Day
12. Buses*	10.00/Day/Bus	20.00/Day/Bus
*Audubon & Longfellow SCA	10.00/Day/Bus	40.00/Day/Bus

GROUP CAMP FEES

FACILITY/LOCATION	OVERNIGHT CURRENT MINIMUM RATE	OVERNIGHT PROPOSED MINIMUM RATE	DAY USE CURRENT RATE	DAY USE PROPOSED RATE
Chemin-A-Haut SP	56.00/Night	75.00/Night	30.00/Day	50.00/Day
Chicot #1	172.00/Night	250.00/Night	90.00/Day	150.00/Day
Chicot #2	52.00/Night	75.00/Night	30.00/Day	50.00/Day
Fontainebleau #1	162.00/Night	225.00/Night	90.00/Day	150.00/Day
Fontainebleau #2	33.00/Night	50.00/Night	20.00/Day	50.00/Day
Fontainebleau #3	70.00/Night	100.00/Night	40.00/Day	50.00/Day
Lake Bistineau #1	172.00/Night	250.00/Night	90.00/Day	150.00/Day
Lake Bistineau #2	52.00/Night	75.00/Night	30.00/Day	50.00/Day
Longfellow-Evangeline SCA	65.00/Night	100.00/Night	40.00/Day	50.00/Day

Statutory Exemption for Senior Citizens, School Children and Disabled Veterans (R.S. 56:1692-1694) remain unchanged.

Interested persons may submit written comments to Dr. Gerald Guidroz, assistant secretary of the Office of State Parks, Drawer 1111, Baton Rouge, LA, 70821, or he can be reached at 504-925-3830. Comments will be accepted until February 1, 1985.

Noelle LeBlanc
Secretary

**Fiscal and Economic Impact Statement
For Administrative Rules
Rule Title: State Parks Fee Changes**

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)

There should be no additional implementation costs to the Office of State Parks or to local governmental units to increase fees being that existing staff can handle the related workload.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)

An estimated annual increase of \$371,600 would be collected by the Office of State Parks. These funds would be used to help retire bond debt service on general obligation bonds sold to upgrade, expand and improve the State Park system.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS - (Summary)

An additional cost to users of the State Parks system as per itemized increase. (See Table I)

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)

These rates are generally lower than comparable rates in the private sector but the recommended increase would tend

TABLE I

FACILITY/ACTIVITY	PRESENT FEE	PROPOSED FEE	ANNUAL ESTIMATED (+)
1 Audubon SCA	1.00/Vehicle, over 4 people 25¢ ea.	4.00/Vehicle, over 4 people 50¢ ea.	+29,000
2 Longfellow SCA	1.00/Vehicle, over 4 people 25¢ ea.	4.00/Vehicle, over 4 people 50¢ ea.	+52,000
3 All Other Museums SCA	1.00/Adult; 50¢/Child	2.00/Adult; 1.00/Child	+21,000
4 Camp Moore SCA	-0-	2.00/Adult; 1.00/Child	+3,000
5 Old Arsenal	-0-	2.00/Adult; 1.00/Child	+20,000
6 All Day Use Areas	1.00/Vehicle, over 4 people 25¢ ea.	2.00/Vehicle, over 4 people 50¢ ea.	+128,000
7 Overnight Camping	6.00/Site Improved 4.00/Site Unimproved	7.00/Site Improved 5.00/Site Unimproved	+36,000
8 Overnight Cabins	30.00/Night(Class A) 25.00/(Class B)	40.00/Night(Class A) 35.00/(Class B)	+60,000
9 Lodges (2 Only)	40.00/Night - 50.00/Night	50.00/Night(Deluxe) 75.00/Night	+3,600
10 Group Camps	(See Chart A)		+10,000
11 Boat Rentals	3.00/Boat/Day	5.00/Boat/Day	+6,000
12 Buses*	10.00/Day/Bus	20.00/Bus	+3,000
*Audubon & Longfellow SCA	10.00/Day/Bus	40.00/Day/Bus	Total +371,600

CHART A

FACILITY/LOCATION	OVERNIGHT CURRENT MINIMUM RATE	OVERNIGHT PROPOSED MINIMUM RATE	DAY USE CURRENT RATE	DAY USE PROPOSED RATE
Chemin-A-Haut SP	56.00/Night	75.00/Night	30.00/Day	50.00/Day
Chicot #1	172.00/Night	250.00/Night	90.00/Day	150.00/Day
Chicot #2	52.00/Night	75.00/Night	30.00/Day	50.00/Day
Fontainebleau #1	162.00/Night	225.00/Night	90.00/Day	150.00/Day
Fontainebleau #2	33.00/Night	50.00/Night	20.00/Day	50.00/Day
Fontainebleau #3	70.00/Night	100.00/Night	40.00/Day	50.00/Day
Lake Bistineau #1	172.00/Night	250.00/Night	90.00/Day	150.00/Day
Lake Bistineau #2	52.00/Night	75.00/Night	30.00/Day	50.00/Day
Longfellow-Evangeline SCA	65.00/Night	100.00/Night	40.00/Day	50.00/Day

to affect some possible unfair competition with private campground owners and other private recreation interest.

Gerald F. Guidroz
Assistant Secretary

Mark C. Drennen
Legislative Fiscal Officer

NOTICE OF INTENT

Board of Elementary and Secondary Education

The State Board of Elementary and Secondary Education intends to adopt the following as policy:

1. The Board deleted Paragraph 2 of the Policy for Revocation of Teaching Certificates for Cause and substituted the following: "Upon receiving notice that a teacher has been convicted of a felony offense, defined by Louisiana Revised Statutes 14:2(4), as being any crime for which an offender may be sentenced to death or imprisonment at hard labor, the State Department of Education shall immediately suspend the teacher's certificate. The department shall promptly notify the board in writing and notify the person whose certificate is so suspended by registered mail to his last known address or by any other means reasonably designed to inform the affected teacher of the suspension and his right to a hearing. Upon the order of the board, the department shall notify the teacher of the date, time, and place of the hearing, which shall be not less than 20 days nor more than 30 days from the date of the board's order for a hearing. The notice shall be sent by registered mail, return receipt requested, to the last known address of the teacher or by any other means reasonably designed to inform the affected teacher of the hearing. The notice shall include the spe-

cific charge, the witnesses to be called by the department, the right of the teacher to present witnesses and documents in his defense, the right of the teacher to cross-examine any witnesses against him, and the right of the teacher to be represented by counsel of the teacher's choosing. The hearing shall be private unless the teacher elects to make it public. The purpose of the hearing shall be to determine if sufficient grounds exist to warrant the suspension or revocation of the certificate. (Also an Emergency Rule)

Interested persons may comment on the proposed policy change and/or additions, in writing, until 4:30 p.m., March 11, 1985 at the following address: State Board of Elementary and Secondary Education, Box 94064, Baton Rouge, LA 70804-9064.

James V. Soileau
Executive Director

**Fiscal and Economic Impact Statement
For Administrative Rules
Rule Title: Teaching Certificates Policy**

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)
Any costs associated with this rule proposal will be absorbed by the agency. There are no estimated savings to state or local governmental units.
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)
There is no estimated effect on revenue collections.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS - (Summary)

There is no estimated costs and/or economic benefits except to those few individuals whose certificates could potentially be revoked under the proposed rule.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)

There is no estimated effect on competition and employment.

James V. Soileau
Executive Director

Mark C. Drennen
Legislative Fiscal Officer

NOTICE OF INTENT

**Department of Environmental Quality
Office of Air Quality and Nuclear Energy
Air Quality Division**

Under the authority of the Louisiana Environmental Quality Act, La. R.S. 30:1051 et seq., and particularly Sections 1061 D(1) and 1084 B(1), and in accordance with the provisions of the Administrative Procedure Act, L.R.S. 49:950 et seq., the secretary gives notice that rule-making procedures have been initiated to amend the Louisiana Air Quality regulations.

The proposed amendments will add Section 82 to the Louisiana Air Quality regulations and will expand upon existing Environmental Protection Agency (EPA) regulations concerning the presence of friable asbestos material in school buildings. Current federal regulations require only the identification of school building areas containing asbestos. The proposed amendments will require removal of friable asbestos material within two years of rulemaking. Longer periods for compliance may be allowed if asbestos materials have been encapsulated or if all schools within a school district cannot be renovated in an orderly manner within the prescribed time period.

The need for this regulation is based upon EPA estimates of increased risk of deleterious health effects of asbestos to school age children. EPA estimates that 960 premature deaths will result from exposure to asbestos in schools over the next 30 years nationwide. The department estimates that Louisiana will have 16 premature deaths over the next 30 years. The less than fatal effects of asbestos exposure on lung function have not been estimated by EPA or the department and the number of cases of certain types of cancer that may be treated successfully are not included in this estimate.

Public hearings will be held to afford all interested persons the opportunity to present written or oral comments. The schedule for the public hearings is as follows:

Baton Rouge, February 20, 1985; 7:30 p.m., Mineral Board Hearing Room, State Land and Natural Resources Building, 625 North Fourth St., Baton Rouge, La. 70802.

New Orleans, February 25, 1985; 7:30 p.m., New Orleans City Hall, City Council Chambers, Room 1E04, 1300 Perdido St., New Orleans, La. 70112.

Shreveport, February 28, 1985; 7:30 p.m., City Council Chambers, Second Floor, Room 211, 1234 Texas Avenue, Shreveport, La. 71130.

The agency contact responsible for responding to inquiries or requests for copies of the proposed amendments is Greg Gaspercz, Box 44066, Baton Rouge, LA 70804-4066, or phone 504/342-1206. Copies of the proposed amendments are available for inspection at the following locations from 8 a.m. until 4:30 p.m.

Department of Environmental Quality, 3945 North I-10 Service Road, Metairie, La.

Department of Environmental Quality, Eighth Floor, State Land and Natural Resources Building, 625 North Fourth Street, Baton Rouge, La.

Department of Environmental Quality, 804 Thirty-First Street, Monroe, La.

Department of Environmental Quality, State Office Building, 1525 Fairfield Avenue, Shreveport, La.

Department of Environmental Quality, 1155 Ryan Street, Lake Charles, La.

Department of Environmental Quality, 100 Eppler Road, Lafayette, La.

Patricia L. Norton
Secretary

**Fiscal and Economic Impact Statement
For Administrative Rules
Rule Title: Asbestos in Schools**

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)

The estimated implementation cost to state or local governmental units is \$26.35 million.

It is estimated that there is approximately five million square feet and 0.5 million linear feet of friable asbestos material in public, parochial and private schools in the state that needs to be removed. The price for removal of the asbestos material and subsequent replacement with a non-asbestos material is expected to be \$5 per square foot and \$2.50 per linear foot for a construction cost of \$26.25 million. Additionally, engineering and architect fees should amount to 10 percent of this cost or \$2.6 million. Analytical fees including bulk analyses and air monitoring and miscellaneous expenses will total approximately \$1 million. The total cost is expected to run \$29.85 million. Federal funding is estimated to be \$3.5 million. Therefore, the total for state and local governmental units is estimated to be \$26.35 million; however, at this time it is difficult to determine what portion of the \$26.35 million will be absorbed by either state or local governmental units.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)

There will be no estimated effect on revenue collection of state or local governmental units.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS - (Summary)

The estimated cost to the regulated community will be \$29.85 million. The majority of these funds are expected to be raised at the local area through a one time assessment to cope with this health risk. Some money may be forthcoming from federal grants and in some cases where funds are unavailable, the state may have to help. This program will result in reduced risk of cancer and other serious disease with the accompanying social benefit and savings of medical costs for citizens of the state.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)

This regulation will result in some seasonal employment for semi-skilled workers who will be employed to physically remove and dispose of this health hazard. There will be no long term effect on competition since removal should be accomplished within three years.

Patricia L. Norton
Secretary

Mark C. Drennen
Legislative Fiscal Officer

NOTICE OF INTENT

Office of the Governor Office of Elderly Affairs

In accordance with Louisiana Revised Statutes 49:950 et seq., The Administrative Procedure Act, notice is hereby given that the Governor's Office of Elderly Affairs intends to review and update the intrastate funding formula for programs administered under Title III of the Older Americans Act. The intrastate funding formula is an attachment to the Louisiana State Plan on Aging and subject to review and comment by the commissioner on aging. The formula update includes the following information:

A. A descriptive statement of the formula's assumptions and goals

B. A numerical statement of the actual formula

C. A listing of the population, economic, and social data used for each planning and service area

D. A demonstration of the allocation of funds by the formula to each planning and service area

Funding formula factors being reviewed and updated include but are not limited to the geographical distribution of persons who are 60 years of age or over, persons 60 years of age or older whose income is below the Bureau of the Census poverty threshold, and the number of square miles in each planning and service area.

Information concerning the review and update of the intrastate funding formula can be obtained by writing: Betty Johnson, Planning Analyst III, Governor's Office of Elderly Affairs, Box 80374, Baton Rouge, LA 70898-0374.

Written comments, suggestions and recommendations may be sent to the above address.

A public hearing on the review and update of the Office of Elderly Affairs intrastate funding formula will be held on February 5, 1985, at 10 a.m. in the auditorium of the State Library, 760 Riverside North, Baton Rouge, Louisiana.

