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Emergency Rules

DECLARATION OF EMERGENCY

Board of Elementary and Secondary Education

The State Board of Elementary and Secondary Education at its meeting on August 28, 1980, exercised those powers conferred by the emergency provisions of the Administrative Procedures Act R.S. 49:953B and adopted the following emergency rules.

The Board adopted Guidelines for Implementation of the 1980-81 Pilot Year of the Compensatory/Remedial Education Act in order to implement Act 433 of the 1980 R.S. for the 1980-81 school year.

The Board adopted an amendment to Bulletin 1565, Personnel Assessment and Evaluation System, Page 53, Item 1, in order to allow the Department of Education to employ non-degreed personnel as programmers and operators for the Louisiana Educational Computer Network, to be established February 1981. The amendment reads as follows. There are no substitute qualifications for the Bachelor's Degree, except for certain non-certified technical support personnel.

The Board adopted revisions to Interim Requirements for Generic Certification for Special Education. These revisions were necessary to correct typographical omissions in the certification requirements which were submitted by the Department of Education to the Board and adopted at its meeting on June 26, 1980 and published as a rule in the July 20, 1980 edition of the *Louisiana Register*. These revisions were adopted as emergency rule in order to allow the Department of Education to disseminate these corrected certification requirements to the local educational agencies to assist local agencies in the employment of personnel for the 1980-81 school year.

James V. Soileau
Executive Director

DECLARATION OF EMERGENCY

Department of Health and Human Resources Office of Family Security

In accordance with the provision of Louisiana R.S. 40:29, the Department of Health and Human Resources, Office of Family Security has increased, effective September 1, 1980, the Medically Needy Income Eligibility Standards (MNIES) as follows.

Rural—Medically Needy Income Eligibility Standard

FAMILY SIZE	AFDC FLAT GRANT AMOUNT	MONTHLY MNIES	QUARTERLY MNIES
1	\$ 60	\$ 142	\$ 426
2	112	150	450
3	158	217	651
4	197	267	801
5	235	317	951
6	269	367	1,101
7	304	408	1,224
8	339	458	1,374
9	371	500	1,500
10	404	542	1,626
11	438	592	1,776
12	474	633	1,899

13	513	692	2,076
14	551	742	2,226
15	588	792	2,376
16	626	842	2,526
17	663	892	2,676
18	701	942	2,826
19	742	992	2,976
20	783	1,050	3,150
21	824	1,100	3,300
22	865	1,158	3,474
23	906	1,208	3,624
24	947	1,267	3,801
25	988	1,325	3,975
26	1,029	1,375	4,125
27	1,070	1,433	4,299
28	1,111	1,483	4,449
29	1,152	1,542	4,626
30	1,193	1,592	4,776

FAMILY SIZE	Urban—Medically Needy Income Eligibility Standard		
	AFDC FLAT GRANT AMOUNT	MONTHLY MNIES	QUARTERLY MNIES
1	\$ 65	\$ 150	\$ 450
2	125	167	501
3	173	233	699
4	213	292	876
5	252	342	1,026
6	287	383	1,149
7	320	433	1,299
8	355	475	1,425
9	388	525	1,575
10	420	567	1,701
11	455	608	1,824
12	491	658	1,974
13	527	708	2,124
14	564	758	2,274
15	602	808	2,424
16	643	858	2,574
17	674	900	2,700
18	717	958	2,874
19	761	1,017	3,051
20	805	1,075	3,225
21	849	1,133	3,399
22	893	1,192	3,576
23	937	1,250	3,750
24	981	1,308	3,924
25	1,025	1,367	4,161
26	1,069	1,433	4,299
27	1,110	1,492	4,476
28	1,157	1,550	4,650
29	1,201	1,608	4,824
30	1,245	1,667	5,001

These increases will allow the Medical Assistance Program to be in compliance with federal regulations 42 CFR 435.1007 which sets these standards at 133 1/3 percent of the AFDC flat grant amount payments. These payments have been increased effective August, 1980. Noncompliance with the federal regulations would result in loss of federal financial participation in Louisiana's Medical Assistance Program.

George A. Fischer, Secretary
Department of Health and Human Resources

Rules

RULE

Department of Agriculture Livestock Sanitary Board

At a public hearing on September 9, 1980, notice of which hearing was published in the August 20, 1980, issue of the *Louisiana Register*, the Louisiana Livestock Sanitary Board adopted the following amendments to the Rules and Regulations of the Livestock Sanitary Board.

1. Health Requirements Governing Admission of Livestock and Poultry.

3. Swine Requirements.

1. General Swine Requirements.

* * *

(5) All eligible swine moving into Louisiana for slaughter purposes must be consigned to a specifically approved slaughter establishment maintaining State or Federal meat inspection or livestock auction market specifically approved to handle slaughter hogs from out of state.

3. Governing the Operation of Livestock Auction Markets.

10. Cattle Requirements.

A. Brucellosis.

* * *

3. All cattle eighteen months of age and over that are offered for sale must be further identified by an official metal tag and must be tested for brucellosis.

Exceptions:

a. Steers and spayed heifers.

b. Cattle consigned from dry feedlots that are S-branded and permitted prior to shipment to the auction barn.

c. Official calfhood vaccinates less than twenty-four months of age that are not pre or post parturient.

d. Cattle that are purchased by the auction operator to support prices as required by the United States Department of Agriculture, Packers and Stockyards Division, shall maintain original white official back tags until sold.

II. Swine Requirements.

A. Hog Chlorea Requirements.

* * *

9. All hog chlorea requirements except Paragraph 8 shall be null and void unless hog chlorea is diagnosed in the United States at which time they could be reinstated immediately by the State Veterinarian without prior approval of the Board.

B. Pseudorabies Requirements.

* * *

3. Feeder or slaughter swine moving on direct shipment from a farm into Louisiana must be accompanied by a health certificate from premise of origin and a statement that the herd of origin meets the requirements of Paragraph 2 (above). Swine not originating from test herds must be tested negative within thirty days of movement.

C. Brucellosis Requirements.

1. Sows and boars sold for slaughter shall be identified to the herd of origin by U.S. approved swine identification tags.

D. Identification Requirements.

1. All swine offered for sale at a livestock auction market, feeder pig sale, or other concentration point shall be marked between the shoulder with a paint mark at least 2 x 2 inches in size. This mark shall not be marked over or intentionally altered in any fashion. Each auction market will have an assigned color of paint furnished to it by the Livestock Sanitary Board.

2. Swine purchased by a livestock auction market to support prices as required by the Packers and Stockyards Act shall be

held over and sold at the auction market or sold before the next sale for slaughter, feeding, or breeding purposes.

8. Governing the Sale and Use of Brucella Abortus Vaccine.

4. Brucella Abortus Vaccine will be administered in accordance with the method approved by the United States Department of Agriculture.

5. Deleted.

7. Adult vaccination of female cattle twelve months old or older may be performed on an individual herd plan by State or Federal veterinarians provided the owner signs the official agreement to comply with the following provisions.

* * *

(b) All animals vaccinated as adults will be identified with an official AV tattoo in the right ear preceded by the quarter of the year and followed by the last digit of the year as well as the official metal eartags (or individual animal registration tattoo or individual animal registration brand) and plastic bangle tag which are to be correlated on test records with the official eartag.

(c) Animals so vaccinated will be quarantined and tested on the schedule established in the herd plan. The quarantine will be released when the herd has a negative test at least 120 days after the last reactor is removed from the herd. In addition dairy herds shall be negative to the last milk ring test prior to release from quarantine.

Exceptions:

(1) Steers and spayed heifers over six months of age.

(2) Calves six months of age and under from negative cows may move under permit within ten days after a negative brucellosis test of the dam.

(3) Calves under six months of age that are nursed by brucellosis reactor or exposed cows may move from the quarantined premises under permit provided they have been weaned for not less than thirty days immediately preceding movement.

* * *

(e) Deleted.

14. Establishing the Official Tests for Brucellosis in Cattle.

A. Screening Test

1. Milk Ring Test (BRT) — This test is conducted by the State-Federal Laboratory on a composite sample of milk collected at dairy farms. A follow-up individual serological test shall be conducted on all cattle represented in a composite sample which reacts to the test.

2. Card Test — This test will be used by approved personnel to classify cattle negative on surveillance samples collected at slaughter or at livestock markets, on routine samples collected on farms, and on tests of suspicious and infected herds. Positive samples from brucellosis vaccinated animals will be given supplemental testing when possible to aid in classification of cattle as reactors.

B. Supplemental Test.

1. Standard Plate Agglutination Test. This test may classify cattle as negative, suspect, or reactors.

2. Rivanol Test. This test may classify cattle as negative or reactor.

3. Complement Fixation Test. This test may classify cattle as negative, suspect, or reactor.

C. Animal or Herd Status.

1. Status of an animal or herd will be determined by a trained epidemiologist when possible. This decision will be based on the interpretation of all tests, the history of the herd status of surrounding herds, vaccination history, and all other pertinent information.

Bob Odom

Commissioner of Agriculture

RULE

Department of Commerce Office of Financial Institutions

The Commissioner of Financial Institutions, in exercise of his powers specifically enumerated in R.S. 6:902 B, hereby adopts the following rule.

An association or combination of associations may establish a service organization or purchase capital stock, obligations or other securities of such a service organization organized under the laws of the State of Louisiana subject to prior approval in writing of the Commissioner.

1. Definitions

A. When used in this rule, the following words shall have the meanings as indicated.

1. "Service Organization" shall mean an organization substantially all the activities of which consist of making of consumer loans as defined by LRS 9:3516 (13), originating, purchasing, selling and servicing loans upon real estate and participating interests therein, or clerical, bookkeeping, accounting, statistical, appraising, computer or similar functions performed primarily for financial institutions, plus such other activities as the Commissioner may approve.

2. "Association" shall mean a savings association, homestead building and loan association, savings and loan association or society chartered under Chapter 9, Title 6, Louisiana Revised Statutes.

3. "Commissioner" shall mean the Commissioner of Financial Institutions, State of Louisiana.

