

US EPA ARCHIVE DOCUMENT

Title 33
ENVIRONMENTAL QUALITY
Part V. Hazardous Waste and Hazardous Materials
Subpart 1. Department of Environmental Quality—Hazardous Waste

Chapter 5. Permit Application Contents

Subchapter G. Remedial Action Plans (RAPs) – General Information

§625. May the Decision to Approve or Deny My RAP Application Be Administratively Appealed?

A. You may request an administrative hearing on a decision by the administrative authority to grant or deny your RAP application, under R. S. 30:2024. If the secretary does not grant your hearing request within 30 days of filing, you are entitled to file an application for *de novo* review of the secretary’s action in the Nineteenth Judicial District Court.

B. An aggrieved person [as defined in R. S. 30:2004 (17)] may appeal a final decision on your RAP to the Nineteenth Judicial District Court, under R. S. 30:2050.21. Such an appeal would not suspend the effectiveness of the RAP, if one is issued. However, the secretary may grant, or the court may order, a stay of the RAP decision.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2180 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Environmental Assessment, Environmental Planning Division, LR 26: **

§630. When Does My RAP Become Effective?

A. Your RAP becomes effective 30 days after the administrative authority notifies you and all commenters that your RAP is approved unless:

1. the administrative authority specifies a later effective date in the decision;
2. review is requested under R.S. 30:2024; or
3. no commenters requested a change in the draft RAP, in which case the RAP becomes effective immediately when it is issued.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2180 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Environmental Assessment, Environmental Planning Division, LR 26:

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§635. When May I Begin Physical Construction of New Units Permitted Under the RAP?

You must not begin physical construction of new units permitted under the RAP for treating, storing, or disposing of hazardous remediation waste before receiving a RAP which is effective under the terms of LAC 33:V.630.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2180 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Environmental Assessment, Environmental Planning Division, LR 26: **

§660. May the Decision to Approve or Deny a Modification, Revocation and Reissuance, or Termination of My RAP be Administratively Appealed?

A. You may request an administrative hearing on a decision by the administrative authority to grant or deny a modification, revocation and reissuance, or termination of your RAP under R. S. 30:2024. If the secretary does not grant your hearing request within 30 days of filing, you are entitled to file an application for *de novo* review of the secretary's action in the Nineteenth Judicial District Court.

B. An aggrieved person [as defined in R. S. 30:2004 (17)] may appeal a final decision on your RAP to the Nineteenth Judicial District Court, under R. S. 30:2050.21. Such an appeal would not suspend the effectiveness of the RAP, if one is issued. However, the secretary may grant, or the court may order, a stay of the RAP decision.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2180 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Environmental Assessment, Environmental Planning Division, LR 26: **

DEADLINES FOR RULEMAKING ACTIVITIES

Log #HW073 – Remedial Action Plans State Provisions

To Fiscal Office in February 2000 ; Finalized in July 2000

DESCRIPTION	DIVISION TARGETS	RULEMAKING DEADLINES
1. Draft proposal, draft FEIS, and cost/benefit certification or cost/benefit analysis due to RD	Jan 20	
2. Draft proposal due to Legal	Jan 20	
3. Signed FEIS and edited Fiscal Office Draft due to RD	Feb 15	
4. FEIS and Fiscal Office Draft due to Fiscal Office		Feb 18
5. Proposed rule due to RD (Computer file of FEIS; computer file of rule, strikeout/underline and clean copy - in MS Word)	Mar 6	
6. NOI to State Register and put on DEQ's Public WWW page		Mar 10
7. NOI published in <i>Louisiana Register</i> ; comment period begins		Mar 20
8. DEQ Public Hearing date		Apr 24
9. Comment period ends		May 1
10. RD summarized comments transmitted to division		*† May 15
11. Summary report due to RD (hard copy and MS Word computer file), with written authorization to proceed: <ul style="list-style-type: none"> • comment summaries and responses and comment key, • concise statement, • list of technical amendments, • proposed rule with technical amendments (no date), and • oil and gas applicability statement 	*† Jun 5	
12. Summary report to LOC and put on DEQ's Public WWW page		Jun 9
13. LOC Hearing		5-30 days after submittal of summary report
14. Final rule due to RD (Computer file of rule, strikeout/underline/redline and, if notified, clean copy - in MS Word)	Jul 5	
15. Rule to State Register and put on DEQ's Public WWW page		Jul 10
16. Rule published in <i>Louisiana Register</i> and becomes final		Jul 20

*If minor or no comments are received, it may be possible to finalize the rule one month earlier by completing items 10 and 11 immediately after the comment period ends and submitting the summary report before the ninth of the month.
†Divisions may have up to nine months to respond to comments in order to complete this cycle within the required one-year period.

†The RD will submit the comment summary to the division as soon as possible, depending on the number of comments received.

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Chapter 7. Administrative Procedures for Treatment, Storage, and Disposal Facility Permits

Subchapter C. Public Notice of Permit Actions and Public Comment Period

§717. Methods

Public notice of activities described in LAC 33:V.713.A shall be given by the following methods:

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[See Prior Text in A – A.5.b]

c. those on the list as a result of notification to the public of the opportunity to be put on the mailing list through periodic publication in the public press and in such publications as regional and state funded newsletters, environmental bulletins, or state law journals. The administrative authority may update the mailing list from time to time by requesting written indication of continued interest from those listed and the administrative authority may delete from the list the name of any person who fails to respond to such a request.

~~d. Also, public notices will be mailed to subscribers to a bulletin issued periodically by the administrative authority. Subscribers will include public officials, industries who operate under department permits, and interested individuals and organizations who request that their name be added to the list. The bulletin will contain information concerning permit applications, actions on permits, suspension and revocation orders, enforcement actions, and other information of public interest concerning the hazardous waste program.~~

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[See Prior Text in B – C]

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2180 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Hazardous Waste Division, LR 10:200 (March 1984), amended LR 17:478 (May 1991), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26: **