Sandra C. Adams
Director

Fiscal and Economic Impact Statement For Administrative Rules

Rule Title: Intrastate Funding Formula

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)

There will be no implementation costs or savings to state or local governmental units.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)

The proposed intrastate funding formula review and update will not affect total funding available for aging programs. However, should any changes be made to the intrastate funding formula as a result of its review and update individual local governmental units (Councils on Aging or Area Agencies on Aging) may be affected relative to each agency's proportionate share of total federal and state matching funds. Funding changes cannot be determined at this time.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS - (Summary)

There are no estimated costs or benefits to directly affected persons or non-governmental groups.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)

There is no effect on competition and employment.

Sandra C. Adams
Director

Mark C. Drennen
Legislative Fiscal Officer

NOTICE OF INTENT

Department of Health and Human Resources Board of Nursing

The Louisiana State Board of Nursing hereby gives notice that the Board at its March 28-29, 1985 meeting intends to adopt amendments to R.N. 1.071, Rules for Licensure by Examination.

Public notification made herein indicates no final approval.

The public is made aware of the proposed changes in compliance with R.S. 37:911-930.

PROPOSED REVISION OF R.N. 1.071

LICENSURE BY EXAMINATION

(1) The National Council Licensure Examination for Registered Nurses (NCLEX-RN) is the examination for licensure as a registered nurse.

(a) No change

(b) No change

(c) No change

(d) No change

(e) The passing standard score shall be 1600.

(f) The NCLEX-RN shall be successfully written within a 25-month period from the first writing, or, prior to reapplication for taking the NCLEX-RN, specific study requirements shall be met, with the board's approval of the educational program. Following restudy, the maximum number of rewrites shall be one.

(2) Requirements for eligibility to take the NCLEX-RN in Louisiana include:

(a) No change

(b) No change

(c) Completion of the application form as directed by the executive director of the board.

(d) No change

(e) No change

(f) No change

(3) Delete entire section.

Written comments may be addressed to Merlyn M. Mailian, R.N. Executive Director, Louisiana State Board of Nursing, 907 Pere Marquette Building, 150 Baronne Street, New Orleans, LA 70112 until 4:30 p.m., March 22, 1985.

Merlyn M. Mailian, R.N.
Executive Director

Fiscal and Economic Impact Statement For Administrative Rules

Rule Title: R.N. 1.071

Licensure by Examination

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)

Implementation costs will be as follows:

1) \$244.70 for clerical activities, printing and dissemination of the rule change in 1984-85.

2) Beginning with fiscal year 86-87, the cost of approving the special educational programs required by R.N. 1.071, (1), (f), will be approximately \$500 annually for professional staff time.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)

There will be no change in revenue collection.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS - (Summary)

There will be no change in costs or economic benefits to directly affected persons or non-governmental groups except that the few persons who will be required to take special courses will have to bear the attendant costs.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)

Only minimal changes in competition and employment of unlicensed persons will result from the effect of this rule change.

Merlyn M. Maillian
Executive Director

Mark C. Drennen
Legislative Fiscal Officer

NOTICE OF INTENT

**Department of Health and Human Resources
Office of Preventive and Public Health Services**

In accordance with the laws of the State of Louisiana, R.S. 40:4, and the provisions of Chapter 13 of the State Sanitary Code, the state health officer has determined that the following amendments to the listing entitled "Mechanical Wastewater Treatment Plans for Individual Homes - Acceptable Units" are necessary and appropriate:

1) Amend the title of this list to read "Individual Mechanical Wastewater Treatment Plants - Acceptable Units".

2) Amend the listing to include an additional unit, specified as follows:

Manufacturer	Plant Designation	Rated Capacity
Mo - Dad - 1, Inc. P. O. Box 822 Denham Springs, LA 70726	Mo - Dad - 1	500gpd

The specified changes are in compliance with the requirements set forth in Section 6.6 of Appendix A of Chapter 13 of the State Sanitary Code.

Comments regarding the proposed rule should be addressed to: Daneta Daniel Bardsley, Ed.D., Assistant Secretary, Office of Preventive and Public Health Services, Department of Health and Human Resources, Box 60630, New Orleans, LA 70160. A public review hearing will be held on February 4, 1985 at 10 am at 325 Loyola Avenue, Room 511, New Orleans, to hear comments on the rule.

Sandra L. Robinson, M.D., M.P.H.
Secretary and State Health Officer

**Fiscal and Economic Impact Statement
For Administrative Rules**

Rule Title: Individual Mechanical Sewage Treatment Plants - Acceptable Units

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)

There are no implementation costs.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)

There is no effect on revenue collections.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS - (Summary)

The consumer will be afforded a wider selection of

products, thus enhancing competition, possibly resulting in reduced cost to the consumer.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)

Competition will be stimulated by the presence of the new product. Effect on employment cannot be estimated.

Daneta Daniel Bardsley
Assistant Secretary

Mark C. Drennen
Legislative Fiscal Officer

NOTICE OF INTENT

**Department of Health and Human Resources
Office of the Secretary
Division of Licensing and Certification**

The Department of Health and Human Resources, Office of the Secretary, Division of Licensing and Certification, intends to adopt the following proposed rule on the collection of data required for licensure for health care facilities and for purposes of health planning.

This proposed rule clarifies the authority of the Division of Licensing and Certification, in accordance with L.R.S. 40:2100 et seq., to collect data on a quarterly basis which pertains to categories of beds and services, utilization of beds, and utilization of beds by category, and other data which may assist the department in health planning, as directed by the Statewide Health Coordinating Council.

The Division of Licensing and Certification will also collect data on beds that are licensed but presently inactive, and which can be reactivated within 24 hours.

Comments on this proposed rule may be submitted to Billy W. Brown, Director, Division of Licensing and Certification, 333 Laurel St., Room 620, Box 3767, Baton Rouge, La. 70821. Telephone: (504) 342-5774 or LINC 621-5774.

A public hearing will be held on this proposed rule on February 8, 1985, in the Louisiana State Library auditorium, 760 Riverside, Baton Rouge, La. beginning at 9:30 a.m. All interested persons will be afforded an opportunity to submit data, views, or arguments, orally or in writing at said hearing.

Sandra L. Robinson, M.D., M.P.H.
Secretary and State Health Officer

**Fiscal and Economic Impact Statement
For Administrative Rules**

Rule Title: Statewide Inventory of Hospital Beds

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)

This rule addresses the need for a statewide inventory of hospital beds. Implementation will require two additional clerical positions for five months during 1984-85 at a cost of \$10,000 in state funds. It will also require the reassignment of 10 newly budgeted surveyor positions which were created due to significant increases in Medicare and Medicaid surveys in recent years. Reassignment of these 10 positions for two months to complete the initial hospital inventory could cost up to \$58,000, which would have to be paid from state funds. Thus, the total cost in 1984-85 is \$68,000 in state funds.

Provision of the hospital inventory function on a continuous basis would require two additional surveyor positions, plus the above-mentioned clerical positions. Cost in state funds will be \$100,800 in 1985-86 and \$110,880 in 1986-87.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)

There will be no effect on revenue collections.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS - (Summary)

The completion and continuous updating of a statewide inventory of hospital beds should provide more accurate and timely data for determining the need for additional beds. The information will provide part of the database to be used by the Bureau of Health Planning to approve or disapprove additional beds and services pursuant to Section 1122 of the Social Security Act.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)

There will be no effect on competition and employment.

Billy Brown
Director

Mark C. Drennen
Legislative Fiscal Officer

NOTICE OF INTENT

Department of Natural Resources Office of Conservation

In accordance with the laws of the State of Louisiana, and with reference to the provisions of Title 30 of the Louisiana Revised Statutes of 1950, as amended by Act 16 of the Extraordinary Session of 1973, being Chapter 7 of Title 30, and particularly Section 542(A) of said Act, a public hearing will be held in the Conservation Auditorium, First Floor, State Land and Natural Resources Building, 625 North Fourth Street, Baton Rouge, Louisiana at 9 a.m. February 7, 1985.

At such hearing the Commissioner will consider evidence relative to the amendment of Regulation No. 9 pertaining to Natural Gas Pipeline Safety standards. The proposed revisions are needed to bring Louisiana's natural gas pipeline safety regulation into conformance with new federal reporting requirements.

The proposed revisions represent the views of the commissioner as of this date; however, the commissioner reserves the right to propose additions or amendments thereto prior to final adoption.

Part I Reports

Sec. 191.1 Scope.

(a) This Part prescribes requirements for the reporting of incidents and annual pipeline summary data by operators of gas pipeline facilities located in the United States or Puerto Rico, including pipelines within the limits of the Outer Continental Shelf as that term is defined in the Outer Continental Shelf Lands Act (43 U.S.C. 1331).

(b) This part does not apply to—

(1) Offshore gathering of gas upstream from the outlet flange of each facility on the Outer Continental Shelf where hydrocarbons are produced or where produced hydrocarbons are first separated, dehydrated, or otherwise processed, whichever facility is farther downstream; or

(2) Onshore gathering of gas outside of the following areas:

(i) An area within the limits of any incorporated or unincorporated city, town, or village.

(ii) Any designated residential or commercial area such as a subdivision, business or shopping center, or community development.

Sec. 191.3 Definitions.

As used in this part and the RSPA Forms referenced in this part—

“Incident” means any of the following events:

(1) An event that involves a release of gas from a pipeline or of liquefied natural gas or gas from an LNG facility and

(i) A death, or personal injury necessitating in-patient hospitalization; or

(ii) Estimated property damage, including cost of gas lost, of the operator or others, or both, of \$5,000 or more.

(2) An event that results in an emergency shutdown of an LNG facility.

(3) An event that is significant, in the judgement of the operator, even though it did not meet the criteria of paragraphs (1) or (2).

“LNG facility” means a liquefied natural gas facility as defined in Sec. 193.2007 of Part 193 of this Chapter;

“Master Meter System” means a pipeline system for distributing gas within, but not limited to, a definable area, such as a mobile home park, housing project, or apartment complex, where the operator purchases metered gas from an outside source for resale through a gas distribution pipeline system. The gas distribution pipeline system supplies the ultimate consumer who either purchases the gas directly through a meter or by other means, such as by rents;

“Offshore” means beyond the line of ordinary low water along that portion of the coast of the United States that is in direct contact with the open seas and beyond the line marking the seaward limit of inland waters;

“Pipeline” or “Pipeline System” means all parts of those physical facilities through which gas moves in transportation, including, but not limited to, pipe, valves, and other appurtenance attached to pipe, compressor units, metering stations, regulator stations, delivery stations, holders, and fabricated assemblies.

Sec. 191.5 Telephonic notice of certain incidents.

(a) At the earliest practicable moment following discovery, each operator shall give notice in accordance with paragraph (b) of this Section of each incident as defined in Sec. 191.3.

(b) Each notice required by paragraph (a) of this Section shall be made by telephone to Area Code (800) 424-8802 and Area Code (504) 342-5585 and shall include the following information:

(1) Names of operator and person making report and their telephone numbers.

(2) The location of the incident.

(3) The time of the incident.

(4) The number of fatalities and personal injuries, if any.

(5) All other significant facts that are known by the operator that are relevant to the cause of the incident or extent of the damages.

Sec. 191.7 Addresses for written reports.

One copy of each written report, required by this Part, for intrastate facilities subject to the jurisdiction of the Office of Conservation pursuant to certification under Section 5(a) of the Natural Gas Pipeline Safety Act must be submitted to the Commissioner of Conservation, Box 44275, Baton Rouge, LA 70804. One copy of each written report required by this part, need not be submitted to the chief, Information Systems Division, Transportation Programs Bureau, D.O.T., Washington, D.C. 20590, unless the estimated property damage, including cost of gas lost, of the operator or others, or both, is \$50,000 or more.

Sec. 191.9 Distribution system: Incident report.

(a) Except as provided in paragraph (c) of this Section, each operator of a distribution pipeline system shall submit Department of Transportation Form RSPA F 7100.1 as soon as practicable but not more than 30 days after detection of an incident required to be reported under Sec. 191.5.

(b) When additional relevant information is obtained after the report is submitted under paragraph (a) of this Section, the op-

erator shall make supplementary reports as deemed necessary with a clear reference by date and subject to the original report.

(c) The incident report required by this Section need not be submitted with respect to master meter systems or LNG facilities.

Sec. 191.11 Distribution system: Annual report.

(a) Except as provided in paragraph (b) of this Section, each operator of a distribution pipeline system shall submit an annual report for that system on Department of Transportation Form RSPA F 7100.1-1. This report must be submitted each year, not later than March 15, for the preceding calendar year.

(b) The annual report by this Section need not be submitted with respect to:

- (1) Petroleum gas systems which serve fewer than 100 customers from a single source;
- (2) Master meter systems; or
- (3) LNG facilities.

Sec. 191.13 Distribution systems reporting transmission pipelines; transmission or gathering systems reporting distribution pipelines.

Each operator, primarily engaged in gas distribution, who also operates gas transmission or gathering pipelines shall submit separate reports for these pipelines as required by Secs. 191.15 and 191.17. Each operator, primarily engaged in gas transmission or gathering, who also operates gas distribution pipelines shall submit separate reports for these pipelines as required by Secs. 191.9 and 191.11.