II. Application

A. In order to obtain such approval, the applying association shall file with the Commissioner documentation from which the Commissioner shall determine that.

1. There are no serious supervisory problems which would affect its ability to properly supervise and operate such subsidiary corporation.

2. There are adequate income and reserves to support the proposed investment.

3. Operations of the subsidiary corporation will be clearly distinguishable from those of the parent association.

4. The subsidiary corporation is or will be profitably operating within a reasonable period of time.

5. An audited financial statement in the event of acquisition of an existing subsidiary corporation.

6. A certified resolution of the Board of Directors of the applying association approving the investment in the subsidiary.

7. A certified copy of the Articles of Incorporation, Certificate of Incorporation and Bylaws of the subsidiary shall be filed with the Commissioner.

B. The Commissioner may require submission of other pertinent information.

1. Acquisition terms, cost or investment requirements of the association.

2. Projected operating statements of the proposed subsidiary for its first three years of operation.

3. Attorney's opinion letter as to direct, indirect and/or contingent association and subsidiary liability.

4. Outline of plans for operation of the subsidiary.

5. Evidence that the subsidiary corporation will have adequate management and operating personnel with proper supervision by association management.

6. Plans for the safeguarding of subsidiary assets.

7. Affidavits from all directors of an association and subsidiary corporation fully disclosing any interest they may directly or indirectly have in the proposed or existing subsidiary.

C. Records of the subsidiary corporation will be made available at all times to State and Federal supervisory authority for examination and review.

D. The subsidiary corporation will keep complete and adequate books and records in accordance with generally accepted accounting principles where there are no specific accounting guidelines set forth by Louisiana Rules and the Regulations of the Federal Savings and Loan Insurance Corporation.

111. Authorized Subsidiary Investments

Activities of a subsidiary corporation, performed directly or through one or more wholly owned subsidiaries or joint ventures, shall consist of one or more of the following.

A. Loan origination, purchasing, selling and servicing.

B. Acquisition of unimproved real estate lots and other unimproved real estate for the purpose of prompt development and subdividing.

C. Development and subdivision of and construction of improvements, including improvements to be used for commercial or community purposes when incidental to a housing project, for sale or for rental on, real estate referred to in subdivision B of this subparagraph.

D. Acquisition of improved residential real estate and mobile home lots to be held for sale or rental.

E. Acquisition of improved residential real estate for remodeling, rehabilitation, modernization, renovation, or demolition and rebuilding for sale or for rental.

F. Maintenance and management of rental real estate referred to in subdivision C, D, and E of this subparagraph.

G. Serving as insurance broker or agent primarily dealing in policies for the association, their borrowers and accountholders, which provide protection such as homeowners, fire, theft, automobile, life, health, accident and title.

H. Serving as a title insurance company if insurance laws, rules and regulations are complied with.

I. Preparation of State and Federal tax returns for association's accountholders and/or borrowers.

J. Acquisition, maintenance and management of real estate to be used for association offices and related facilities.

K. Partial or complete ownership of computer center that provides services for the parent association and others.

L. Make consumer loans as outlined in LRS 9:3510, et seq.

M. A subsidiary may act as agent for the parent association except that it shall not receive payments on new or established savings accounts, nor shall it perform any duties for the association other than those specifically authorized herein.

N. Other activities which may be approved by the Commissioner.

IV. Operations

A. Each subsidiary corporation main office, branch, agency or any other type facility of the subsidiary corporation shall require prior written approval of the Commissioner based on his findings of the facts as presented.

B. A verified copy of all contracts, instruments, joint ventures and partnership agreements and financing arrangements of the subsidiary investments shall be furnished to the Commissioner within thirty days from date of approval.

C. The subsidiary agrees to furnish, at the expense of the subsidiary or association, an independent appraiser's report or other expert opinion as determined to be necessary by the Commissioner for the purpose of establishing the value of any investments made by the subsidiary corporation.

D. Each subsidiary shall maintain bond coverage with an acceptable bonding company in an amount to adequately cover each director, officer, employee and agent who has access to cash or securities of the corporation. Such bond amount shall be in an amount equivalent to one percent of total assets but in no event shall be less than \$25,000 nor more than \$2,000,000. In lieu of a separate surety bond for the subsidiary, the association may obtain an Extension Rider to the Surety Bond coverage of the parent association.

E. All joint ventures and partnership agreements shall be reviewed by the attorney for the subsidiary, who shall render his

opinion to the Commissioner stating the obligation and responsibility of the subsidiary, as well as the parent association.

F. All directors of the association and subsidiary shall furnish affidavits fully disclosing any direct or indirect interest they may have in each investment made by the subsidiary.

G. Each request for approval of an investment by a subsidiary shall include a projected cash flow statement and a projected profit and loss statement setting forth funding requirements of the parent association and/or others.

H. An association's wholly owned subsidiary may operate a loan production office within a 100 mile radius of the main office, subject to the approval of the Commissioner.

1. An association may invest in the partial ownership of a service corporation which originates loans and performs other service functions, not only for the investing association, but for other investors as well; also employs and pays its own personnel, and uses its own selected name, then this type service organization could operate statewide, if approved by the Commissioner.

V. Investment and Debt Limitation

A. Investments in subsidiary corporations shall include investment in its capital stock, obligations, both secured and unsecured, or other securities of the service corporation, and shall not, in the aggregate, exceed three percent of the association's total assets. The limitation does not apply to subsidiaries organized solely as a holding corporation for business property as outlined in R.S. 6:822 F.

B. The subsidiary corporation engaged solely in the activities specified in Paragraph III A above, may incur debt in a ratio of 10:1 of the subsidiary's consolidated net worth.

C. Subsidiary corporations engaged in activities other than that authorized in Paragraph III A above, shall not incur debt in the aggregate in excess of the parent association's net worth less the aggregate investment in all subsidiary capital stock, obligations, both secured and unsecured, and other securities of the subsidiary corporation.

Hunter O. Wagner, Jr.

Commissioner of Financial Institutions

RULE

**Department of Commerce
Racing Commission**

The Louisiana State Racing Commission does hereby adopt a new rule, Super Six, and amend existing rules of racing, in particular Rules LAC 11-6:25.32 and LAC 11-6:32.1 and delete Rule LAC 11-6:33.6.

Super Six

A Super Six wager combines the winners of six consecutive races. All Super Six wagers will be calculated in a pool which is entirely separate from all other wagering pools. "Super Six races" shall mean the six consecutive races designated for the Super Six.

Entries and Fields — Entries and fields may race in Super Six races, unless they are prohibited by other Commission rules relating to other types of multiple wagering rules. However, if any part of an entry or field is a starter in a race, the entry or field selection shall remain as the designated selection in that race and no refund or exchange of that ticket shall be permitted.

Pool Calculations — The Super Six pari-mutuel pool shall be calculated as follows.

1. Major Pool — Seventy-five percent of the net amount in the pool shall be distributed equally to the holders of pari-mutuel tickets which correctly designate the most official winners of the Super Six races.

2. Minor Pool — Twenty-five percent of the net amount in the pool shall be distributed equally to the holders of pari-mutuel tickets which correctly designate the second greatest number of official winners of the Super Six races.

3. Consolation Pool — If a ticket designates as the selection to win in any one or more of the Super Six races, a single wagering interest which is scratched or excused by the stewards or which is prevented from racing because of the failure of the stall doors of the starting gate to open or which is otherwise determined to be a non-starter in the race for which selected, the value of that ticket shall be withdrawn from the Major and Minor Super Six pools. The total net value of all such withdrawn pools shall be distributed equally as a consolation among the holders of such withdrawn Super Six tickets which have a total of winning and scratched selections, including at least one winner, to have qualified for at least the minor pool. However, if such ticket is entitled to participate in the Major or Minor Pool outlined above, it will not be withdrawn from that pool. For example: If "75" = Major Pool and "25" = Minor Pool and "C" = consolation pool, and if some ticket holders have chosen six winners, the pools would be constituted as follows.

	0	1	2	3	4	5	Total # of Scratches
1					C	C	
Total	2			C	C		
# of	3		C	C			
Winners	4	C	C				
	5	25	25				
	6	75					

Comparable calculations can be drawn if fewer than six winners are selected.

Dead Heats — If there is a dead heat for win between two or more horses in any Super Six race, all horses in the dead heat for win shall be considered equally as the winning horse in the race for the purposes of distributing the Super Six pools.

Sale of Tickets — No Super Six ticket shall be sold, exchanged or cancelled after the close of wagering on the first of the Super Six races.

Name and Notice — A licensee may give a different name to the Super Six form of wagering but shall notify the Commission of such choice of names. Each of the Super Six races shall be clearly designated in the program. Super Six tickets shall be clearly marked to indicate the type of wager.

Cancellation of Races.

A. Three or more — If the stewards cancel or declare as no contest three or more of the Super Six races, all Super Six tickets for that program shall be refunded and the Super Six cancelled.

B. One or two — If one or two of the Super Six races are cancelled or declared as no contest on any program, the distribution of the net amount of the Super Six pools shall be among the tickets which correctly designate the most winners in all the remaining races in such programs.

Limitation on Multiple Wagers Does Not Apply — The provisions of other rules limiting the number of multiple wagering races shall not prevent a licensee from implementing the Super Six.

Disclosure — No person shall disclose the number of Super Six Tickets sold or the number or amount of tickets selecting winners of the Super Six races prior to the time the Stewards have determined the last race comprising the Super Six each day to be official.

Effective November 10, 1980.

LAC 11-6:25.32

25.32 Entries from the same stable and/or same trainer must be coupled at the time of entry.

Effective November 10, 1980.

LAC 11-6:32.1

32.1 Only one daily double shall be permitted during any single race card. It shall be on the first and second races. All other forms of this type of wagering, with the exception of the exacta and Super Six are prohibited.

Effective November 10, 1980.

LAC 11-6:33.6

33.6 — Delete the entire rule.

Coupled entries are permitted in exacta races, except that entries therein having separate bona fide owners and the same trainer may be split for betting purposes, notwithstanding the provisions of LAC 11-6:25.32.

Effective November 10, 1980.

Albert M. Stall, Chairman
Racing Commission

RULE

Department of Commerce Racing Commission

The Louisiana State Racing Commission does hereby adopt a new rule and/or amend the existing rules of racing, in particular, Rule LAC 11-6:53.11 and LAC 11-6:54, to prohibit the administration, use, application and/or possession of any narcotic, stimulant, depressant, local anesthetic, analgesic, and/or drugs of any description with the exception of bleeder medication as approved by these rules.

Rule - LAC 11-6:53.11

53.11 Full use of modern therapeutic measures for the improvement and protection of the health of a horse is authorized, however, no such medication will be used on the day of the race except as may be provided in LAC 11-6:54.

Rule - LAC 11-6:54 Permitted Medication

54.1 The use of bleeder medication is permitted upon a race horse within a licensed racing enclosure or an auxiliary (off-track) stable area, subject to compliance with the following.

A. Only a veterinarian may prescribe, dispense, and administer bleeder medication.

B. Bleeder medication may be administered the day of the race upon approval of the State Veterinarian. Bleeder medication will not be administered to any horse racing in the state of Louisiana except under the following conditions.

1. The subject horse must be known to bleed by either the Louisiana State Veterinarian or one of the association veterinarians and will be considered a known bleeder.

2. When the subject horse is observed bleeding, it will not be accepted in the entries for a period of twenty-one days, and then, only with the written consent of the Louisiana State Veterinarian. A known bleeder must remain on the bleeder medication list for a minimum of ninety days.

3. The Louisiana State Veterinarian at each track will keep an up to date list of horses placed on the bleeder medication or bleeders list and shall notify the other tracks that are racing in Louisiana.

4. Horses shipping in from other states, that intend to race in Louisiana, in order to qualify under this rule as known bleeders, must have filed in its behalf a statement to this effect from either the State Veterinarian or a licensed racing association veterinarian of that respective state. This statement must be filed with the Louisiana State Racing Commission veterinarian at the appropriate Louisiana track.

C. The Commission Veterinarian may require an endoscopic examination of the horse in order to confirm inclusion on the Bleeder List.

The endoscopic examination, as provided for above, shall be conducted by a veterinarian licensed by the Commission and employed by the owner or his agent, and shall be conducted in the presence of or with the approval of the Commission Veterinarian. Such endoscopic examination must be conducted within one hour of the finish of the race or exercise in which the horse has participated and bled, and must reveal hemorrhage in the lumen of the respiratory tract.

D. Daily reports of the administration of bleeder medication must be given to the State Veterinarian by 12:00 noon. They must be signed by the attending veterinarian and cosigned by the State Veterinarian, and must contain the following.

1. Date of the race.

2. Number of the race in which the horse is to run.

3. Name of the horse and its tattoo identification number.

4. Name of permissive medication or medications administered.

5. Hour and date that all permitted medications was administered to the horse.

E. Bleeder medication shall not, under any circumstances, be administered within four hours of post time.

F. Whenever bleeder medication is to be administered to a horse entered for racing, that information will be posted for public information in the Daily Racing Form and the Daily Racing Program.

G. In order for a horse to be administered bleeder medication the horse must qualify under this rule as a known bleeder. Thereafter, as aforesaid, the horse shall not be permitted to enter for twenty-one days after the first time the horse bleeds. Should the horse bleed a second time while on bleeder medication, the horse shall not be permitted to enter for six months. Should the horse bleed a third time while on bleeder medication, the horse shall be retired from racing and never again permitted entry.

H. To insure that the use of permitted medication is consistent and the reporting is accurate, the Commission reserves the right to pre-race blood tests or post-race urine tests, or both, whenever it is deemed necessary.

I. Notwithstanding anything herein contained to the contrary, medication shall not be prescribed, dispensed, or administered to a two-year-old horse.

54.2 As used in this rule, "veterinarian" shall mean a person who is licensed to practice veterinary medicine in Louisiana, and who is in good standing and is licensed by the Commission.

54.3 Any person found to have violated the provisions of this rule may be punishable by fine, and/or suspension, and/or revocation of license.

Effective November 10, 1980.

Albert M. Stall, Chairman
Racing Commission

RULE

Board of Elementary and Secondary Education

Rule 3.01.70v(32) — The Board approved for final adoption a policy change regarding employment of school psychologists. (The text of this policy was published as Emergency Rule in the *Louisiana Register*, Volume 6, Number 6, page 251, June 20, 1980.)

Rule 3.01.05 — (This policy replaces present policy in effect.) The Board approved for final adoption the State Plan for Nutrition Education and Training Program for Fiscal Year 1981.

Rule 3.01.51y — The Board approved for final adoption policy revisions on school classification categories. (The text of this policy was published as Emergency Rule in the *Louisiana Register*, Volume 6, Number 7, page 304, July 20, 1980.)

Rule 3.03.06 — The Board approved for final adoption a policy regarding donations to vocational-technical schools as follows: All vocational-technical schools are allowed to solicit and accept donations of vocational-technical teaching aides, supplies, tools, and equipment from any available source for use in vocational educational programs. The Trade and Industrial Section of the Division of Vocational Education of the Department of Education shall approve requests for acceptance of donations to vocational-technical schools in amounts not to exceed \$1,000 in fair market value, with the exception of expendible items which do not nor-

mally appear on inventory lists. There shall be no approval required for acceptance of these items. The State Department of Education will submit quarterly reports to the State Board of Elementary and Secondary Education of all approved donations.

James V. Soileau
Executive Director

RULE

Board of Trustees for State Colleges and Universities

The Policies and Procedures Manual of the Board of Trustees for State Colleges and Universities, Part VIII, Section 8.10A is amended to read as follows.

The second sentence of the paragraph is changed to read: "The value of each scholarship shall not exceed \$1,250 per academic year of nine months for the payment of the necessary college expenses."

The rest of the paragraph remains the same.

Bill Junkin
Executive Director

RULE

Department of Health and Human Resources Office of Family Security

The Department of Health and Human Resources, Office of Family Security, has set the maximum level (cap rate) for long term care eligibility for an individual at \$714.00, and for a couple occupying the same room in a long term care facility the double cap rate is \$1,428.00. This increase allows the Medical Assistance Program to be in compliance with federal regulation 42 CFR 435.230 and 435.1011 which sets the cap rate at three hundred percent of the Supplemental Security Income payment amount. Effective July 1, 1980, this amount increased to \$238.00.

George A. Fischer, Secretary
Department of Health and Human Resources

RULE

Department of Natural Resources Office of Environmental Affairs Environmental Control Commission

Pursuant to the provisions of R.S. 49:953, the Louisiana Environmental Control Commission published its intent in the *Louisiana Register* on August 20, 1980, to amend the Louisiana Hazardous Waste Management Plan (HWMP) at a hearing to be held on September 5, 1980. News releases to the state media and notifications on the proposed amendments were issued to the Hazardous Waste mailing list prior to submittal of the notice of intent to the *Louisiana Register*. The Louisiana Environmental Control Commission adopted the following amendments on September 5, 1980 in response to comments received by the State from the U. S. Environmental Protection Agency pertaining to the State's draft Phase I Interim State Hazardous Waste Program Authorization application, in accordance with provisions of the Resource Conservation and Recovery Act (P.L. 94-580).

Comments received as a result of solicitation of public comment, together with the official record of the Louisiana Environment Control Commission hearing are available for public inspection. Those persons interested in reviewing the records may contact Ms. Mary McDonald, Department of Natural Resources, Office of Environmental Affairs, Box 44066, Baton Rouge, Louisiana 70804, (504) 342-1265.

Amendments to the Louisiana Hazardous Waste Management

Plan

4.1.1 Criteria for Definition and Classification of Hazardous Wastes.

A. . . .

Category I.

Those known chemicals and process streams whose hazardous nature have been prescribed by prior determination and which are presented in the form of lists in Appendix A.

4.2.1 Agency Responsibility-. . .

D. Department of Agriculture—waste pesticides, including pesticide containers, at point of mixing, loading, application, equipment cleansing, or base of operation.

E.2) a) Wastes produced by any person who generates and disposes of small quantities on an infrequent basis which pose minimum threat to human health or to the environment. The Secretary reserves the right to make individual determinations under this section. In no case shall any such exemption be granted if the quantitative limits for consideration of exemption exceed those stated in Appendix A.

5.2.2 Mandatory Provisions.

A. Operation of existing facilities during Department action on the permit application is permitted in accordance with provisions of the Act, except that when the continued operation of an existing facility is determined by the Department to be causing or to be about to cause irreparable damage to the environment, or a serious threat to life or safety based on recognized criteria or standards or both, the commission, the assistant secretary or an authorized technical secretary shall institute immediate enforcement actions pursuant to Section 10 of these regulations and the Act. During the time period effective as of November 19, 1980, and to extend no longer than the date of issuance of an interim or standad permit or twelve months, whichever is the shorter period, existing treatment, storage and disposal facilities are required to meet interim status standards, in addition to the requirements of prior permits issued before August 1, 1979. Failure to comply with the provisions of the interim status standards shall be a violation of these regulations.

1) Use of Manifest system—5.4.6 and 5.4.7 shall govern.

2) Waste Analysis—8.4.2A1), 8.4.2A2), 8.4.2B, 8.4.9A3) and 9), and 8.5.1 shall govern.

3) Operating Record, Recordkeeping and Reports—8.5.1 and 8.6.5B shall govern.

4) Monitoring—the Operator shall develop a plan for implementing monitoring systems as required by 8.4.10 during interim status, and as a required component for submission of a permit application in accordance with 5.2.

5) Closure Plan—the Operator shall develop a plan for closure of the facility as required by 8.6 during interim status, and as a required component for submission of a permit applicatin in accordance with 5.2.

6) Discharges From the Site—8.3.5 shall govern.

7) Security—8.5.2 A and D shall govern.