Sec. 191.15 Transmission and gathering systems: Incident report.

(a) Except as provided in paragraph (c) of this Section, each operator of a transmission or a gathering pipeline system shall submit Department of Transportation Form RSPA F 7100.2 as soon as practicable but not more than 30 days after detection of an incident required to be reported under Sec. 191.5.

(b) Each notice required by paragraph (a) of this Section shall be made by telephone to Area Code (800) 424-8802 and Area Code (504) 342-5585 and shall include the following information:

- (1) Names of operator and person making report and their telephone numbers.
- (2) The location of the incident.
- (3) The time of the incident.
- (4) The number of fatalities and personal injuries, if any.
- (5) All other significant facts that are known by the operator that are relevant to the cause of the incident or extent of the damages.

(c) The incident report required by paragraph (a) of this Section need not be submitted with respect to LNG facilities.

Sec. 191.17 Transmission and gathering systems: Annual report.

(a) Except as provided in paragraph (b) of this Section, each operator of a transmission or a gathering pipeline system shall submit an annual report for that system on Department of Transportation Form RSPA 7100.2-1. This report must be submitted each year, not later than March 15, for the preceding calendar year.

(b) The annual report required by paragraph (a) of this Section need not be submitted with respect to LNG facilities.

Sec. 191.19 Report forms.

Copies of the prescribed report forms are available without charge upon request from the address given in Sec. 191.7. Additional copies in this prescribed format may be reproduced and used if in the same size and kind of paper. In addition, the information required by these forms may be submitted by any other means that is acceptable to the secretary.

Sec. 191.21 OMB control number assigned to information collection.

This Section displays the control number assigned by the Office of Management and Budget (OMB) to the gas pipeline information collection requirements of the Materials Transportation Bureau pursuant to the Paperwork Reduction Act of 1980, Pub. L. 96-511. It is the intent of this Section to comply with the requirements of Section 3507(f) of the Paperwork Reduction Act which requires that agencies display a current control number assigned by the director of OMB for each agency information collection requirement. OMB Control Number 2137-0522 (approved through March 31, 1986)

Section of 49 CFR Part 191 where

Identified	Form No.
191.5	Telephonic.
191.9	RSPA 7100.1
191.11	RSPA 7100.1-1
191.15	RSPA 7100.2
191.17	RSPA 7100.2-1.

(49 U.S.C. 1681(b) and 1808(b); 49 CFR 1.53, and Appendix A of Part 1)

Comments and views regarding the proposed regulation should be directed in written form to be received not later than 5 p.m., February 6, 1985. Oral comments will be received at the hearing but should be brief and not cover the entire matters contained in the written comments. Direct comments to: Herbert W. Thompson, Commissioner of Conservation, Box 44275, Capitol Station, Baton Rouge, LA 70804, RE: Docket No. PL 85-1.

All parties having interest in the aforesaid shall take notice thereof.

Herbert W. Thompson
Commissioner

Fiscal and Economic Impact Statement For Administrative Rules

Rule Title: Pipeline Safety Regulation Amendment

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO AGENCY - (Summary)

Amendment of the Pipeline Safety Regulation will help guarantee continued receipt of federal matching funds. (This program receives about \$50,000 from the federal government annually.)

Adoption of these rule changes will not affect implementation costs or savings to state or local governmental units. Existing funds and staff will be sufficient to implement the proposed changes.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS - (Summary)

Implementation of the proposed rule changes will have no effect on the collection of revenues by state or local governmental units.

III. ESTIMATED COSTS AND BENEFITS TO AFFECTED GROUPS - (Summary)

No costs or economic benefits will be incurred or received by directly affected persons or nongovernmental groups.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)

No effect on competition and employment is anticipated as a result of adopting the proposed rules.

Herbert W. Thompson
Commissioner

Mark C. Drennen
Legislative Fiscal Officer

NOTICE OF INTENT

Department of Public Safety and Corrections Office of the Secretary

The Department of Public Safety and Corrections, Office of the Secretary, intends to amend department regulation 30-19 as follows:

1. Section 5 (B) (2) - Will read as follows:

Incoming Letters - Incoming letters may be opened and inspected for contraband.

EXCEPTION:

a) Letters from identifiable Department of Public Safety and Corrections' officials are not to be opened.

b) Letters from the following may be opened and inspected for contraband only in the presence of the inmate-addressee:

- 1) Identifiable courts
- 2) Identifiable probation and parole officers
- 3) Identifiable prosecuting attorneys
- 4) Identifiable attorneys
- 5) Identifiable members of the press
- 6) Identifiable state and federal agencies and officials.

For purposes of these exceptions, see Section (B) (1) of this regulation for the definition of "identifiable." Upon the determination that this mail is not identifiable official or legal mail, said mail shall be treated as all other incoming mail, and shall be opened and inspected for contraband.

Written comments of interested persons on the proposed amendments may be addressed to: Cynthia G. Eyre, Attorney, Department of Public Safety and Corrections, Box 94304, Capitol Station, Baton Rouge, LA 70804. Ms. Eyre will respond to all inquiries regarding this amended regulation through March 10, 1985.

C. Paul Phelps
Secretary

Fiscal and Economic Impact Statement For Administrative Rules

Rule Title: No. 30-19 Correspondence & Packages

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)

Adoption of this regulation will cause no additional costs in implementation to the state or agency.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)

There will be no effect on revenue collections of state or local governmental units by adoption of this regulation.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS - (Summary)

There will be no costs and/or economic benefits to directly affected persons or non-governmental groups by adopting this regulation.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)

There will be no effect on competition and employment by adopting this regulation.

Griffon Rivers
Deputy Secretary

Mark C. Drennen
Legislative Fiscal Officer

NOTICE OF INTENT

Department of Public Safety and Corrections Office of State Police

Breath and Blood Alcohol Analysis Methods and Techniques

I ANALYSIS OF BREATH

001. APPROVAL OF INSTRUMENTS TO CONDUCT BREATH ALCOHOL ANALYSIS

Section 1. After the Louisiana Department of Public Safety and Corrections has approved a prototype breath testing device as an acceptable model for chemical analysis in breath alcohol testing, it shall be necessary for each individual instrument of the approved model to be inspected and approved for use by the Office of State Police, Applied Technology Unit, and an instrument certification form shall be maintained for each individual instrument in the Applied Technology Unit. At least once every four months thereafter, each individual instrument shall be inspected, checked and recertified by technicians of the Applied Technology Unit and a recertification form shall also be maintained in the Applied Technology Unit. A copy of this certificate may be filed with the clerk of the applicable court in the respective parish in which each device is used for breath testing, and this copy shall be prima facie evidence as to the proper working order of the instrument and the standard of quality of the ampul. The inspecting maintenance technician's permit number shall also be affixed to this certificate. Any manufacturer of any apparatus, device, or equipment made for the purpose of analyzing the alcoholic content of the breath may request the Applied Technology Unit to approve such apparatus, device or equipment. The Applied Technology Unit will consider such a request upon submission of such information, instruction for use, exemplars and other pertinent data as the Applied Technology Unit may request. Before any breath alcohol testing device will be approved, it must have undergone inspection and testing by the Applied Technology Unit. This period of testing and evaluation is for the purpose of assuring that an instrument is free of any design error, malfunctions or operating problems.

Section 2. Instruments Approved

The following is a list of the instruments approved by the Louisiana Department of Public Safety and Corrections, Office of State Police, Applied Technology Unit, for analysis of breath specimens for the determination of the alcoholic contents therein.

Section 2.1 Photo-Electric Intoximeter (P.E.I.) model 400 single cylinder instrument manufactured and distributed by Intoximeters Inc. of St. Louis, Missouri.

Section 2.2 Intoxilyzer model 4011AS-A manufactured by CMI Inc. of Minturn, Colorado and distributed by Federal Signal Corporation of Chicago, Illinois.

Section 2.3 Intoxilyzer model 5000, manufactured by CMI Inc. of Minturn, Colorado and distributed by Federal Signal Corporation of Chicago, Illinois.

Section 2.4 BAC Verifier, Manufactured and distributed by Verax Systems Inc. of Fairport, New York.

002. OPERATOR QUALIFICATION

Qualifications for the certification of individuals to conduct breath analysis are as follows:

Section 1. Employee of a Louisiana or Federal law enforcement agency.

Section 2. Resident of the State of Louisiana at the time of application, and at least 18 years of age.

Section 3. Graduation from a state accredited high school or satisfactory passing of the General Education Development (G.E.D.) test or equivalent educational background.

Section 4. Successful completion of a 40 hour operator's

training course conducted by the Applied Technology Unit or any other course approved by the Applied Technology Unit. Course material to be covered will be taken from the chemical Test for Intoxication Training Manual and/or the Training Manual for the Intoxilyzer model 4011AS-A, the Intoxilyzer model 5000 or the BAC Verifier. However, if an individual has already successfully completed a training course in chemical testing, the individual may attend a specified course in the operation of either, the Intoxilyzer model 4011AS-A, the Intoxilyzer model 5000 or the BAC Verifier.

Section 5. To successfully complete the 40 hour training course and be certified to conduct breath analysis, the individual must:

Section 5.1 Obtain a 75 percent score on the written examination covering course material.

Section 5.2 Obtain a 75 percent score on the actual operation of the instrument and practical examination (running of an unknown alcohol solution). Both, the written and the practical examination will be made up by instructors of the Applied Technology Unit. The examination results shall be recorded on the "chemical test for intoxication progress record" and a copy shall be maintained by the Applied Technology Unit.

003. INSTRUCTOR QUALIFICATION

Qualifications for certification of individuals as instructors shall be as follows:

Section 1. Certified as an operator on all of the approved instruments.

Section 2. Attendance of an additional 40 hour course approved by the Applied Technology Unit.

Section 3. Involved in a chemical testing program approved by the Applied Technology Unit.

004. QUALIFICATION OF INDIVIDUALS FOR INSTRUMENT MAINTENANCE AND INSPECTION

Qualification of individuals to perform maintenance and inspection on approved instruments will be as follows:

Section 1. Employee of the Office of State Police, Applied Technology Unit in the capacity of breath analysis technician or forensic scientist. In order to be employed in the capacity of breath analysis technician or forensic scientist, the employee must have met all of the requirements as stated by the Department of Civil Service pertaining to the classification of breath analysis technician or forensic scientist.

Section 2. Graduation from a state accredited high school or satisfactory passing of the General Education Development (G.E.D.) test or equivalent educational background.

Section 3. Successful completion of a 40 hour operator's training course.

Section 4. Successful completion of a course on maintenance conducted by the manufacturers of the respective instruments used in breath alcohol testing whereby the individual has received a satisfactory certificate stating such.

Section 5. Complete six months "on-the-job training" whereby the individual shall undergo instruction on the following, but, not limited to:

Section 5.1 Calibration of instruments.

Section 5.2 Checking calibration of the instruments.

Section 5.3 Trouble shooting of the instrument.

Section 5.4 Performance of preventive and regular maintenance.

Section 5.5 Preparation and use of any wet bath simulator and solutions used in the calibration and calibration check.

Section 5.6 Use of gaseous alcohol simulator standards used in calibration and calibration check.

Section 5.7 Inspection of instrument received from the respective manufacturer to insure proper assembly, calibration and the overall proper functioning of the instrument.

Section 6. After the individual has completed on-the-job training and qualified on the above specifications, then and only then may he be certified to perform maintenance and inspection on the various approved breath alcohol testing instruments. The individual will then be certified by the Louisiana Department of Public Safety and Corrections and issued a permit stating such. This permit shall then be prima facie evidence of the individual's qualification to perform such maintenance.

Section 7. The maintenance and/or repair work shall be performed by breath analysis technicians or forensic scientists of the Applied Technology Unit, who are certified by the Louisiana Department of Public Safety and Corrections to perform such. The instrument recertification form that is filed every four months with the respective clerks of court shall also have the inspecting technicians permit number affixed to this certificate. This permit number shall be proof as to the certification of the inspecting technician by the Louisiana Department of Public Safety and Corrections.

Section 8. The procedure used by maintenance technicians in the inspections of instruments at least once every four months for the checking of calibration shall be as follows:

Section 8.1 A wet bath breath alcohol simulator will be used.

Section 8.2 Use of this simulator and preparation of the contents shall be performed according to instructions as per the manufacturer of the simulator's operating manual.

Section 8.3 Solutions used in the simulator may also be produced by using a certified stock solution.

Section 8.4 Once the simulator is made, the known alcohol value shall be determined by use of a gas chromatograph and this will be the "known alcohol value." Calibration checks of the various instruments shall be within plus or minus .010g percent of this established "known alcohol value."

Section 8.5 After inspections are made by the technicians and all items are performed according to the maintenance section as listed under each type instrument, the inspecting technician will then "certify" that the instrument was in proper working order.

Section 8.6 Records, or a copy covering maintenance, etc., on instruments will be kept by the Applied Technology Unit.

Section 9. Personnel of the Applied Technology Unit shall have the authority to instruct individuals as breath/alcohol testing field supervisors. These individuals will be able to conduct minor service, repair, transport instruments to the various locations, run known alcohol solutions, testify in court, monitor the chemical testing program on a local level, and confer with the Applied Technology Unit on any related matters pertaining to chemical testing. These individuals will have attended an additional training course whereby they have undergone instructions to perform their outlined duties. These individuals' permit shall state their authority to conduct such duties.