8) Emergency Procedures, Contingency Plans, and Training—8.5.3 shall govern.

9) Receiving and Monitoring Incoming Waste—8.4.2A-C shall govern.

10) Hazardous Waste Storage Tanks—8.4.4A shall govern.

11) Hazardous Waste Containers—8.4.5 shall govern.

12) Landfarming—the requirements of 1) through 11), above, shall govern.

13) Landfill and Burial—the requirements of 1) through 11), above, shall govern.

14) Incinerators—8.4.8B1) and the requirements of 1) through 11), shall govern. Incinerators for destruction of hazardous wastes shall be brought to proper operating temperature prior to combustion of the wastes.

15) Chemical, Physical and Biological Treatment Facilities—8.4.9A2)-10) and the requirements of 1) through 11), above, shall govern.

16) Waste Compatibility—8.4.11 shall govern.

17) Spills—8.4.12 shall govern.

18) Financial Responsibility—During interim status the Operator shall develop a plan for assuring financial responsibility which shall when put into effect meet the requirements of 8.7.

F. File copies of all manifests, Annual reports, Exception reports, waste tests or analyses and other logs or records, required hereunder, shall be kept for Department inspection for a period of not less than 3 years from date of completion or receipt, which ever is later.

5.4.3 Manifest Document Flow.

E. Generators, transporters and hazardous waste facility operators, shall maintain file copies of manifests as provided in Section 5.2.2 F.

F. Generators, transporters and hazardous waste facility operators each shall submit a quarterly report to the Department including manifest numbers and total quantity by hazardous waste name of the waste handled, and its disposition. Reports are due no later than 15 days after the end of each quarter. April 15, July 15, October 15 and January 15.

H. Except as provided in Sections 5.4.5 A, 5.4.6 C, 6.1.4 and 6.1.5, generators, transporters, and hazardous waste facility operators are required to report to the Department any irregularities between the wastes actually received and the waste described on the manifest, or any other irregularities, within 5 days.

5.5.2 Procedures.

A. Primary responsibility for the proper handling of hazardous wastes is assumed by the industry operating under these rules and regulations and cooperating with the Department in meeting the purposes of the Act. As part of this responsibility, the owner or operator of any treatment, storage, or disposal facility shall develop a schedule of routine facility inspections and shall keep a log or record of all inspections carried out thereunder. The owner or operator shall likewise develop and adhere to a waste analysis plan to be approved by the Department.

6.1.4 A generator who does not receive a signed copy of the manifest from the owner or operator of the designated facility, within 35 days from date of shipment, shall contact the transporter and the owner or operator of the designated facility for a status report. If within 10 days of said contact the generator has still not received the manifest, he shall submit an Exception Report, setting forth the circumstances, together with a copy of the missing manifest, to the Department. In addition to the requirements of Section 5.4.4 F., if the wastes were designated for interstate shipment, a copy of the Exception Report shall be sent to the State in which the designated facility is located and to any State to which the generator suspects the wastes may have been delivered,

6.1.5 In addition to the requirements of Section 5.4.4 F., a generator who exports hazardous waste to a foreign country, or who has not received a signed copy of the manifest from the foreign consignee within 90 days of the date of the initial transport of the wastes, shall submit an Exception Report, together with a copy of the missing manifest, to the Department and to the U.S. Environmental Protection Agency.

7.6.1 Each transporter shall retain a copy of the manifest as specified in Section 5.4.3, for each transportation of hazardous waste that it makes, for a period of at least 3 years from either the date of transportation of the hazardous waste to another transporter or delivery of the waste to a permitted facility, as the case may be.

7.11.1 The transporter shall deliver the entire amount of hazardous waste accepted from a generator or other transporter to the permitted facility designated by the generator on the manifest.

8.4.10. Monitoring Systems.

A. Ground Water.

2) The owner or operator of the facility shall develop and adhere to a ground water sampling and analysis plan and shall immediately advise the Department when significant changes in ground water quality are determined and verified.

8.4.11 Waste Compatibility.

C. Treatment and storage facilities containing ignitable, reactive or incompatible wastes shall be sufficiently separated or protected to prevent mixing, ignition or reaction as a result of a spill, tank failure or other cause. Protection shall include use of container materials compatible with the wastes contained therein.

8.5.3 Emergency Procedures, Contingency Plans, and Training.

A. A contingency plan to be implemented in the event of an emergency shall be filed with the Secretary and, after approval, with the local fire and police departments (if any operate in the area), hospitals and emergency response teams operating in the area or subject to call by the operator or the Department.

C. The facility operator shall conduct training sessions to be held at regular intervals for personnel in routine plant operation and also to inform and train the plant contingency team, representatives of local fire and police departments, and emergency response teams of plant layout, location of possible hazards, emergency equipment location and operation, the evacuation plan and route, power and stream cut-offs, communications equipment and phone numbers of all required contacts, and other critical information and procedures.

D. During operation of the facility, at least one person, trained in emergency procedures and familiar with the contingency plan, shall be on duty at all times and in charge of all response measures under the plan in event of an emergency. During hours when the facility is not in operation, a person trained in emergency procedures shall be on call.

8.6.2 Closure Financial Responsibility.

A. The operator shall submit, with the permit application, a closure plan providing the estimated cost of closure, and post-closure monitoring including long-term monitoring devices, and the number of years of estimated operation before closure, said plan designed to minimize the need for future maintenance and to insure against leakage or escape of hazardous waste.

Amendments to Appendix A

Quantitative restrictions on small generator petitions for exemption: Acute hazardous wastes (H), identified in paragraphs (1) through (4) of Category I, C, below, are subject to the small quantity exclusion defined in 4.2.1E.2)a), except that possible petition for such exclusion for these wastes applies only to aggregate amounts generated at a rate of less than one kilogram per month, or aggregate storage of less than one kilogram or, for containers listed under C, to those less than 20 liters in capacity, or to quantities of liners from such containers of less than 10 kilograms, or to residues resulting from cleanup of a spill of such wastes in quantities of less than 100 kilograms. In no case will any aggregate quantity of wastes listed, characterized or identified

under this Appendix that is equal to or greater than 1000 kilograms per month in rate of generation or aggregate storage be subject to petition for exemption under the provisions of these rules.

Category I (see Sec. 4.1.1 A) Hazardous Wastes: Chemicals and Process Streams Whose Hazardous Nature Has Been Prescribed by Prior Determination

A. Hazardous waste from nonspecific sources:

Waste # Code	Waste Description
F001 (T)	The spent halogenated solvents used in degreasing, tetrachloroethylene, trichloroethylene, methylene chloride, 1,1,1-trichloroethane, carbon tetrachloride, and the chlorinated fluorocarbons and sludges from the recovery of these solvents in degreasing operations.
F002 (T)	The spent halogenated solvents, tetrachloroethylene, methylene chloride, chlorobenzene, trichloroethylene, 1,1,1-trichloroethane, 1,1,2-trichloro-1,2,2-trifluoroethane, o-dichlorobenzene, trichlorofluoromethane, and the still bottoms from the recovery of these solvents.
F003 (I)	The spent non-halogenated solvents, xylene, acetone, ethyl acetate, ethyl n-butyl alcohol, cyclohexanone, and the still bottoms from the recovery of these solvents.
F004 (T)	The spent non-halogenated solvents, cresols and cresylic acid, nitrobenzene, and the still bottoms from the recovery of these solvents.
F005 (I,T)	The spent non-halogenated solvents, methanol, toluene, methyl ethyl ketone, carbon disulfide, isobutanol, pyridine, and the still bottoms from the recovery of these solvents.
F006 (T)	Wastewater treatment sludges from electroplating operations.
F007 (R,T)	Spent plating bath solutions from electroplating operations.
F008 (R,T)	Plating bath sludges from the bottom of plating baths from electroplating operations.
F009 (R,T)	Spent stripping and cleaning bath solutions from electroplating operations.
F010 (R,T)	Quenching bath sludge from oil baths from metal heat treating operations.
F011 (R,T)	Spent solutions from salt bath pot cleaning from metal heat treating operations.
F012 (T)	Quenching wastewater treatment sludges from metal heat treating operations.
F013 (T)	Flotation tailings from selective flotation from mineral metals recovery operations.
F014 (T)	Cyanidation wastewater treatment tailing pond sediment from mineral metals recovery operations.
F015 (R,T)	Spent cyanide bath solutions from mineral metals recovery operations.
F016 (T)	Dewatered air pollution control scrubber sludges from coke ovens and blast furnaces.

B. Hazardous waste from specific sources.

Waste # Code	Waste Description
Wood Preservation:	
K001 (T)	Bottom sediment sludge from the treatment of wastewaters from wood preserving processes that use cresol and/or pentachlorophenol.
Inorganic pigments:	
K002 (T)	Wastewater treatment sludge from the production of chrome yellow and orange pigments.
K003 (T)	Wastewater treatment sludge from the production of molybdate orange pigments.
K004 (T)	Wastewater treatment sludge from the production of zinc yellow pigments.
K005 (T)	Wastewater treatment sludge from the production of chrome green pigments.

K006 (T)	Wastewater treatment sludge from the production of chrome oxide green pigments (anhydrous & hydrated).
K007 (T)	Wastewater treatment sludge from the production of iron blue pigments.
K008 (T)	Oven residue from the production of chrome oxide green pigments.
Organic chemicals:	
K009 (T)	Distillation bottoms from the production of acetaldehyde from ethylene.
K010 (T)	Distillation side cuts from the production of acetaldehyde from ethylene.
K011 (R,T)	Bottom stream from the wastewater stripper in the production of acrylonitrile.
K012 (T)	Still bottoms from the final purification of acrylonitrile in the production of acrylonitrile.
K013 (R,T)	Bottom stream from the acetonitrile column in the production of acrylonitrile.
K014 (T)	Bottoms from the acetonitrile purification column in the production of acrylonitrile.
K015 (T)	Still bottoms from the distillation of benzyl chloride.
K016 (T)	Heavy ends or distillation residues from the production of carbon tetrachloride.
K017 (T)	Heavy ends (still bottoms) from the purification column in the production of epichlorohydrin.
K018 (T)	Heavy ends from fractionation in ethyl chloride production.
K019 (T)	Heavy ends from the distillation of ethylene dichloride in ethylene dichloride production.
K020 (T)	Heavy ends from the distillation of vinyl chloride in vinyl chloride monomer production.
K021 (T)	Aqueous spent antimony catalyst waste from fluoromethanes production.
K022 (T)	Distillation bottom tars from the production of phenol/acetone from cumene.
K023 (T)	Distillation light ends from the production of phthalic anhydride from naphthalene.
K024 (T)	Distillation bottoms from the production of phthalic anhydride from naphthalene.
K025 (T)	Distillation bottoms from the production of nitrobenzene by the nitration of benzene.
K026 (T)	Stripping still tails from the production of methyl ethyl pyridines.
K027 (R,T)	Centrifuge residue from toluene diisocyanate production.
K028 (T)	Spent catalyst from the hydrochlorinator reactor in the production of 1,1,1-trichloroethane.
K029 (T)	Waste from the product stream stripper in the production of 1,1,1-trichloroethane.
K030 (T)	Column bottoms or heavy ends from the combined production of trichloroethylene and perchloroethylene.
Pesticides:	
K031 (T)	By-products salts generated in the production of MSMA and cacodylic acid.
K032 (T)	Wastewater treatment sludge from the production of chlordane.
K033 (T)	Wastewater and scrub water from the chlorination of cyclopentadiene in the production of chlordane.
K034 (T)	Filter solids from the filtration of hexachlorocyclopentadiene in the production of chlordane.
K3035 (T)	Wastewater treatment sludges generated in the production of creosote.
K036 (T)	Still bottoms from toluene reclamation distillation in the production of disulfoton.
K037 (T)	Wastewater treatment sludges from the production of disulfoton.
K038 (T)	Wastewater from the washing and stripping of phosphate production.

- K039 (T) Filter cake from the filtration of diethylphosphorodithiolic acid in the production of phorate.
- K040 (T) Wastewater treatment sludge from the production of phorate.
- K041 (T) Wastewater treatment sludge from the production of toxaphene.
- K042 (T) Heavy ends or distillation residues from the distillation of tetrachlorobenzene in the production of 2,4,5-T.
- K043 (T) 2,6-Dichlorophenol waste from the production of 2,4-D.

Explosives:

- K044 (R) Wastewater treatment sludges from the manufacturing and processing of explosives.
- K045 (R) Spent carbon from the treatment of wastewater containing explosives.
- K046 (T) Wastewater treatment sludges from the manufacturing, formulation and loading of lead-based initiating compounds.
- K047 (R) Pink/red water from TNT operations.

Petroleum Refining:

- K048 (T) Dissolved air flotation (DAF) float from the petroleum refining industry.
- K049 (T) Slop oil emulsion solids from the petroleum refining industry.
- K050 (T) Heat exchanger bundle cleaning sludge from the petroleum refining industry.
- K051 (T) API separator sludge from the petroleum refining industry.
- K052 (T) Tank bottoms (leaded) from the petroleum refining industry.

Leather Tanning Finishing:

- K053 (T) Chrome (blue) trimmings generated by the following subcategories of the leather tanning and finishing industry: hair pulp/chrome tan/retan/wet finish; hair save/chrome tan/retan/wet finish; no beamhouse; through-the-blue; and shearing.
- K054 (T) Chrome (blue) shavings generated by the following subcategories of the leather tanning and finishing industry: hair pulp/chrome tan/retan/wet finish; hair save/chrome tan/retan/wet finish; retan/wet finish; no beamhouse; through-the-blue; and shearing.
- K055 (T) Buffing dust generated by the following subcategories of the leather tanning and finishing industry: hair pulp/chrome tan/retan/wet finish; hair save/chrome tan/retan/wet finish; no beamhouse; and through-the-blue.
- K056 (T) Sewer screenings generated by the following subcategories of the leather tanning and finishing industry: hair pulp/chrome tan/retan/wet finish; hair save/chrome tan/retan/wet finish; retan/wet finish; no beamhouse; through-the-blue; and shearing.
- K057 (T) Wastewater treatment sludges generated by the following subcategories of the leather tanning and finishing industry: hair pulp/chrome tan/retan/wet finish; hair save/chrome tan/retan/wet finish; retan/wet finish; no beamhouse; through-the-blue and shearing.
- K058 (R,T) Wastewater treatment sludges generated by the following subcategories of the leather tanning and finishing industry: hair pulp/chrome tan/retan/wet finish; hair save/chrome tan/retan/wet finish; and through-the-blue.
- K059 (R) Wastewater treatment sludges generated by the following subcategory of the leather tanning and finishing industry: hair save/non-chrome tan/retan/wet finish.

Iron and Steel:

- K060 (T) Ammonia still lime sludge from coking operations.
- K061 (T) Emission control dust/sludge from the electric furnace production of steel.
- K062 (C,T) Spent pickle liquor from steel finishing operations.
- K063 (T) Sludge from lime treatment of spent pickle liquor from steel finishing operations.

Primary Copper:

- K064 (T) Acid plant blowdown slurry/sludge resulting from the thickening of blowdown slurry from primary copper production.

Primary Lead:

- K065 (T) Surface impoundment solids contained in and dredged from surface impoundments at primary lead smelting facilities.

Primary Zinc:

- K066 (T) Sludge from treatment of process wastewater and/or acid plant blowdown from primary zinc production.
- K067 (T) Electrolytic anode slimes/sludges from primary zinc production.
- K068 (T) Cadmium plant leach residue (iron oxide) from primary zinc production.

Secondary Lead:

- K069 (T) Emission control dust/sludge from secondary lead smelting.

C. Discarded Commercial Chemical Products, Off-Specification Species, Containers, and Spill Residues Thereof.

The following materials or items are hazardous wastes if and when they are discarded or intended to be discarded:

(1) Any commercial chemical product, or manufacturing chemical intermediate having the generic name listed in paragraphs (5) or (6) of this section.

(2) Any off-specification commercial chemical product or manufacturing chemical intermediate which, if it met specifications, would have the generic name listed in paragraphs (5) or (6) of this section.

(3) Any container or inner liner removed from a container that has been used to hold any commercial chemical product or manufacturing chemical intermediate having the generic name listed in paragraph (5) of this section, unless:

(a) The container or inner liner has been triple rinsed using a solvent capable of removing the commercial chemical product or manufacturing chemical intermediate;

(b) The container or inner liner has been cleaned by another method that has been shown in the scientific literature, or by tests conducted by the generator, to achieve equivalent removal; or

(c) In the case of a container, the inner liner that prevented contact of the commercial chemical product or manufacturing chemical intermediate with the container, has been removed.

(4) Any residue or contaminated soil, water or other debris resulting from the cleanup of a spill, into or on any land or water, of any commercial chemical product or manufacturing chemical intermediate having the generic name listed in paragraphs (5) or (6) of this Section.

(Comment; The phrase "commercial chemical product or manufacturing chemical intermediate having the generic name listed in . . ." refers to a chemical substance which is manufactured or formulated for commercial or manufacturing use. It does not refer to a material, such as a manufacturing process waste, that contains any of the substances listed in paragraphs (5) or (6). Where a manufacturing process waste is deemed to be a hazardous waste because it contains a substance listed in paragraphs (5) or (6), such waste will be listed in either A or B or will be identified as a hazardous waste by the characteristics set forth in Category III.)

(5) The commercial chemical products or manufacturing chemical intermediates, referred to in paragraphs (1) through (4) of

this section, are identified as acute hazardous wastes (H). These wastes and their corresponding EPA Hazardous Waste Numbers are