005. PERMITS

Upon determining the qualification of individuals to perform such analysis and duties, and after submitting an application for certification, the Louisiana Department of Public Safety and Corrections shall issue permits which shall be effective for the following periods with respect to classifications.

Section 1. Operators certification.

Section 1.1 Operators shall be certified for a period of two years following successful completion of the 40 hour "operators training course." These permits may be renewed after a refresher course given by the Applied Technology Unit, or any other agency approved by the Applied Technology Unit.

Section 1.2 In addition to being certified on any instrument currently approved by the Applied Technology Unit, an operator may also attend a specified course for certification on any

new instrument that may be approved by the Applied Technology Unit. These permits shall also be in effect for a period of two years.

Section 2. Breath alcohol testing supervisors.

Section 2.1 Breath alcohol testing field supervisors shall be certified for a period of two years.

Section 3. Instructors.

Section 3.1 Instructors shall be certified for a period of five years. However, once he is no longer involved in a chemical testing program, his certification shall terminate and then only be re-certified after he has once again become involved in a chemical testing program and demonstrated his knowledge of instructions to the Applied Technology Unit supervisor.

Section 4. Maintenance technician.

Section 4.1 Once a maintenance technician working for the Applied Technology Unit is initially certified, his permit shall remain effective for the duration of his employment.

006. RECORDING ANALYSIS AND RECERTIFICATION DATE

Section 1. After each breath analysis, the results shall be recorded in the Breath Alcohol Testing Log Book, a copy of which is to be sent to the Applied Technology Unit at the end of each month and a copy to be retained at the testing agency.

Section 2. Each time any of the approved instruments are inspected and certified, the date of certification shall be placed on the instrument and the operator will record said date on the operational "check list."

007. PROCEDURES FOR ANALYSIS USING THE P.E.I. MODEL 400 SINGLE CYLINDER

Section 1. General observation of the subject for a period of not less than 20 minutes prior to testing whereby the subject shall not have ingested alcohol, alcoholic beverages, regurgitated, vomited or taken anything by mouth.

Section 2. The operator conducting the breath analysis shall conduct such analysis in accordance with the "P.E.I. operational check list" which contains, but, not limited to the following:

Section 2.1 Completing the information section concerning such things as name of the subject, time, witness, arresting and testing agency, instrument number and location, and the applied technology certification tag number.

Section 2.2 Calibration check whereby the calibration of the instrument is checked by using a set of "standard ampuls" which accompanies each instrument. A standard ampul of a known value is used whereby the reading shall be within the given range to show that the calibrating section of the instrument is operating properly.

Section 2.3 Preparation of the instrument whereby the temperature is checked and the ampul to be used in such analysis is checked to show that it is within a certain tolerance plus or minus .010g percent. This is to insure that a good ampul will be used in the analysis.

Section 2.4 Systems blank by which the instrument is shown to be free from alcohol contamination. Limitations here shall be from plus .010g percent to minus .020g percent whereby corrections from here will be made to produce the final reading.

Section 2.5 Sample collection whereby the sample is taken and the 20 minutes observation period is checked off.

Section 2.6 Alcohol determination section whereby the instrument is flushed, scale zero checked and the final reading is taken. The ampul will be discarded after analysis, since preservation of the ampul will yield erroneous results after the ampul is opened, used in the analysis and exposed to continuous light. This ampul also contains acid, which is very corrosive and may cause injury or damage if not properly disposed of.

Section 2.7 Breath specimens collected for analysis should be substantially in equilibrium with pulmonary arterial blood with

respect to alcohol. That is, it should be essentially alveolar in composition.

Section 2.8 The quantity of breath analyzed for its alcoholic content shall be established only by direct volumetric measurement, or by collection and analysis of a fixed breath volume at a constant known temperature.

Section 3. All ampuls used in breath alcohol analysis shall be received in numbered lots and stored under the supervision of the supervisor of Applied Technology Unit, who is also a forensic scientist. The Applied Technology Unit shall require any manufacturers of ampuls to certify each lot of ampuls made, as to their standard of quality in reference to the chemical contents and tolerance. The Applied Technology Unit shall maintain the certificate on file from the manufacturer. The Applied Technology Unit shall then have the authority to spot check the ampuls with respect to their performance. The instrument recertification form that is filed every four months with the clerk of the respective court may also state that the ampul lot numbers used at each agency were spot checked for performance.

Section 4. Procedures for spot checking of the ampuls for performance.

Section 4.1 A known wet bath breath alcohol simulator shall be used in the analysis.

Section 4.2 The procedure for preparation of this simulator shall be as outlined in (Paragraph 004, Sec. 8.1 through 8.5).

Section 4.3 The volume of the ampul solution will be checked by the use of the gauging well on P.E.I..

Section 4.4 At least one ampul from each lot of ampuls located at an agency shall be analyzed by use of the known wet bath breath alcohol simulator. By obtaining results that are within the tolerance range of plus or minus .010g percent, the ampuls are shown to contain the proper quantity of chemicals.

008. MAINTENANCE INSPECTION FOR THE P.E.I.

The maintenance inspection shall be performed on a routine basis at least once every four months by technicians of the Applied Technology Unit. Items to be checked shall include, but, not limited to the following:

Section 1. Each lot of ampuls shall be spot checked for performance.

Section 2. Clean instrument.

Section 3. Running of a known alcohol value whereby results shall be within plus or minus .010g percent of the known alcohol value.

Section 4. In the event any repair work is needed, it will be recorded in detail.

Section 5. Calibration check using standard ampuls.

009. PROCEDURE FOR ANALYSIS USING THE INTOXILYZER MODEL 4011AS-A

Section 1. General observation of the subject for a period of not less than 15 minutes prior to testing whereby the subject shall not have ingested alcohol, alcoholic beverages, regurgitated, vomited or taken anything by mouth.

Section 2. The operator conducting breath analysis shall conduct such analysis in accordance with the "Intoxilyzer model 4011AS-A check list" which contains, but, not limited to the following:

Section 2.1 Completing the information section concerning such things as name of subject, time, arresting and testing agency, instrument number and location and date of instrument certification.

Section 2.2 Air Blank - an air blank run to show that the instrument was free of alcohol contamination.

Section 2.3 Test standard - Test standard run to show that the instrument is in calibration. Results shall be within plus or minus .010g percent of the known standard range. With respect to

the term "standard" as listed above, this shall be performed by using a gaseous alcohol standard. This step in the operation of the Intoxilyzer model 4011AS-A refers to the calibration check of the instrument. The results shall be within plus or minus .010g percent of the standard range. This standard range shall be established by technicians of the Applied Technology Unit. This value is established after a series of analysis of this gaseous alcohol standard. The known standard range shall be affixed to the standard and the operator shall record both, the standard range and the obtained results on the Intoxilyzer model 4011AS-A operational "check list" in the appropriate place.

Section 2.4 Air Blank - An air blank run to show that the instrument is free of alcohol contamination.

Section 2.5 Auto-zero - Whereby the instrument is automatically zeroed.

Section 2.6 Test subject - new and clean mouth piece attached to the breath inlet hose. Subject instructed to blow through mouth piece sufficiently to activate breath lamp and continue blowing until instrument accepts proper breath sample.

Section 2.7 Air blank - an air blank run to show that the instrument is free of alcohol contamination.

Section 2.8 End of test - light number seven on, test record card removed, and attached to check list.

010. MAINTENANCE INSPECTION FOR THE INTOXILYZER MODEL 4011AS-A

The maintenance inspection shall be performed on a routine basis at least once every four months by technicians of the Applied Technology Unit. Items to be inspected shall include, but, not limited to the following:

Section 1. Clean instrument.

Section 2. Running of a known alcohol value thereby checking the instrument and calibration. Results shall be within plus or minus .010g percent of the known alcohol value.

Section 3. Insure seals on the instrument are still intact.

Section 4. Check printer.

Section 5. Check breath inlet and pump hose.

Section 6. Clean filter and lens.

Section 7. Insure IR light is still working.

Section 8. In the event repair work is needed, it shall be recorded in detail.

011. PROCEDURE FOR ANALYSIS USING THE INTOXILYZER MODEL 5000

Section 1. General observation of the subject for a period of not less than 15 minutes prior to testing whereby the subject shall not have ingested alcohol, alcoholic beverages, regurgitated, vomited or taken anything by mouth.

Section 2. The operator conducting breath analysis shall conduct such analysis in accordance with the "Intoxilyzer model 5000 operational check list" which contains, but, not limited to the following:

Section 2.1 Completing the information section concerning such things as name and drivers license number of subject, date, instrument number and certification date.

Section 2.2 Press start button, insert test record card and check display panel for instructions.

Section 2.3 New and clean mouth piece attached to breath inlet hose.

Section 2.4 Subject instructed to blow through mouth piece sufficiently until instrument accepts proper breath sample.

Section 2.5 Remove test record card and attach to check list.

012. MAINTENANCE INSPECTION FOR THE INTOXILYZER MODEL 5000

Maintenance inspection shall be performed on a routine basis at least once every four months by technicians of the Applied

Technology Unit. Items to be inspected shall include, but, not limited to the following:

Section 1. Clean instrument.

Section 2. Running of a known alcohol value thereby checking the instrument and calibration. Results shall be within plus or minus .010g percent of the known alcohol value.

Section 3. Insure that instrument is locked.

Section 4. Check printer to see if it is printing out properly.

Section 5. Check breath inlet hose.

Section 6. In the event repair work is needed, it shall be recorded in detail.

013. PROCEDURE FOR ANALYSIS USING THE BAC VERIFIER

Section 1. General observation of the subject for a period of not less than 15 minutes prior to testing whereby the subject shall not have ingested alcohol, alcoholic beverages, regurgitated, vomited or taken anything by mouth.

Section 2. The operator conducting breath analysis shall conduct such analysis in accordance with the "BAC verifier operational check list" which contains, but, not limited to the following:

Section 2.1 Completing the information section concerning such things as name and drivers license number of the subject, date, instrument number and date of certification.

Section 2.2 Press start button to start test and check display panel for instructions.

Section 2.3 New and clean mouth piece attached to breath inlet hose.

Section 2.4 Subject instructed to blow through mouth piece sufficiently until instrument accepts proper breath sample.

Section 2.5 Remove printout, attach to check list and run printout for subject.

014. MAINTENANCE INSPECTION ON THE BAC VERIFIER

Maintenance inspection shall be performed on a routine basis at least once every four months by technicians of the Applied Technology Unit. Items to be inspected shall include, but, not limited to the following:

Section 1. Clean instrument.

Section 2. Running of a known alcohol value, thereby checking the instrument and calibration. Results shall be within plus or minus .010g percent of the known alcohol value.

Section 3. Insure that instrument is locked.

Section 4. Check printer to see if it is printing out properly.

Section 5. Check breath inlet hose.

Section 6. In the event repair work is needed, it shall be recorded in detail.

II. ANALYSIS OF BLOOD

001. PERMITS

All persons seeking to be authorized to conduct blood analysis shall:

Section 1. Make application to the Department of Public Safety and Corrections Crime Lab for permit or renewal of permit.

Section 2. Have a Bachelor of Science in chemistry, physics, biology, zoology, medical technology, or a related field.

Section 3. Conduct proficiency testing set up by the State Police Crime Laboratory.

Permits shall be effective when issued for a period of five years from the date inscribed thereon.

002. CERTIFIED TECHNIQUES OF ANALYSIS

Section 1. The methods approved for blood-alcohol analysis of blood are:

Section 1.1 Gas Chromatography - Headspace sampling with internal standard.

Section 1.2 Gas Chromatography - Direct injection with internal standard.

Section 2. Procedures shall include the following controls in conjunction with each batch of samples analyzed:

Section 2.1 A system blank analysis.

Section 2.2 Analysis of a suitable reference or control blood sample of known alcohol content within the range of 0.000 to 0.30g percent, the result of which analysis must coincide with the known blood alcohol value of the reference specimen with 0.0g percent if validity is to be assigned to the results for the batch analyzed.

Section 3. Replicate analyses shall be performed in order to minimize the possibility of undetected errors.

Section 4. Results shall be expressed in terms of percent W/V (g percent) that is, grams of alcohol per 100 milliliters of blood, rounded downward to the second decimal place; for example, .237g percent found shall be reported as 0.23g percent.

Section 5. Analytical procedures for determining alcohol in blood shall meet the following performance requirements:

Section 5.1 The accuracy and sensitivity of the procedure shall be such as consistently to attain results within 0.01g percent of the known value over the range of 0.00 to 0.30g percent in analyses of appropriate reference materials of known ethyl alcohol concentration.

Section 5.2 The precision of the procedure shall be such as consistently to attain a reproducibility not greater than 0.005g percent in replicate analyses.

Section 5.3 The blank values yielded by the procedure in analyses of alcohol-free blood specimens consistently shall be not greater than 0.01g percent.

Section 5.4 The specificity of the procedure shall be adequate and appropriate for the analysis of biological specimens for the determination of the blood alcohol concentration in traffic law enforcement and highway crash investigations.

Section 5.5 Procedures for the analysis of biological specimens from living subjects shall respond only to ethyl alcohol and the other lower aliphatic alcohols and should not be susceptible to significant unrecognized interference by other substances.

Section 5.6 Procedures for the analysis of postmortem biological specimens shall respond only to ethyl alcohol and shall not be susceptible to significant unrecognized interference by other substances.

Section 6. Blood drawn for the purpose of determining the alcoholic content therein shall have been taken with the contents of the "B-D Blood Alcohol Kit" No. 4990 or 4991 for postmortem determination (manufactured by Becton-Dickinson Division of Becton, Dickinson and Company, Rutherford, New Jersey), or similar blood collection kit approved by the Louisiana Department of Public Safety and Corrections. "B-D Blood Alcohol Kits" or similar blood collection kits as approved will be made available to all law enforcement agencies, by Louisiana State Police.

Section 7. Because of various problems in the interpretation of the results of analysis of urine for alcohol which cannot be readily overcome in law enforcement practice, urine analysis to determine equivalent alcohol concentration in blood is discouraged. Chemical tests of blood or breath are preferred.

Interested persons may submit their views may contact D. D. Rando, III or Bailey D. Hughes, II at Office of State Police - Applied Technology Unit, LA. State Police Academy, 7901 Independence Blvd., Baton Rouge, LA. 70816 or telephone 925-6128.

Wiley D. McCormick
Deputy Secretary

Fiscal and Economic Impact Statement For Administrative Rules Rule Title: R.S. 32:663

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)
There is no estimated implementation costs to state or local governmental units.
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)
There is no estimated effect on revenue collections of state or local governmental units.
- III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS - (Summary)
There is no estimated costs and/or economic benefits to directly affected persons or non-governmental groups.
- IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)
There is no estimated effect on competition and employment.

Wiley D. McCormick
Deputy Secretary

Mark C. Drennen
Legislative Fiscal Officer

NOTICE OF INTENT

Department of Transportation and Development Board of Registration for Professional Engineers and Land Surveyors

In accordance with the Louisiana Revised Statutes 49:951, et seq, notice is hereby given that the Louisiana State Board of Registration for Professional Engineers and Land Surveyors intends to revise Louisiana Administrative Code 19-3:

3.3.4 [Deleted]

3.5.5 [Clarified]

Graduation Plus Engineering Registration (37:693 B (4) (f))
The applicant shall be a person granted a license as a professional engineer on the basis of earning a Bachelor of Science degree from an engineering curriculum approved by the board requiring no less than six semester credit hours of land surveying courses approved by the board, who is of good character and reputation, and who has satisfied the requirements of RS 37:694 and:

- (1) who has a specific record of two years or more of experience in land surveying work of a character satisfactory to the board, or
- (2) who has passed the oral and written examination required by the board.

4.3.4 [Clarified]

It is the intent of these rules to guarantee that all professional work performed by a registered firm is performed under the supervision of or by a registered professional. To this end, the board may also require a registered firm to identify those registered professionals who will be providing professional services. In addition, the board may require the individual registrant identified by the registered firm as the responsible professional to acknowledge this responsibility, and assume the responsibility of informing the board in the event of a change of employment. No registered professional shall be designated as a supervising professional by more than one firm, except in the case of secondary occupation or employment by a firm which is totally owned by one or more of the professionals whose registration is used to qualify the firm for certification. A failure to comply with any of the provisions of this

regulation could subject both the registered firm and the registered professional to disciplinary action by the board.

5.1.1 [Clarified and Replaces 5.1.2]

Applicants who have attended college shall have certified transcripts of all college work forwarded by the registrar of each college directly to the office of the board.

5.1.2 [New]

For college credits and/or college degrees earned outside of the United States, applicants may be required to submit a course-by-course analysis and equivalency in terms of United States courses and credits from an organization approved by the board. The applicant will be responsible for fees connected with this service.

5.1.5 [Clarified]

An application for registration may be considered incomplete by the board and an applicant may be denied admission to written examinations, until the information submitted in the application has been investigated and replies have been received from references. The board may require additional information and documents it considers necessary for the proper evaluation of an application. [New] An applicant requiring an examination for certification or registration must be timely filed with the board office (See LAC 19-3:9, Examinations).

5.1.6 [New]

An application requiring an examination for certification or registration must be timely filed with the board office (See LAC 19-3:9, Examinations).

5.1.7 [New]

Applicant files which have been microfilmed may be destroyed at the discretion of the executive secretary.

8.5 [Last sentence of this rule deleted as it refers to LAC 19-3:3.3.4 above.]

9.1.2 [New]

The applicant must present appropriate documents to establish his/her eligibility and identification prior to being admitted to any examination.

9.1.3 [New]

Timely filing of an application with the board does not assure that an applicant will be permitted to take an examination, or be scheduled for examination on a particular date. To be considered for a specific examination date, the application should be received at the board office no later than the following number of days prior to a particular examination scheduled by the board: Fundamentals of Engineering, 90 days; Fundamentals of Land Surveying, 180 days; Principles and Practice of Engineering, 90 days; Principles and Practice of Land Surveying and the Laws, Procedures and Practice of Land Surveying, 180 days.

9.1.4 [Replaces 9.1.2]

9.1.5 [Replaces 9.1.3]

9.1.6 [Replaces 9.1.4]

9.3 [Clarified]

Approval to Take the Examination in the Principles and Practice of Engineering

An applicant who meets the other requirements for registration as a Professional Engineer may be permitted to take the examination in the Principles and Practice of Engineering in the branch in which he/she seeks registration. Application to take this examination may be made prior to the anticipated date of eligibility for registration, but no sooner than one year prior to the date. Earlier applications will be returned.

9.7 [Clarified]

Examination Results

9.7.1 The board will specify the minimum passing score for all examinations for certification or registration of applicants.

9.7.2 Applicants will be notified by letter that they have

passed or failed an examination. This information or other information pertaining to the status of an application will not be released by telephone to anyone, including the applicant.

11. [Clarified]

LAC 19-3:11 EXPIRATION AND RENEWALS (37:697)

Certificates of registration and certification of individuals or corporations shall expire on the date specified on the renewal certificate and/or as shown on the board's records and shall become invalid after that date unless renewed.

Interested persons may submit written comments or offer amendments to the proposed rules to the board office at 1055 St. Charles Avenue, Suite 415, New Orleans, LA 70130, at any time prior to February 20, 1985. The Board proposes to consider and take action on the adoption of this rule at a meeting in its office at 1:30 p.m., on March 19, 1985.

By order of the Louisiana State Board of Registration for Professional Engineers and Land Surveyors.

Paul L. Landry, P.E.
Executive Secretary

**Fiscal and Economic Impact Statement
For Administrative Rules**

**Rule Title: LAC 19-3: 3.3.4, 3.3.5, 4.3.4,
5.1.1, 5.1.2, 5.1.5, 5.1.6, 5.1.7, 8.5,
9.1.2, 9.1.3, 9.3, 9.7, 9.7.1, 9.7.2, 11.**

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)
There are no estimated implementation costs or savings to the Board.
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)
None.
- III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS - (Summary)
None.
- IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)
These rule changes will have no effect on competition or employment.

Paul L. Landry, P.E.
Executive Secretary

Mark C. Drennen
Legislative Fiscal Officer

NOTICE OF INTENT

**Department of the Treasury
Board of Trustees of the
State Employees Group Benefits Program**

Notice is hereby given that the Louisiana Department of the Treasury, Board of Trustees of the State Employees Group Benefits Program intends to amend its rules to provide that the board cannot consider for payment any claims submitted after the deadline for filing claims. This amended rule, to be effective July 1, 1985, states:

ARTICLE 4 UNIFORM PROVISIONS

II. DEADLINE FOR FILING CLAIMS

1. First paragraph, first line, insert the word "form" after the word claim.
2. Delete the second paragraph of Article 4, Section II. This section will now state:

II. DEADLINE FOR FILING CLAIMS

A properly submitted claim form for benefits as a result of

any disease, illness, accident or injury must be received by the State Employees Group Benefits Program by 4:30 p.m., close of business, on June 30 next following the end of the Calendar Year in which the medical expenses were incurred. When June 30 is a non-workday, the deadline is automatically extended to 4:30 p.m. of the next regular workday. Each expense shall constitute a separate claim.

Comments or objections will be accepted, in writing, by the executive director of the State Employees Group Benefits Program until 4:30 p.m. on March 12, 1985, at the following address: James D. McElveen, Executive Director, State Employees Group Benefits Program, Box 44036, Baton Rouge, LA 70804.

James D. McElveen
Executive Director

**Fiscal and Economic Impact Statement
For Administrative Rules
Rule Title: Claim Filing Deadline**

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)
Implementation of this rule change will not generate any additional costs or savings to State or Local Governmental Units.
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)
There will be no effect on revenue collections of State or Local Governmental Units as a result of this rule change.
- III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS - (Summary)
None.
- IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)
There will be no effect on competition or employment upon adoption of this rule change.

James D. McElveen
Executive Director

Mark C. Drennen
Legislative Fiscal Officer

NOTICE OF INTENT

**Department of the Treasury
Board of Trustees of the
State Employees Group Benefits Program**

Notice is hereby given that the Louisiana Department of the Treasury, Board of Trustees of the State Employees Group Benefits Program intends to amend its rules to provide benefits for the treatment of drug abuse. These amended rules, to be effective July 1, 1985, state:

ARTICLE 3 MEDICAL BENEFITS

I. COMPREHENSIVE MEDICAL BENEFITS

C. Benefits for Eligible Medical Expenses (except non-confined alcoholism and/or substance abuse)

When disease, illness, accident or injury (other than non-confined alcoholism and/or substance abuse) requires the covered person to incur any of the eligible expenses defined herein, and such service or treatment is performed or prescribed by a phy-

sician while this coverage is in force with respect to such covered person, and after the deductible amounts as defined herein have been satisfied, the program will pay:

1. Eighty percent of the first \$5,000 of eligible expenses;
2. One hundred percent of eligible expenses in excess of \$5,000 for the remainder of the calendar year subject to the maximum amount as specified in the Schedule of Benefits.

D. Non-confining Alcoholism and/or Substance Abuse

If a covered person is treated for alcoholism and/or substance abuse while not confined in a hospital as a resident patient, benefits shall be limited to 50 percent of the reasonable eligible expenses incurred, including prescription drugs, provided, however, the maximum reimbursement for psychotherapy by a physician shall not exceed the maximum amount as specified in the Schedule of Benefits.

Treatment of a covered person for alcoholism and/or substance abuse while not confined in a hospital as a resident patient must be rendered by a physician.

Payment for non-confining treatment of alcoholism and/or substance abuse shall be limited to one visit per day and not more than 50 visits per calendar year, and shall be further limited to a maximum payment of \$20 per visit.

I. Treatment of Alcoholism and/or Substance Abuse as a Resident Patient

When alcoholism and/or substance abuse requires the covered person to incur expenses while confined as a resident patient at a facility which meets the definition of hospital as defined in Article 1, Section I (R) of this contract, the program will pay benefits in accordance with the Schedule of Benefits.

When alcoholism and/or substance abuse requires the covered person to be confined as a resident patient in a facility licensed by the Joint Commission on the Accreditation of Hospitals but which does not otherwise meet the definition of hospital as defined in Article 1, Section I (R), the program will pay 50 percent of all eligible expenses, including those of a physician, following the satisfaction by the covered person of a separate \$200 deductible. This deductible will be in addition to any deductible amounts required under any other provision of this contract. Eligible expenses shall not include:

1. Room and board charges in excess of the maximum amount as specified under Comprehensive Medical Benefits in the Schedule of Benefits;
2. Transportation;
3. Education and rehabilitation material and supplies;
4. Services rendered by chemical dependency counselors or any other persons who do not otherwise meet the definition of a physician as contained in Article 1, Section I (T).

Benefits Provided Under This Section I, Treatment of Alcoholism and/or Substance Abuse as a Resident Patient, Shall Be in Lieu of any Other Benefits of this Contract and Shall Be Further Limited to Two Confinements in a Covered Person's Lifetime.

ARTICLE 3 MEDICAL BENEFITS

VIII. EXCEPTIONS AND EXCLUSIONS FOR ALL MEDICAL BENEFITS

Delete Subsection E which excludes benefits for services rendered for the treatment of drug abuse and reletter all subsequent exclusions.

Comments or objections will be accepted, in writing, by the executive director of the State Employees Group Benefits Program until 4:30 p.m. on March 12, 1985, at the following address: James D. McElveen, Executive Director, State Employees Group Benefits Program, Box 44036, Baton Rouge, LA 70804.

James D. McElveen
Executive Director

**Fiscal and Economic Impact Statement
For Administrative Rules
Rule Title: Coverage for Drug Abuse**

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)
There will be no direct savings to state or local governmental units as a result of the implementation of this benefit change. There could be a cost to employer state agencies in the form of an adjustment to premium rates to compensate for this liberalization of program benefits. It is estimated that the annual cost to the program will be \$1,211,000.
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)
Revenues will not be impacted.
- III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS - (Summary)
Plan members could sustain additional costs in the form of increased premium rates.
- IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)
Competition and employment will not be impacted.