Hazardous waste No.	Substance
1080	see P058
1081	see P057
	(Acetato) phenylmercury see P092
	Acetone cyanohydrin see P069
P001	3-(alpha-Acetylbenzyl)-4-hydroxycoumarin and salts
P002	1-Acetyl-2-thiourea
P003	Acrolein
	Agarin see P007
	Agrosan GN 5 see P092
	Aldicarb see P069
	Aldifen see P048
P004	Aldrin
	Algimycin see P092
P005	Allyl alcohol
P006	Aluminum phosphide (R)
	ALVIT see P037
	Aminoethylene see P054
P007	5-(Aminomethyl)-3-isoxazolol
P008	4-Aminopyridine
	Ammonium metavanadate see P119
P009	Ammonium picrate (R)
	ANTIMUCIN WDR see P092
	ANTURAT see P073
	AQUATHOL see P088
	ARETIT see P020
	P010 Arsenic acid
P011	Arsenic pentoxide
P012	Arsenic trioxide
	Athrombin see P001
	AVITROL see P008
	Aziridene see P054
	AZOFOS see P061
	Azophos see P061
	BANTU see P072
P013	Barium cyanide
	BASENITE see P020
	BCME see P016
P014	Benzenethiol
	Benzoepin see P050
P015	Beryllium dust
P016	Bis(chloromethyl) ether
	BLADAN-M see P071
P017	Bromoacetone
P018	Brucine
P019	2-Butanone peroxide
	BUFEN see P092
	Butaphene see P020
P020	2-sec-Butyl-4, 6-dinitrophenol
P021	Calcium cyanide
	CALDON see P020
P022	Carbon disulfide
	CERESAN see P092
	CERESAN UNIVERSAL see P092
	CHEMOX GENERAL see P020
	CHEMOX P.E. see P020
	CHEM-TOL see P090
P023	Chloroacetaldehyde
P024	p-Chloroaniline
P025	1-(p-Chlorobenzoyl)-5-methoxy-2-methylindole-3-acetic acid
P026	1-(o-Chlorophenyl) Thiourea
P027	3-Chloropropionitrile
P028	alpha-Chlorotoluene
P029	Copper cyanide
	CRETOX see P108
	Coumadin See P001
	Coumafen See P001
P030	Cyanides
P031	Cyanogen
P032	Cyanogen bromide
P033	Cyanogen chloride
	Cyclodan see P050
P034	2-Cyclohexyl-4,6-dinitrophenol
	D-CON see P001
	DETHMOR see P001
	DETHNEL see P001
	DFP see P043
P035	2,4-Dichlorophenoxyacetic acid (2,4-D)
P036	Dichlorophenylarsine
	Dicyanogen see P031
P037	Dieldrin
	DIELDREX see P037
P038	Diethylarsine
P039	0,0-Diethyl-S-(2-(ethylthio)ethyl)ester of phosphorothioic acid
P040	0,0-Diethyl-0(2-pyrazinyl)phosphorothioate
P041	0,0-Diethyl phosphoric acid, 0-p-nitrophenyl ester
P042	3,4-Dihydroxy-alpha-(methylamino)-methyl benzyl alcohol
P043	Di-isopropyifluorophosphate
	DIMETATE see P044
	1,4,5,8-Dimethanonaphthalene,
	1,2,3,4,10-hexachoro-1,4,4a,5,8,8a-hexahydro endo, endo see P060
P044	Dimethoate
P045	3,3-Dimethyl:1-(methylthio)-2-butanone-0-((methylamino)carbonyl) oxime
P046	alpha, alpha-Dimethylphenethylamine
	Dinitrocyclohexylphenol see P034
P047	4,6-Dinitro-o-cresol and salts
P048	2,4 Dinitrophenol
	DINOSEB see P020
	DINOSEBE see P020
	Disulfoton see P039
P049	2,4-Dithiobiuret
	DNBP see P020
	DOLCO MOUSE CEREAL see P108
	DOW GENERAL see P020
	DOW GENERAL WEED KILLER see P020
	DOW SELECTIVE WEED KILLER see P020
	DOWICIDE G see P090
	DYANACIDE see P092
	EASTERN STATES DUOCIDE see P001
	ELGETOL see P020
P050	Endosulfan
P051	Endrin
	Epinephrine see P042
P052	Ethylcyanide
P053	Ethylenediamine
P054	Ethyleneimine
	FASCO FASCRAT POWDER see P001
	FEMMA see P091
P055	Ferric cyanide
P056	Fluorine
P057	2-Fluoroacetamide
P058	Fluoroacetic acid, sodium salt
	FOLODOL-80 see P071
	FOLODOL M see P071
	FOSFERNO M50 see P071
	FRATOL see P058
	Fulminate of mercury see P065

- FUNGITOX OR *see* P092
 FUSSOF *see* P057
 GALLOTOX *see* P092
 GEARPHOS *see* P071
 GERUTOX *see* P020
- P059 Heptachlor
 P060 1,2,3,4,10,10-Hexachloro-1,4,4a,5,8,8a-hexahydro-1,4:5,8-endo, endo-dimethanonaphthalene
 1,4,5,6,7,7-Hexachloro-cyclic-5-norbomene-2,3-dimethanol sulfite *see* P050
 P061 Hexachloropropene
 P062 Hexaethyl tetraphosphate
 HOSTAQUICK *see* P092
 HOSTAQUICK *see* P092
 Hydrazomethane *see* P068
 P063 Hydrocyanic acid
 ILLOXOL *see* P037
 INDOCI *see* P025
 Indomethacin *see* P025
 INSECTOPHENE *see* P050
 Isodrin *see* P060
 P064 Isocyanic acid, methyl ester
 KILOSEB *see* P020
 KOP-THIODAN *see* P050
 KWIK-KIL *see* P108
 KWIKSAN *see* P092
 KUMADER *see* P001
 KYPFARIN *see* P001
 LEYTOSAN *see* P092
 LIQUIPHENE *see* P092
 MALIK *see* P050
 MAREVAN *see* P001
 MAR-FRIN *see* P001
 MARTIN'D MAR-FRIN *see* P001
 MAVERAN *see* P001
 MEGATOX *see* P005
 P065 Mercury fulminate
 MERSOLITE *see* P092
 METACID 50 *see* P071
 METAFOS *see* P071
 METAPHOR *see* P071
 METAPHOS *see* P071
 METASOL 30 *see* P092
 P066 Methomyl
 P067 2-Methylaziridine
 METHYL-E 605 *see* P071
 P068 Methyl hydrazine
 Methyl isocyanate *see* P064
 P069 2-Methylactonitrile
 P070 2-Methyl-2-(methylthio) propionaldehyde-o-(methylcarbonyl) oxime
 METHYL NIRON *see* P042
 P071 Methyl parathion
 METRON *see* P071
 MOLE DEATH *see* P108
 MOUSE-NOTS *see* P108
 MOUSE-RID *see* P108
 MOUSE-TOX *see* P108
 MUSCIMOLS *see* P007
 P072 1-Naphthyl-2-thiourea
 P073 Nickel carbonyl
 P074 Nickel cyanide
 P075 Nicotine and salts
 P076 Nitric oxide
 P077 p-Nitroaniline
 P078 Nitrogen dioxide
 P079 Nitrogen peroxide
 P080 Nitrogen tetroxide
 P081 Nitroglycerine (R)
 P082 N-Nitrosodimethylamine
 P083 N-Nitrosodiphenylamine
 P084 N-Nitrosomethylvinylamine
 NYLMERATE *see* P092
 OCTALOX *see* P037
 P085 Octamethylpyrophosphoramidate
 OCTAN *see* P092
 P086 Oleyl alcohol condensed with 2 moles ethylene oxide
 OMPA *see* P085
 OMPACIDE *see* P085
 OMPAX *see* P085
 P087 Osmium tetroxide
 P088 7-Oxabicyclo(2.2.1)Heptane-2, 3-dicarboxylic acid
 PANIVARFIN *see* P001
 PANORAM D-31 *see* P037
 PANTHERINE *see* P007
 PANWARFIN *see* P001
 P089 Parathion
 PCP *see* P090
 PENNCAP-M *see* P071
 PENOXYL CARBON N *see* P048
 P090 Pentachlorophenol
 Pentachlorophenate *see* P090
 PENTA-KILL *see* P090
 PENTASOL *see* P090
 PENWAR *see* P090
 PERMICIDE *see* P090
 PERMAGUARD *see* P090
 PERMATOX *see* P090
 PERMITE *see* P090
 PERTOX *see* P090
 PESTOX III *see* P085
 PHENMAD *see* P092
 PHENOTAN *see* P020
 P091 Phenyl cichloroarsine
 Phenyl mercaptan *see* P014
 P092 Phenylmercury acetate
 P093 N-Phenylthiourea
 PHILIPS 1861 *see* P008
 PHIX *see* P092
 P094 Phorate
 P095 Phosgene
 P096 Phosphine
 P097 Phosphorothioic acid, 0,0-dimethyl ester, 0-ester with N,N-dimethyl benzene sulfonamide
 Phosphorothioic acid 0,0-dimethyl-0-(p-nitrophenyl) ester *see* P071
 PIED PIPER MOUSE SEED *see* P108
 P098 Potassium cyanide
 P099 Potassium silver cyanide
 PREMERGE *see* P020
 P100 1,3-Propanediol
 Propargyl alcohol *see* P102
 P101 Propionitrile
 P102 2-Propyn-1-ol
 PROTHROMADIN *see* P001
 QUICKSAM *see* P092
 QUINTOX *see* P037
 RAT AND MICE BAIT *see* P001
 RAT-A-WAY *see* P001
 RAT-B-GON *see* P001
 RAT-O-CIDE #2 *see* P001
 RAT-GUARD *see* P001
 RAT-KILL *see* P001
 RAT-MIX *see* P001
 RATS-NO-MORE *see* P001
 RAT-OLA *see* P001

RATOREX see P001
 RATTUNAL see P001
 RAT-TROL see P001
 RO-DETH see P001
 RO-DEX see P108
 ROSEX see P001
 ROUGH & READY MOUSE MIX see P001
 SANSASEED see P108
 SANTOBRITE see P090
 SANTOPHEN see P090
 SANTOPHEN 20 see P090
 SCHRADAN see P085
 P103 Selenourea
 P104 Silver YANIDE
 SMITE see P105
 SPARIC see P020
 SPOR-KIL see P092
 SPRAY-TROL BRAND RODEN-TROL see P001
 SPURGE see P020
 P105 Sodium azide
 Sodium coumadin see P001
 P106 Sodium cyanide
 Sodium fluoroacetate see P056
 SODIUM WARFARIN see P001
 SOLFARIN see P001
 SOLFOBLACK BB see P048
 SOLFOBLACK SB see P048
 P107 Strontium sulfide
 P108 Strychnine and salts
 SUBTEX see P020
 SYSTAM see P085
 TAG FUNGICIDE see P092
 TEKWAISA see P0971
 TEMIC see P070
 TEMIK see P070
 TERMI-I-TROL see P090
 P109 Tetraphosphoric acid, hexaethyl ester see P062
 P110 Tetraethyl lead
 P111 Tetraethylpyrophosphate
 P112 Tetranitromethane
 Tetraphosphoric acid, hexaethyl ester see P062
 TETROSULFUR BLACK BP see P048
 TETROSULPHUR PBR see P048
 P113 Thallic oxide
 Thallium peroxide see P113
 P114 Thallium selenite
 P115 Thallium (1) sulfate
 THIFOR see P092
 THIMUL see P092
 THIODAN see P050
 THIOFOR see P050
 THIOMUL see P050
 THIONEX see P050
 THIOPHENIT see P071
 P116 Thiosemicarbazide
 Thiosulfan tionel see P050
 P117 Thiuram
 THOMPSON'S WOOD FIX see P090
 TIOVEL see P050
 P118 Trichloromethanethiol
 TWIN LIGHT RAT AWAYS see P001
 USAF-RH-8 see P069
 USAF EK-4890 see P002
 P119 Vanadic acid, ammonium salt
 P120 Vanadium pentoxide
 VOFATOX see P071
 WANADU see P120
 WARCOUMIN see P001