James D. McElveen
Executive Director

Mark C. Drennen
Legislative Fiscal Officer

NOTICE OF INTENT

**Department of the Treasury
Board of Trustees of the
State Employees Group Benefits Program**

Notice is hereby given that the Louisiana Department of the Treasury, Board of Trustees of the State Employees Group Benefits Program intends to amend its rules to provide that the program would limit its benefits to 50 percent of eligible charges for hospital admissions more than 24 hours prior to a scheduled surgery when the admission to a hospital at that time is not medically necessary. This amended rule, to be effective July 1, 1985, states:
ARTICLE 3 MEDICAL BENEFITS
VIII. EXCEPTIONS AND EXCLUSIONS FOR ALL MEDICAL BENEFITS

CC. When non-occupational disease or illness requires a covered person to undergo surgery, benefits for charges incurred as the result of an admission for any day(s) in the hospital in advance of the actual day last preceding the date of surgery shall be limited to 50 percent of eligible charges unless the physician attests in writing that it was medically necessary for the health and well-being of the patient to be admitted more than one day in advance of the surgery.

Comments or objections will be accepted, in writing, by the executive director of the State Employees Group Benefits Program until 4:30 p.m. on March 12, 1985, at the following address: James D. McElveen, Executive Director, State Employees Group Benefits Program, Box 44036, Baton Rouge, LA 70804.

James D. McElveen
Executive Director

**Fiscal and Economic Impact Statement
For Administrative Rules
Rule Title: Early Hospital Admissions**

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)
There will be no costs to state or local governmental

units as a result of the implementation of this cost containment measure. State or local governmental units could realize a savings in the form of a reduction in the percent increase of future premium rate increase or in the deferring of a rate increase. It is estimated that the annual savings for the program will be \$786,000.

- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)
There will be no effect on revenue collections of state or local governmental units.
- III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS - (Summary)
There will be economic benefits to plan members and to their employers as a result of the cost savings to this program. The savings to this agency will defer or reduce the percent increase of future premium rate adjustments which will directly affect this Program's plan members and their employer agencies.
- IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)
There will be no effect on competition or employment.

James D. McElveen
Executive Director

Mark C. Drennen
Legislative Fiscal Officer

NOTICE OF INTENT

**Department of the Treasury
Board of Trustees of the
State Employees Group Benefits Program**

Notice is hereby given that the Louisiana Department of the Treasury, Board of Trustees of the State Employees Group Benefits Program intends to amend its rules to provide that medically necessary private duty nursing services would be considered an eligible expense only when those services are provided in a hospital. This amended rule, to be effective July 1, 1985, states:

**ARTICLE 3 MEDICAL BENEFITS
I. COMPREHENSIVE MEDICAL BENEFITS**

G. Eligible Expenses

14. Services of a registered nurse (R.N.) and of a licensed practical nurse (L.P.N.) duly licensed under the laws of the state where the services were rendered, when medically necessary and prescribed by a licensed medical doctor, provided the nurse(s) are not related to the covered person by blood, marriage, or adoption, and provided the services are rendered in a hospital, as defined in Article 1, Section I (R). Services of an R.N. or L.P.N. which are being provided to a covered person on July 1, 1985, in a non-hospital treatment setting shall constitute an eligible expense until no longer certified as medically necessary by the attending medical doctor.

Comments or objections will be accepted, in writing, by the executive director of the State Employees Group Benefits Program until 4:30 p.m. on March 12, 1985, at the following address: James D. McElveen, Executive Director, State Employees Group Benefits Program, Box 44036, Baton Rouge, LA 70804.

James D. McElveen
Executive Director

**Fiscal and Economic Impact Statement
For Administrative Rules
Rule Title: Elimination of Private Duty
Nursing Outside a Hospital**

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)
There will be no costs to state or local governmental

units as a result of the implementation of this cost containment measure. State or local governmental units will realize a savings in the form of a reduction in the percent increase of future premium rate increases or in the deferring of a rate increase. It is estimated that \$991,000 annually will be saved in benefit premiums.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)

There will be no effect on revenue collections of state or local governmental units.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS - (Summary)

The cost of private duty nursing services provided outside of a hospital will become the responsibility of the plan member.

There will be economic benefits to plan members and to their employers as a result of the cost savings to this program. The savings to this agency will defer or reduce the percent increase of future premium rate adjustments which will directly affect this program's plan members and their employer agencies.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)

There will be no effect on competition and employment.

James D. McElveen
Executive Director

Mark C. Drennen
Legislative Fiscal Officer

NOTICE OF INTENT

**Department of the Treasury
Board of Trustees of the
State Employees Group Benefits Program**

Notice is hereby given that the Louisiana Department of the Treasury, Board of Trustees of the State Employees Group Benefits Program intends to amend its rules to provide that the program would pay increased benefits when specified procedures are performed on an out-patient, ambulatory basis. This amended rule, to be effective July 1, 1985, states:

ARTICLE 1 GENERAL PROVISIONS

I. DEFINITIONS

HH. The term *Ambulatory Surgical Facility* as used herein shall mean a facility or institution licensed by the state in which it operates, which is equipped to do multi-specialty surgeries under general anesthesia and which allows patients to leave the facility the same day surgery is performed. Such facility shall not engage in overnight bed patient care or be a substitute setting for care routinely and/or normally provided in a physician's office or clinic setting.

ARTICLE 3 MEDICAL BENEFITS

V. OUT-PATIENT SURGERY

A. When a non-occupational disease, illness, accident or injury requires a covered person to undergo any medically necessary surgical procedure listed in this Section, and the procedure is performed at an ambulatory surgical facility, the program will provide benefits for eligible expenses equal to 100 percent of customary and reasonable charges.

B. Covered Procedures:

1. Arthroscopy of the Knee (looking into the knee joint with a special instrument*)
2. Cataract Extraction (lens removal*)
3. Cystourethroscopy with Operative Procedure (examination of the posterior urethra and bladder with surgery such as a biopsy or removal of a tumor*)

4. Non-obstetrical Dilation and Curettage (a special procedure that expands the uterus so that the surface of the uterine wall can be scoped*)

5. Hammertoe Operation (surgical correction of a deformity of the big toe*)

6. Hydrocele Repair (removal of fluid in the scrotum*)

7. Laparoscopy (looking into the interior of the abdomen with a special instrument*)

8. Peritoneoscopy (looking into the mucous membrane of the abdomen with a special instrument*)

9. Septoplasty (surgical reconstruction of the nasal septum*)

10. Submucous Resection, Turbinate Process and Nasal Septum (surgical removal of a portion of the nasal bone or nasal septum*)

11. Transmastoid Antrotomy (simple removal of the mastoid sinus*)

12. Tympanoplasty without Mastoidectomy (operation on the ear drum for reconstructive purposes without removal of the mastoid sinus*)

13. Ulnar Motor Nerve Repair (repair of a nerve in the arm*)

14. Varicose Vein Ligation - Saphenous Vein (tying off a varicose vein in the leg to restrict circulation*)

15. Variocele Repair (removal of varicose veins in the scrotum*)

(*For descriptive purposes only)

C. In the event that the procedures listed above are performed on an in-patient basis, benefits under Article 3, Section I will apply.

Comments or objections will be accepted, in writing, by the executive director of the State Employees Group Benefits Program until 4:30 p.m. on March 12, 1985, at the following address: James D. McElveen, Executive Director, State Employees Group Benefits Program, Box 44036, Baton Rouge, LA 70804.

James D. McElveen
Executive Director

**Fiscal and Economic Impact Statement
For Administrative Rules
Rule Title: Out-Patient Surgery**

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)

There will be no costs to state or local governmental units as a result of the implementation of this cost containment measure. State or local governmental units could realize a savings in the form of a reduction in the percent increase of future premium rate increases or in the deferring of a rate increase. It is estimated that the Program will realize an annual savings of \$927,000 in benefit payments.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)

There will be no effect on revenue collections of state or local governmental units.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS - (Summary)

There will be economic benefits to plan members and to their employers as a result of the cost savings to this Program. The savings to this agency will defer or reduce the percent increase of future premium rate adjustments which will directly affect this Program's plan members and their employer agencies.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)

There will be no effect on competition or employment.

James D. McElveen
Executive Director

Mark C. Drennen
Legislative Fiscal Officer

NOTICE OF INTENT

**Department of the Treasury
Board of Trustees of the
State Employees Group Benefits Program**

Notice is hereby given that the Louisiana Department of the Treasury, Board of Trustees of the State Employees Group Benefits Program intends to amend its rules to provide that the program under certain circumstances may provide increased benefits for second surgical opinions. This amended rule, to be effective July 1, 1985, states:

ARTICLE 3 MEDICAL BENEFITS
II. SECOND SURGICAL OPINION

A. When an eligible surgical procedure is recommended to a Covered Person, the program will provide benefits without regard to co-insurance provisions (100 percent) for the purpose of consulting a physician, other than the physician who has recommended the surgical procedure, as to the medical necessity and prudence of such procedure. Charges for diagnostic x-ray and laboratory tests necessary for the second physician to render an opinion will be considered eligible expenses, and no deductible amount shall apply to benefits payable under this Section. Additionally, if the second surgical opinion is sought and the need for surgery confirmed, professional fees for the surgery itself (provided the surgery is undergone) shall be payable at 100 percent of the customary and reasonable charges. To be considered an eligible expense under this benefit, the following criteria must be met:

1. The second physician must not be associated with or in practice with the physician or surgeon recommending surgery.
2. The second physician must be a specialist in the field required by the surgery.
3. The second physician must physically examine the covered person within 60 days following the initial recommendation for surgery.
4. A second surgical opinion form must be properly completed and submitted to the program. Should the surgery be performed, the second opinion must pre-date the surgery and the second surgical opinion form must be submitted together with the claim form for the surgical charges.

B. The decision as to whether or not the recommended surgery is to be performed and who will perform the surgery shall be the decision of the covered person.

C. Exclusions - No payment shall be made under this provision for expenses incurred for the following:

1. Emergency surgical procedures necessitated by an accidental bodily injury.
2. Second opinions regarding procedures not covered under the terms of this contract.

Comments or objections will be accepted, in writing, by the executive director of the State Employees Group Benefits Program until 4:30 p.m. on March 12, 1985, at the following address: James D. McElveen, Executive Director, State Employees Group Benefits Program, Box 44036, Baton Rouge, LA 70804.

James D. McElveen
Executive Director

John S. Jardell
Research Analyst

**Fiscal and Economic Impact Statement
For Administrative Rules
Rule Title: Second Surgical Opinion**

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)

There will be no costs to state or local governmental units as a result of the implementation of this cost containment measure. State or local governmental units could realize a savings in the form of a reduction in the percent increase of future premium rate increases or in the deferring of a rate increase. It is estimated that the annual savings for the Program will be \$938,000.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS - (Summary)

There will be no effect on revenue collections of state or local governmental units.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS - (Summary)

There will be economic benefits to plan members and to their employers as a result of the cost savings to this program. The savings to this agency will defer or reduce the percent increase of future premium rate adjustments which will directly affect this program's plan members and their employer agencies.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)

There will be no effect on competition or employment.

James D. McElveen
Executive Director

Mark C. Drennen
Legislative Fiscal Officer

Committee Reports

COMMITTEE REPORT

**House of Representatives
Committee on Commerce
Oversight Review**

Please be advised that the House Commerce Legislative Oversight Subcommittee met and heard on December 6, 1984 and approved the following rules by mail ballot:

I. Louisiana Real Estate Commission

1. LAC 11-15:2.2, 4.3, 5.1, 6.1, 8.3, 9.2, 9.6, 9.7, 9.8 and 34.4.4 (All pertain to submission of fees and would add the requirement for certified money upon submission of fees to the commission).

2. LAC 11-15:7.7 (which would repeal the waiver of 100 hours of education credit based on out-of-state real estate experience).

II. Louisiana Used Motor Vehicles and Parts Commission Rules of Operation

Administrative Code Update

ADMINISTRATIVE CODE UPDATE

Vol.	Title	Section	Effect	Location
1	10	5501	Adopted	LR 10:200 (March 1984)
1	10	6101	Adopted	LR 10:4 (Jan. 1984)
1	35	1709	Deleted	LR 10:495 (July 1984)
1	35	315	Adopted	LR 10:592 (Aug. 1984)
1	35	4303	Amended	LR 10:593 (Aug. 1984)
1	35	4501	Amended	LR 10:593 (Aug. 1984)
1	35	9901	Amended	LR 10:660 (Sept. 1984)
1	35	1775	Amended	LR 10:660 (Sept. 1984)
1	35	6353	Amended	LR 10:997 (Dec. 1984)
1	64	701-747	Adopted	LR 10:742 (Oct. 1984)

ADMINISTRATIVE CODE UPDATE

The Department of the State Register hereby prints the following updated table pertaining to Title 35, Horse Racing. This table appears in the *Louisiana Administrative Code*, Volume 1 on page 423.