WARFARIN SODIUM see P001
 WARFICIDE see P001
 WOFOTOX see P072
 YANOCK see P057
 YASOKNOCK see P058
 ZIARNIK see P092
 P121 Zinc cyanide
 P122 Zinc phosphide (R,T)
 ZOOCOUMARIN see P001
 (6) Commercial chemical products or manufacturing intermediates are those referred to in paragraphs (1), (2) and (4) of this section. These wastes are not in the acutely hazardous (H) category, but are identified as toxic wastes (T) unless otherwise designated. These wastes and their corresponding EPA Hazardous Waste Numbers are:

Hazardous Waste No.	Substance
AAF see U005	
U001	Acetaldehyde
U002	Acetone (I,T)
U003	Acetonitrile (I,T)
U004	Acetophenone
U005	2-Acetylaminoflourine
U006	Acetyl chloride (C,T)
U007	Acrylamide
	Acetylene tetrachloride see U209
	Acetylene trichloride see U228
U008	Acrylic acid (I)
U009	Acrylonitrile
	AEROTHENE TT see U226
	3-Amino-5-(p-acetamidophenyl)-1H-1,2,4-triazole, hydrate see U011
U010	6-Amino-1,1a,2,8,8a,8b-hexahydro-8-(hydroxymethyl)8-methoxy-5-methyl carbamate azirino (2',3':3,4) pyrrolo(1,2-a) indole-4, 7-dione (ester)
U011	Amitrole
U012	Aniline (I)
U013	Asbestos
U014	Auramine
U015	Azaserine
U016	Benz(c)acridine
U017	Benzal chloride
U018	Benz(a)anthracene
U019	Benzene
U020	Benzenesulfonyl chloride (C,R)
U021	Benzidine
	1,2-Benzisothiazonlin-3-one, 1,1-dioxide see U202
U022	Benzo (a) pyrene
U023	Benzotrchloride (C,R,T)
U024	Bis(2-chloroethoxy) methane
U025	Bis(2-chloroethyl) ether
U026	N,N-Bis(2-chloroethyl)-2-naphthylamine
U027	Bis(2-chloroisopropyl) ether
U028	Bis(2-ethylhexyl) phthalate
U029	Bromomethane
U030	4-Bromophenyl phenyl ether
U031	n-Butyl alcohol (I)
U032	Calcium chromate
	Carbolic acid see U188
	Carbon tetrachloride see U211
U033	Carbonyl fluoride
U034	Chloral
U035	Chlorambucil
U036	Chlordane
U037	Chlorobenzene
U038	Chlorobenzilate
U039	p-Chloro-m-cresol

U040 Chlorodibromomethane
 U041 1-Chloro-2,3-epoxypropane
 CHLOROETHENE NU see U226
 U042 Chloroethyl vinyl ether
 U043 Chloroethene
 U044 Chloroform (I,T)
 U045 Chloromethane (I,T)
 U046 Chloromethyl methyl ether
 U047 2-Chloronaphthalene
 U048 2-Chlorophenol
 U049 4-Chloro-o-toluidine hydrochloride
 U050 Chrysene
 C.I. 23060 see U073
 U051 Cresote
 U052 Cresols
 U053 Crotonaldehyde
 U054 Cresylic acid
 U055 Cumene
 Cyanomethane see U003
 U056 Cyclohexane (I)
 U057 Cyclohexanone (I)
 U058 Cyclophosphamide
 U059 Daunomycin
 U060 DDD
 U061 DDT
 U062 Diallate
 U063 Dibenz(a,h)anthracene
 Dibenzo(a,h)anthracene see U063
 U064 Dibenzo(a,i)pyrene
 U065 Dibromochloromethane
 U066 1,2-Dibromo-3-chloropropane
 U067 1,2-Dibromoethane
 U068 Dibromomethane
 U069 Di-n-butyl phthalate
 U070 1,2-Dichlorobenzene
 U071 1,3-Dichlorobenzene
 U072 1,4-Dichlorobenzene
 U073 3,3'-Dichlorobenzidine
 U074 1,4-Dichloro-2-butene
 3,3'-Dichloro-4,4'-diaminobiphenyl see U073
 U075 Dichlorodifluoromethane
 U076 1,1-Dichloroethane
 U077 1,2-Dichloroethane
 U078 1,1-Dichloroethylene
 U079 1,2-trans-dichloroethylene
 U080 Dichloromethane
 Dichloromethylbenzene see U017
 U081 2,4-Dichlorophenol
 U082 2,6-Dichlorophenol
 U083 1,2-Dichloropropane
 U084 1,3-Dichloropropane
 U085 Diepoxybutane (I,T)
 U086 1,2-Diethylhydrazine
 U087 0,0-Diethyl-S-methyl ester of phosphorodithioic acid
 U088 Diethyl phthalate
 U089 Diethylstilbestrol
 U090 Dihydrosafrole
 U091 3,3'-Dimethoxybenzidine
 U092 Dimethylamine (I)
 U093 p-Dimethylaminoazobenzene
 U094 7,12-Demimethylbenz(a)anthracene
 U095 3,3'-Dimethylbenzidine
 U096 alpha, alpha-Dimethylbenzylhydroperoxide (R)
 U097 Dimethylcarbamoyl chloride
 U098 1,1-Dimethylhydrazine
 U099 1,2-Dimethylhydrazine
 U100 Dimethylnitrosamine
 U101 2,4-Dimethylphenol
 U102 Dimethyl phthalate
 U103 Dimethyl sulfate
 U104 2,4-Dinitrophenol
 U105 2,4-Dinitrotoluene
 U106 2,6-Dinitrotoluene
 U107 Di-in-octyl phthalate
 U108 1,4-Dioxane
 U109 1,2-Diphenylhydrazine
 U110 Dipropylamine (I)
 U111 Di-n-propylnitrosamine
 EBDC see U114
 1,4-Epoxybutane see U213
 U112 Ethyl acetate (I)
 U113 Ethyl acrylate (I)
 U114 Ethylenebisdithiocarbamate
 U115 Ethylene oxide (I,T)
 U116 Ethylene thiourea
 U117 Ethyl ether (I,T)
 U118 Ethylmethacrylate
 U119 Ethyl methanesulfonate
 Ethyl nitrile see U003
 Firemaster T23P see U235
 U120 Fluoroanthene
 U121 Fluorotrichloromethane
 U122 Formaldehyde
 U123 Formic acid (C,T)
 U124 Furan (I)
 U125 Furfural (I)
 U126 Glycidylaldehyde
 U127 Hexachlorobenzene
 U128 Hexachlorobutadiene
 U129 Hexachlorocyclohexane
 U130 Hexachlorocyclopentadiene
 U131 Hexachloroethane
 U132 Hexachlorophene
 U133 Hydrazine (R,T)
 U134 Hydrofluoric acid (C,T)
 U135 Hydrogen sulfide
 Hydroxybenzene see U188
 U136 Hydroxydimethyl arsine oxide
 4,4'-(imidocarbonyl)bis(N,N-dimethyl)aniline see U014
 U137 Indenol(1,2,3-cd)pyrene
 U138 Iodomethane
 U139 Iron Dextran
 U140 Isobutyl alcohol
 U141 Isosafrole
 U142 Kepone
 U143 Lasiocarpine
 U144 Lead acetate
 U145 Lead phosphate
 U146 Lead subacetate
 U147 Maleic anhydride
 U148 Maleic hydrazide
 U149 Malononitrile
 MEK Peroxide see U180
 U150 Melphalan
 U151 Mercury
 U152 Methacrylonitrile
 U153 Methanethiol
 U154 Methanol
 U155 Methapyrilene
 Methyl alcohol see U154
 U156 Methyl chlorocarbonate
 Methyl chloroform see U226
 U157 3-Methylcholanthrene
 Methyl chloroformate see U156
 U158 4,4'-Methylene-bis-(2-chloroaniline)
 U159 Methyl ethyl ketone (MEK) (I,T)

U160 Methyl ethyl ketone peroxide (R)
Methyl iodide see U138

U161 Methyl isobutyl ketone

U162 Methyl methacrylate (R,T)

U163 N-Methyl-N'-nitro-N-nitrosoguanidine

U164 Methylthiouracil
Mitomycin C see U010

U165 Naphthalene

U166 1,4-Naphthoquinone

U167 1-Naphthylamine

U168 2-Naphthylamine

U169 Nitrobenzene (I,T)
Nitrobenzol see U169

U170 4-Nitrophenol

U171 2-Nitropropane (I)

U172 N-Nitrosodi-n-butylamine

U173 N-Nitrosodiethanolamine

U174 N-Nitrosodiethylamine

U175 N-Nitrosodi-n-propylamine

U176 N-Nitroso-n-ethylurea

U177 N-Nitroso-n-methylurea

U178 N-Nitroso-n-methylurethane

U179 N-Nitrosopiperidine

U180 N-Nitrosopyrrolidine

U181 5-Nitro-o-toluidine

U182 Paraldehyde
PCNB see U185

U183 Pentachlorobenzene

U184 Pentachloroethane

U185 Pentachloronitrobenzene

U186 1,3-Pentadiene (I)
Perc see U210
Perchloroethylene see U210

U187 Phenacetin

U188 Phenol

U189 Phosphorous sulfide (R)

U190 Phthalic anhydride

U191 2-Picolene

U192 Pronamide

U193 1,3-Propane sulfone

U194 n-Propylamine (I)U196 Pyridine

U197 Quinones

U200 Reserpine

U201 Resorcinol

U202 Saccharin

U203 Safrole

U204 Selenious acid

U205 Selenium sulfide (R,T)
Silvex see U233

U206 Streptozolocin
2,4,5-T see U232

U207 1,2,4,5-Tetrachlorobenzene

U208 1,1,1,2-Tetrachloroethane

U209 1,1,2,2-Tetrachloroethane

U210 Tetrachloroethene
Tetrachloroethylene see U210

U211 Tetrachloromethane

U212 2,3,4,6-Tetrachlorophenol

U213 Tetrahydrofuran (I)