Title 35 HORSE RACING

Table I: Corresponding LAC Citations

Old Citation (11-6:)	New Citation (35:)	Old Citation (11-6:)	New Citation (35:)
1.1	101	1.24	101
1.2	101	1.25	101
1.3	101	1.26	101
1.4	101	1.27	101
1.5	101	1.28	101
1.6	101	1.29	101
1.7	101	1.30	101
1.8	101	1.31	101
1.9	101	1.32	101
1.10	101	1.33	101
1.11	101	1.34	101
1.12	101	1.35	101
1.13	101	1.36	101
1.14	101	1.37	101
1.15	101	1.38	101
1.16	101	1.39	101
1.17	101	1.40	101
1.18	101	1.41	101
1.19	101	1.42	101
1.20	101	1.43	101
1.21	101	1.44	101
1.22	101	1.45	101
1.23	101	1.46	101

Old Citation (11-6:)	New Citation (35:)	Old Citation (11-6:)	New Citation (35:)
1.47	101	5.10	2119
1.48	101	6.1	2301
1.49	101	6.2	2303
1.50	101	6.3	2305
1.51	101	7.1	2501
1.52	101	8.1	2701
1.53	101	9.1	2901
1.54	101	9.2	2903
1.55	101	9.3	2905
1.56	101	9.4	2907
1.57	101	9.5	2909
1.58	101	9.6	2911
1.59	101	9.7	2913
1.60	101	9.8	2915
1.61	101	9.9	2917
1.62	101	9.10	2919
1.63	101	9.11	2921
1.64	101	9.12	2923
1.65	101	9.13	2925
1.66	101	9.14	2927
1.67	101	10.1	3101
1.68	101	11.1	3301
1.69	101	11.2	3303
1.70	101	11.3	3305
1.71	101	12.1	3501
1.72	101	12.2	3503
1.73	101	12.3	3505
1.74	101	13.1	Title 46
1.75	101	13.2	3701
1.76	101	13.3	3703
1.77	101	13.4	3705
2.1	301	13.5	3707
2.2	303	13.6	3709
2.3	305	13.7	Title 46
2.4	307	13.8	Title 46
2.5	309	14.1	Title 46
2.6	311	14.2	Title 46
2.7	313	14.3	Title 46
2.8	315	14.4	Title 46
3.1	1301	14.5	Title 46
3.2	1303	14.6	Title 46
3.3	1305	14.7	Title 46
3.4	1307	14.8	Title 46
3.5	1309	14.9	Title 46
3.6	1311	14.10	Title 46
3.7	1313	14.11	Title 46
3.8	1315	14.12	Title 46
3.9	1317	14.13	Title 46
3.10	1319	14.14	Title 46
3.11	1321	14.15	Title 46
4.1	1901	14.16	Title 46
4.2	1903	14.17	Title 46
4.3	1905	15.1	Title 46
4.4	1907	15.2	Title 46
5.1	2101	15.3	4501
5.2	2103	15.4	4503
5.3	2105	15.5	4505
5.4	2107	15.6	4507
5.5	2109	15.7	Title 46
5.6	2111	16.1	Title 46
5.7	2113	16.2	Title 46
5.8	2115	16.3	Title 46
5.9	2117	16.4	Title 46

Old Citation (11-6:)	New Citation (35:)	Old Citation (11-6:)	New Citation (35:)	Old Citation (11-6:)	New Citation (35:)	Old Citation (11-6:)	New Citation (35:)
16.5	Title 46	23.6	5705	25.27	6351	30.34	10367
16.6	Title 46	23.7	5707	25.28	6353	30.35	10369
16.7	Title 46	23.8	5709	25.29	6355	30.36	10371
16.8	Title 46	23.9	5711	25.30	6357	30.37	10373
17.1	Title 46	23.9.1	5713	25.31	6359		10375
17.2	Title 46	23.10	Title 46	25.32	6361	30.38	10377
17.3	Title 46	23.11	Repealed	25.33	6363	31.1	7101
18.1	Title 46		May 1982	25.34	6365	31.2	7103
18.2	Title 46	23.12	5715	25.35	6367	31.3	7105
18.3	Title 46	23.13	5717	26.1	6501	31.4	7107
18.4	Title 46	23.14	5719	26.2	6503	32.1	10501
18.5	Title 46	23.15	5721	26.3	6505	32.2	10503
18.6	Title 46	23.16	5723	26.4	6507	32.3	10505
19.1	Title 46	23.17	5725	26.5	6509	32.4	10507
19.2	Title 46	23.18	5727	26.6	6511	32.5	10509
19.3	Title 46	23.19	5729	27.1	6701	32.6	10511
19.4	Title 46	23.20	5731	27.2	6703	32.7	10513
19.5	Title 46	23.21	5733	27.3	6705	32.8	10515
19.6	Title 46	23.22	5735	27.4	6707	32.9	10517
19.7	Title 46	23.23	5737	28.1	8101	32.10	10519
19.8	Title 46	23.24	5739	28.2	8103	32.11	10521
19.9	Title 46	23.25	5741	28.3	8105	33.1	10701
19.10	Title 46	23.26	5743	28.4	8107	33.2	10703
20.1	Title 46	23.27	5745	28.5	8109	33.3	10705
20.2	Title 46	23.28	5747	28.6	8111	33.4	10707
20.3	Title 46	23.29	5749	28.7	8113	33.5	10709
20.4	Title 46	23.30	5751	28.8	8115	33.6	10711
20.5	Title 46	23.31	5753	28.9	8117	34.1	7301
20.6	Title 46	23.32	5755	28.10	8119	34.2	7303
20.7	Title 46	23.33	5757	29.1	6901	34.3	7305
20.8	Title 46	23.34	5759	30.1	10301	34.4	7307
20.9	Title 46	23.35	5761	30.2	10303	34.5	7309
20.10	Title 46	23.36	5763	30.3	10305	35.1	8501
20.11	Title 46	24.1	Title 46	30.4	10307	35.2	8503
20.12	Title 46	24.2	Title 46	30.5	10309	35.3	8505
20.13	Title 46	24.3	Title 46	30.6	10311	35.4	8507
20.14	Title 46	25.1	6301	30.7	10313	35.5	8509
20.15	Title 46	25.2	6303	30.8	10315	35.6	8511
20.16	Title 46	25.3	6305	30.9	10317	36.1	8701
20.17	Title 46	25.4	6307	30.10	10319	36.2	8703
20.18	Title 46	25.5	6309	30.11	10321	37.1	8901
20.19	Title 46	25.6	6311	30.12	10323	37.2	8903
20.20	Title 46	25.7	Repealed	30.13	10325	38.1	5101
20.21	Title 46		May 1979	30.14	10327	38.2	5103
20.22	Title 46	25.8	6313	30.15	10329	38.3	5105
20.23	Title 46	25.9	6315	30.16	10331	39.1	9101
20.24	Title 46	25.10	6317	30.17	10333	39.2	9103
21.1	Title 46	25.11	6319	30.18	10335	39.3	9105
21.2	Title 46	25.12	6321	30.19	10337	39.4	9107
21.3	Title 46	25.13	6323	30.20	10339	39.5	9109
21.4	Title 46	25.14	6325	30.21	10341	40.1	9301
21.5	Title 46	25.15	6327	30.22	10343	40.2	9303
21.6	Title 46	25.16	6329	30.23	10345	40.3	9305
21.7	Title 46	25.17	6331	30.24	10347	40.4	9307
21.8	Title 46	25.18	6333	30.25	10349	40.5	9309
22.1	4101	25.19	6335	30.26	10351	40.6	9311
22.2	4103	25.20	6337	30.27	10353	41.1	9501
22.3	4105	25.21	6339	30.28	10355	41.2	9503
23.1	5701	25.22	6341	30.29	10357	41.3	9505
23.2	5703	25.23	6343	30.30	10359	42.1	7701
23.3	Title 46	25.24	6345	30.31	10361	42.2	7703
23.4	Title 46	25.25	6347	30.32	10363	42.3	7705
23.5	Title 46	25.26	6349	30.33	10365	42.4	7707

Old Citation (11-6:)	New Citation (35:)	Old Citation (11-6:)	New Citation (35:)
42.5	7709	53.12	1723
43.1	7901	53.13	1725
43.2	7903	53.14	1727
43.3	7905	53.15	1729
43.4	7907	53.16	1731
43.5	7909	53.17	1733
43.6	7911	53.18	1735
44.1	9701	53.19	1737
44.2	9703	53.20	1739
44.3	9705	53.21	1741
45.1	9901	53.22	1743
45.2	9903	53.23	1745
45.3	9905	53.24	1747
45.4	9907	53.25	1749
45.5	9909	53.26	1751
45.6	9911	53.27	1753
45.7	9913	53.28	1755
45.8	9915	53.29	1757
45.9	9917	53.30	1759
45.10	9919	53.31	1761
45.11	9921	53.32	1763
45.12	9923	53.33	1765
45.13	9925	53.34	1767
45.14	9927	53.35	1769
45.15	9929	53.36	1771
45.16	9931	53.37	1773
45.17	9933	53.37.1	1775
45.18	9935	53.38	1777
45.19	9937	53.39	1779
45.20	9939	53.40	1781
45.21	9941	53.41	1783
45.22	9943	53.42	1785
46.1	10101	53.43	1787
47.1	7501	53.44	1789
47.2	7503	54.1	1501
47.3	7505	54.2	1503
47.4	7507	54.3	1505
48.1	501	54.4	1507
48.2	503	54.5	1509
49.1	701	54.6	1511
49.2	703	56.1	8305
49.3	705	57.1	1801
49.4	707	57.2	1803
49.5	709	57.3	1805
50.1	901	57.4	1807
50.2	903	57.5	1809
50.3	905	57.6	1811
50.4	907	57.7	1813
50.5	909	57.8	1815
51.1	1101	57.9	1817
52.1	8301	57.10	1819
52.2	8303	57.11	1821
53.1	1701	57.12	1823
53.2	1703	Super Six	10901
53.3	1705	Super Six	10903
53.4	1707	Super Six	10905
53.5	1709	Super Six	10907
53.6	1711	Super Six	10909
53.7	1713	Super Six	10911
53.8	1715	Super Six	10913
53.9	1717	Super Six	10915
53.10	1719	Super Six	10917
53.11	1721		

ADMINISTRATIVE CODE UPDATE

The Department of the State Register hereby prints the following updated table pertaining to Title 35, Horse Racing. This table appears in the *Louisiana Administrative Code*, Volume 1 on page 431.

Title 35 HORSE RACING

Table II: Authority Table

Revised Statute R.S.	Administrative Code LAC 35:	Revised Statute R.S.	Administrative Code LAC 35:
4:141	Preface	4:141	9705
	307		9901
	309		9903
	501		9905
	503		9907
	1301		9909
	1303		9911
	1305		9913
	1307		9915
	1309		9917
	1311		9919
	1313		9921
	1315		9923
	1317		9925
	1319		9927
	1321		9929
	1501		9931
	1503		9933
	1505		9935
	1507		9937
	1509		9939
	1511		9941
	1735		9943
	1737		
	1739	4:142	Preface
	1743		101
	1745		142
	1747		301
	1749		309
	1751		501
	1753		503
	1755		1301
	1757		1303
	1759		1305
	1761		1307
	1763		1309
	1765		1311
	1767		1313
	1769		1315
	1771		1317
	1773		1319
	1775		1321
	1777		1501
	1779		1503
	1781		1505
	1783		1507
	1785		1509
	1787		1511
	1789		9501
	9503		9503
	9505		9505
	9701		9701
	9703		9703

Revised Statute R.S.	Administrative Code LAC 35:	Revised Statute R.S.	Administrative Code LAC 35:	Revised Statute R.S.	Administrative Code LAC 35:	Revised Statute R.S.	Administrative Code LAC 35:
4:142	9705	4:147	5763	4:148	1767	4:148	4507
	9901		8501		1769		5101
	9903		8503		1771		5103
	9905		8505		1773		5105
	9907		8507		1775		5705
	9909		8509		1777		5707
	9911		8511		1779		5709
	9913		8701		1781		5711
	9915		8703		1783		5713
	9917		8901		1785		5715
	9919		8903		1787		5717
	9921				1789		5719
	9923	4:148	101		1901		5723
	9925		301		1903		5725
	9927		303		1905		5727
	9929		305		1907		5729
	9931		309		2101		5731
	9933		311		2103		5733
	9935		313		2105		5735
	9937		503		2107		5737
	9939		701		2109		5741
	9941		703		2111		5743
	9943		705		2113		5745
			707		2115		5747
			709		2117		5749
4:143	101		901		2119		5751
	2301		903		2301		5755
	2303		905		2303		5757
	2305		907		2305		5759
	2501		909		2501		5761
	2701		1101		2701		5763
	2901		1701		2901		5901
	2903		1703		2903		5903
	2905		1705		2905		5905
	2907		1707		2907		6301
	2909		1709		2909		6303
	2911		1711		2911		6305
	2913		1713		2913		6307
	2915		1715		2915		6309
	2917		1717		2917		6311
	2919		1719		2919		6313
	2921		1721		2921		6315
	2923		1723		2923		6317
	2925		1725		2925		6319
	2927		1727		2927		6321
			1729		3101		6323
4:144	8301		1731		3301		6325
	8303		1733		3303		6327
	8305		1735		3305		6329
			1737		3501		6331
4:145	2301		1739		3503		6333
	2303		1741		3505		6335
	2305		1743		3701		6337
			1747		3703		6339
4:147	2103		1749		3705		6341
	5701		1751		3707		6343
	5721		1753		3709		6345
	5729		1755		4101		6347
	5745		1757		4103		6349
	5749		1759		4105		6351
	5755		1761		4501		6353
	5757		1763		4503		6355
	5759		1765		4505		6357
	5761						

Revised Statute R.S.	Administrative Code LAC 35:	Revised Statute R.S.	Administrative Code LAC 35:	Revised Statute R.S.	Administrative Code LAC 35:	Revised Statute R.S.	Administrative Code LAC 35:
4:148	6359	4:148	9103	4:149	10343	4:165	1101
	6361		9105		10345		5735
	6363		9107		10347		
	6365		9109		10349	4:171.1	5739
	6367		9301		10351		
	6501		9303		10353	4:171.2	5739
	6503		9305		10355		
	6505		9307		10357	4:171.3	5739
	6507		9309		10359		
	6509		9311		10361	4:172	2111
	6511		9501		10363		2115
	6701		9503		10365		3101
	6703		9505		10367		5741
	6705		9701		10369		7701
	6707		9703		10371		7705
	6901		9705		10373		7707
	7101		9901		10375		8101
	7103		9903		10377		8103
	7105		9905		10501		8105
	7107		9907		10503		8107
	7301		9909		10505		8109
	7303		9911		10507		8111
	7305		9913		10509		8113
	7307		9915		10511		8115
	7309		9917		10513		8117
	7501		9919		10515		8119
	7503		9921		10517		8903
	7505		9923		10519		
	7507		9925		10521	4:174	5755
	7701		9927		10701		
	7703		9929		10703	4:175	1705
	7705		9931		10705		8901
	7707		9933		10707		
	7709		9935		10709	4:177	503
	7901		9937		10711		1101
	7903		9939		10901		
	7905		9941		10903	4:178	501
	7907		9943		10905		503
	7909		10101		10907		
	7911				10909	4:179	501
	8101	4:149	1705		10911		701
	8103		5741		10913		703
	8105		10301		10915		705
	8107		10303		10917		707
	8109		10305				709
	8111		10307	4:149.1	1701		
	8113		10309			4:182	901
	8115		10311	4:152	305		903
	8117		10313		1703		905
	8119		10315				907
	8301		10317	4:152.1	1703		909
	8303		10319				
	8305		10321	4:153	1723	4:191-197	305
	8501		10323		5727		1801
	8503		10325		5747		1803
	8505		10327		5751		1805
	8507		10329		5753		1807
	8509		10331				1809
	8511		10333	4:155	301		1811
	8701		10335				1813
	8703		10337	4:157	5703		1815
	8903		10339				1817
	9101		10341	4:161	5715		1819

Revised Statute R.S.	Administrative Code LAC 35:	Revised Statute R.S.	Administrative Code LAC 35:
4:191-197	1821	4:197	8303
	1823		8305
	8301	Senate	
	8303	Concurrent	
	8305	Resolution	
4:193	305	No. 155 of the	
		1978 Regular	
		Session	315
4:197	8301		

Potpourri

POTPOURRI

Department of Commerce Board of Certified Public Accountants

A public hearing will be held on the twenty-ninth floor, Executive Office Board Room, ITM Building, 2 Canal Street, New Orleans, Louisiana, on Monday, January 28, 1985 at 9 a.m.

The purpose of the hearing is to hear views on the "Standards of Generally Accepted Tax Accounting Principles" adopted by the Tax Accounting Standards Committee of a national organization.

Harold W. Willem, Jr.
Secretary

POTPOURRI

Department of Health and Human Resources Cancer and Lung Trust Fund Board

The deadline for accepting proposals for cancer research grants is February 15, 1985. Applications will be accepted for the following proposals: 1) To establish a consortium of institutions interested in cancer research and cancer control activities, 2) original research on cancer with direct application to Louisiana populations, 3) to coordinate and implement a conference on aquatic animals as indicators of environmental pollution, and 4) to develop a device to improve the quality of chemically contaminated drinking water. Applications may be obtained by mail from Room 305, Box 60630, New Orleans, LA 70160. Applications may also be obtained at the following Office of Preventive and Public Health Services locations:

State Office Building
Room 305
325 Loyola Avenue
New Orleans, LA 70112
(504) 568-2442

2913 Betin Street
Monroe, LA 71201
(318) 362-5222

206 E. Third Street
Thibodaux, LA 70301
(504) 446-0431

1220 Main Street
Baton Rouge, LA 70802
(504) 342-1616

Room 612
302 Jefferson
Lafayette, LA 70501
(318) 264-5311

4240 Legion Street
Lake Charles, LA 70601
(318) 491-2040

State Office Building
Fifth Floor
1525 Fairfield Avenue
Shreveport, LA 71130
(318) 226-7470

1335 Jackson Street
Alexandria, LA 71301
(318) 487-5262

Additional information may be obtained by contacting Jean Craig, (504) 568-2442.

Pelayo Correa, M.D.
Chairman

POTPOURRI

Department of Natural Resources Fishermen's Gear Compensation Fund

In accordance with the provisions of the Fishermen's Gear Compensation Fund, Louisiana Revised Statutes 56:700.1 through 56:700.5, and in particular, Section 700.4 thereof; regulations adopted for the fund as published in the *Louisiana Register* on August 20, 1980; and also the rules of the secretary of this department, notice is hereby given that 30 completed claims, amount to \$21,590.61, were received during the month of December, 1984. During the same month, 16 claims, amounting to \$10,041.39 were paid.

The following is a list of the paid claims:

Claim No. 83-1137	Claim No. 83-1264	Claim No. 84-1662
Michael Trosclair, Sr.	Calvin Cheramie	George Eckerle
Claim No. 84-1558	Claim No. 84-1635	Claim No. 84-1750
Gary Perrin	Julius Moll	Mark & Darryl Eymard
Claim No. 84-1702	Claim No. 84-1717	Claim No. 84-1834
Lawrence Plaisance	Jefferson Lasseigne	George France
Claim No. 84-1775	Claim No. 84-1806	Claim No. 84-1924
Anthony Toups	Kenneth Adams, Jr.	Wilbert Broussard
Claim No. 84-1836	Claim No. 84-1857	
George Reno	Brian Plaisance	
Claim No. 84-1975	Claim No. 84-1466	
Gary Treuil	Ralph Buras	

No public hearings are scheduled for February, 1985.

B. Jim Porter
Secretary

CUMULATIVE INDEX
(Volume 11, Number 1)

1985

<i>Pages</i>	<i>Issue</i>
1— 76	January

AGRICULTURE DEPARTMENT

Agriculture and Environmental Sciences, Office of

- Advisory Commission on Pesticides, 45N
- Feed Commission, 46N
- Horticulture Commission, 46N
- Quarantine Programs
 - Crop pests, diseases, 47N
- Repeal rules, 47N
- Structural Pest Control Commission, 48N

Agro-Consumer Services, Office of

- Agricultural Commodities Commission, 49N
- Milk Testing and Bonding Program, 49N
- Repeal rules, 47N

Animal Health Services, Office of

- Livestock Sanitary Board, 49N
- Meat and Poultry Inspection Program, 50N

Marketing, Office of

- Market Commission
 - Fruits and Vegetables Division, 50N
- Repeal rules, 47N

- Breath and blood alcohol analysis (see Public Safety and Corrections Department, Office of State Police)
- Cancer and Lung Trust Fund Board (see Health and Human Resources Department)
- Certified Public Accountants (see Commerce Department)

COMMERCE DEPARTMENT

Certified Public Accountants, Board of

- Tax Accounting Principles hearing, 76P

Cosmetology, Board of

- Reporting hours, 51N

Licensing Board for Contractors, 51N

Motor Vehicle Commission

- Rules of operation, 3ER, 70CR

Racing Commission

- Concession services, 6R
- Glass containers, 6R
- Mandatory penalties, 6R
- Quineila, 4ER
- Trifecta, 4ER

Real Estate Commission

- Certified money, 6R, 70CR
- Used Motor Vehicles and Parts Commission, 70CR
- Waivers, 6R, 70CR

Community Development Block Grant (see Urban and Community Affairs Department)

Conservation, Office of (see Natural Resources Department)

Contractors, Licensing Board of (see Commerce Department)

Cosmetology, Board of (see Commerce Department)

CULTURE, RECREATION AND TOURISM DEPARTMENT

Library Examiners, Board of, 53N

State Parks, Office of

- Fee changes, 54N

Deferred Compensation Commission (see Treasury Department)

EDUCATION DEPARTMENT

Elementary and Secondary Education, Board of

- Advanced leave, 7R
- Athletic scholastic requirements, 7R
- Bulletin 741, 7R
- Bulletin 746, 7R
- Computer teaching requirements, 7R
- Elective courses, 7R
- National Guard credit, 7R
- Non-residents, 5ER
- Student activities, 7R
- Teacher certification, 5ER, 55N
- Textbooks, 7R

Supervisors of Southern University, Board of

- Fees, 7R
- Tenure, 7R

Elderly Affairs, Office of (see Governor's Office)

Emergency Medical Technician (see Health and Human Resources Department, Office of Hospitals)

Engineers and Land Surveyors, Board of Registration for Professional (see Transportation and Development Department)

ENVIRONMENTAL QUALITY DEPARTMENT

Air Quality and Nuclear Energy, Office of

- Air Quality Division
 - Asbestos in schools, 56N
 - Fee system, 8R
 - Section 22.0, 15R

Water Resources, Office of

- Construction grants, 32R

EXECUTIVE ORDERS

EWE 84-43—Rescinds EWE 84-34, 3

EWE 84-44—Energy conservation, PCB and asbestos to be handled jointly by Division of Administration and Natural Resources, 3

EWE 84-45—Amends EWE 84-39, Forum for Environmental Action, 3

Fishermen's Gear Compensation Fund (see Natural Resources Department)

Food Stamp Program (see Health and Human Resources Department, Office of Family Security)

GOVERNOR'S OFFICE

Elderly Affairs, Office of

- Intrastate funding, 57N
- Ombudsman Program, 35R

CR—Committee Report

E—Errata EO—Executive Order ER—Emergency Rule

L—Legislation N—Notice of Intent P—Potpourri

PPM—Policy and Procedure Memorandum R—Rule

Veterans Affairs, Department of

Eligibility requirements, 34R
Fees, 34R

HEALTH AND HUMAN RESOURCES DEPARTMENT

Cancer and Lung Trust Fund Board

Applications for research grants, 76P
Procedures, 35R

Family Security, Office of

Food Stamps Program
Voluntary Quit, 38R
Work registration, 39R
MAP - Swing bed provisions, 36R
Nursing home penalties, 37R

Hospitals, Office of

Emergency Medical Technician, 39R

Nursing, Board of

R.N. 1.071, 57N

Preventive and Public Health Service, Office of

Individual mechanical sewage treatment plants, 58N

Secretary, Office of

Licensing and Certification, Division of
Hospital bed inventory, 58N

Interim Emergency Board (see Treasury Department)
Livestock Sanitary Board (see Agriculture Department)

LOUISIANA ADMINISTRATIVE CODE UPDATE

January-December, 1984 changes, 71

Title 35

Table I, 71

Table II, 73

Mechanical sewage treatment plants (see Health and Human Resources Department, Office of Preventive and Public Health Services)

Motor Vehicle Commission (see Commerce Department)

NATURAL RESOURCES DEPARTMENT

Conservation, Office of

Pipeline Safety, 59N

Fishermen's Gear Compensation Fund

Claims, 76P

State Lands, Division of

Bohemia Spillway, 40R

Nursing, Board of (see Health and Human Resources Department)

PUBLIC SAFETY AND CORRECTIONS DEPARTMENT

Secretary, Office of

Number 30-19, 61N

State Police, Office of

Breath and blood alcohol analysis, 61N

Racing Commission (see Commerce Department)

Real Estate Commission (see Commerce Department)

Southern University Board of Supervisors (see Education Department)

State Employees Group Benefits Program, Board of Trustees for (see Treasury Department)

State Lands, Division of (see Natural Resources Department)

State Parks, Office of (see Culture, Recreation and Tourism Department)

State Police, Office of (see Public Safety and Corrections Department)

TRANSPORTATION AND DEVELOPMENT DEPARTMENT

Professional Engineers and Land Surveyors, Board of Registration for

Educational training, 65N

Registration requirements, 65N

Work experience, 65N

TREASURY DEPARTMENT

Deferred Compensation Commission

Public employees plan, 41R

Interim Emergency Board

Rules of operation, 45R

State Employees Group Benefits Program, Board of Trustees of

Claim filing deadline, 66N

Drug abuse coverage, 67N

Early hospital admission, 68N

Out-patient surgery, 69N

Private duty nursing, 68N

Second surgical opinion, 70N

URBAN AND COMMUNITY AFFAIRS DEPARTMENT

Planning and Technical Assistance, Office of

Community Development Block Grant, 45R

Used Motor Vehicles and Parts Commission (see Commerce Department)

Veteran's Affairs, Department of (see Governor's Office)

Water Resources, Office of (see Environmental Quality Department)

CR—Committee Report

E—Errata EO—Executive Order ER—Emergency Rule

L—Legislation N—Notice of Intent P—Potpourri

PPM—Policy and Procedure Memorandum R—Rule

Notes

Notes