U214 Thallium (I) acetate

U215 Thallium (I) carbonate

U216 Thallium (I) chloride

U217 Thallium (I) nitrate

U218 Thioacetamide

U219 Thiourea

U220 Toluene

U221 Toluenediamine

U222 o-Toluidine hydrochloride

U223 Toluene diisocyanate

U224 Toxaphene
2,4,5-TP see U233

U225 Tribromomethane

U226 1,1,1-Trichloroethane

U227 1,1,2-Trichloroethane

U228 Trichloroethene
Trichloroethylene see U228

U229 Trichlorofluoromethane

U230 2,4,5-Trichlorophenol

U231 2,4,6-Trichlorophenol

U232 2,4,5-Trichlorophenoxyacetic acid

U233 2,4,5-Trichlorophenoxypropionic acid
alpha, alpha, alpha-Trichlorotoluene see U023
TRI-CLENE see U228

U234 Trinitrobenzene (R,T)

U235 Tris(2,3-dibromopropyl) phosphate

U236 Trypan blue

U237 Uracil mustard

U238 Urethane
Vinyl chloride see U043
Vinylidene chloride see U078

U239 Xylene

Amendment to Appendix A Category III, D, Toxicity: Insert the following after Table a-4;

5) Wastes that when subjected to the Extraction Procedure (EP), in accordance with relevant procedures and methodologies specified in "Test Methods for the Evaluation of Solid Waste, Physical/Chemical Methods" (EPA publication), and as further elaborated in Appendix II-EP Toxicity Test Procedure (Federal Register, Vol. 45, No. 98, pp. 33127-33129), reveal the presence of any of the contaminants listed below, at or above the cited concentration. Where the waste contains less than 0.5 percent filterable solids, the waste itself, after filtering, is considered to be the extract for the purpose of this section. A solid waste that exhibits the characteristic of EP Toxicity, but is not listed in category I or II, has the EPA Hazardous Waste Number specified in the following list of contaminants which corresponds to the toxic contaminant causing it to be hazardous:

Maximum Concentration of
Contaminants for Characteristic of EP Toxicity

EPA Hazardous Waste No.	Maximum Concentration (mg/l)	Contaminant
D004	5.0	Arsenic
D005	100.0	Barium
D006	1.0	Cadmium
D007	5.0	Chromium
D008	5.0	Lead
D009	0.2	Mercury
D010	1.0	Selenium
D011	5.0	Silver
D012	0.02	Endrin (1,2,3,4,10,10-hexachloro-1,7-epoxy-1,4,4a,5,6,7,8,8a-octahydro-1,4-endo,5,8-dimethano naphthalene)
D013	0.4	Lindane (1,2,3,4,5,6-hexachlorocyclohexane, gamma isomer)
D014	10.0	Methoxychlor (1,1,1-trichloro-2,2-bis(p-methoxyphenyl)ethane)
D015	0.5	Toxaphene (C ₁₀ H ₁₀ Cl ₈ , technical chlorinated camphene, 67-69 percent chlorine)

D016	10.0	2,4-D (2,4-Dichlorophenoxy-acetic acid)
D017	1.0	2,4,5-TP Silvex (2,4,5-trichlorophenoxypropionic acid).

Frank A. Ashby, Jr.
Chairman
Environmental Control Commission

RULE

Department of Public Safety Office of the Secretary

The ever increasing volume of hazardous materials being moved about our country by various transportation systems creates increasing responsibility on emergency service personnel. Getting alert and trained personnel to the scene of a hazardous materials accident/incident is of utmost importance. On-scene appraisal of the immediate situation is the key to preventing additional injury, loss of life and property. Effective coordination in its earliest stages can avert added complications in subsequent stages of an emergency.

In order to effectively gain control of the affected area, the first person on the scene should ascertain by the quickest means the type of material being transported. From this information, along with his on-scene appraisal, immediate priorities can be established and adjusted throughout the emergency period. Once positive identification of a material is made, other support systems may be utilized, such as CHEM-TREC, the material manufacturer, etc.

In some organizations, there is a tendency to appoint a central authority for all contingency plans. In a hazardous material emergency, however, the situation can be altered so dramatically in such a short period of time, that no time can be lost in making decisions. If those emergency service personnel first on the scene collect available data but are forced to wait for arrival of some central authority before any decisions can be made, then the possibility exists that a serious hazardous material emergency will occur regardless of the efficiency of those personnel who first arrived on the scene. The reason for the existence of a response plan is to control a situation as quickly as possible, minimizing the consequences of the initial incident.

Consideration should not only be given to immediate and pressing needs to combat a hazard, but also to secondary or long-range hazards, such as health and environmental hazards brought on by spills and other means of contamination.

In order to adapt this plan statewide, one central telephone number for reporting purposes is necessary to establish communication that will trigger an effective response plan into motion.

The Hazardous Material Response Plan will address itself to communication, response, coordination, reaction and action.

I. Responsibility of Responding Agency—In the event of a hazardous material incident, the initial responding agency will be determined by location. In the event of an urban hazardous material incident, either the fire department or the police department may be first on the scene. If the police department arrives first, they shall remain in charge of the scene until the arrival of a qualified fire department, at which time they may relinquish control of the hazardous material incident and offer assistance. If the incident occurs in a rural area, the State Police trooper will probably be dispatched. The trooper will control the scene until a qualified fire department or other agency capable of handling the hazardous material incident arrives. The State Police may then relinquish control and offer whatever assistance is deemed necessary. If the incident/accident occurs on a state or federal highway system, or a railroad grade crossing of these highways outside incorporated

municipalities, the State Police will be the primary controlling law enforcement agency. The troopers will control the scene until the local elected sheriff asks that control be relinquished to him. Complete cooperation between responding agencies is of utmost importance in order to bring a hazardous material incident to a satisfactory conclusion.

The Department of Public Safety, Office of State Police, Hazardous Materials Section's role as outlined in Act 83 of the Louisiana Legislature of 1979 is to "coordinate the implementation of a transportation emergency response system." In essence, this means the Office of State Police is the state agency responsible for coordinating all other local, state, and federal agencies in regards to a hazardous materials incident and/or accident.

II. Initial Response—Perhaps the most basic step of initial response is parking the vehicle safely. Often times, the strategic location of a patrol car actually protects the scene or perhaps even closes a route of approach. Although care should be exercised to avoid spilled substances or escaping vapors, and an appropriate distance should be placed between the vehicle and the scene, the responding agent must bear in mind that the unit's radio may be the only line of communication for quite some time.

As soon as possible, the material involved in the incident must be identified. Emergency personnel must be familiarized with simple means of achieving this. The U. S. Department of Transportation system of placards, container shapes, and valve configurations on containers such as tank trucks and rail cars provides easy, visual, and immediate identification into broad categories. Documents carried by the engineer or conductor in rail cars or the driver of a common carrier provide specific information important to course of action which will soon be dictated. Emergency response personnel must be trained to seek the persons and the information as close to their arrival as practicable.

Accurate identification is the basis for determining the potential danger posed by the incident. What is involved, how much is involved, population density, WIND DIRECTION and what facilities or institutions are threatened must be quickly determined. As must be the question of fire, spills and leaks, or the imminent threat thereof, in order that the actual response be initiated. Only once an accurate, thorough assessment of potential danger has been made can an intelligent, professional response be activated, coordinated and maintained.

III. Coordination—Much overlap will occur during the first few minutes of any hazardous material incident between the response and coordination phase. So much so that in fact, many of the individual steps are interchangeable, and with skillful application, much of the initial response phase and the coordination phase may be accomplished simultaneously.

In order to insure safety and economy of personnel, the best avenue of response should be suggested quickly, keeping in mind that various responding agencies may need to respond to different locations of the incident. Large industrial complexes, and locations bisected by railways pose special response problems. Much time should be taken during pre-emergency planning sessions to minimize the detrimental effects of such logistical problems. With the arrival of sufficient personnel, the perimeter can be established or strengthened and evacuation and/or investigation can commence.

Crucial to the successful coordination of any emergency where many different agencies have responded is communication. Therefore, it is essential that an on-scene command post be immediately established in order that the greatest economy of personnel, and least duplication of effort be achieved. This is most easily accomplished by assigning one radio-equipped member of (not necessarily command element) each responding agency to a central location such as a strategically located vehicle of the agency first on the scene. Emergency personnel must be trained and the habit instilled, to instinctively search out the responsible elements of the other agencies so that the establishment of an on-scene command post be facilitated. This, however, is NOT the place for

the policy making level officials of government and other agencies. Their efforts will be enhanced and their thinking clearer if they gather, for example, at a pre-established Emergency Operations Center (EOC).

At this point, the reporting agent shall then notify by the fastest available means (but not necessarily in this order)

1. State of Louisiana Hazardous Material Response Center (504-925-6595 collect).

2. Sheriff's office and local police.
3. Fire service.

Additionally, an accurate listing of the following agencies should be compiled in order that they may be notified as soon as possible depending on the scope of the incident.

1. Mayor/President of Police Jury.
2. Hospital/medical assistance.
3. Ambulance.
4. Mutual Aid.
5. Civil Defense.
6. Red Cross.
7. Heavy equipment.
8. Louisiana Department of Transportation and Development (DOTD).
9. National Guard.
10. Utility companies.
11. Shipper and manufacturer.
12. Weather Bureau.
13. Local school board.
14. Any other assistance as may be necessary.

IV. Summary—The response to and the proper handling of a hazardous material incident can only be accomplished through the coordinated efforts of all responding emergency personnel.

Donald G. Bollinger
Secretary

RULE
Department of Public Safety
Office of State Police

Regulations Governing the Transportation
of Hazardous Materials and Hazardous Wastes

Part I—General

§1.1 Authority.

(a) Part II of these regulations governing the transportation of hazardous materials is established by the Department of Public Safety as mandated by Act 83 of the Regular Session of the Legislature, 1979.

(b) Part III of these regulations governing the transportation of hazardous wastes is established by the Department of Public Safety as mandated by Act 334 of the Regular Session of the Legislature, 1978, as superseded by Act 449 of the Regular Session of the Legislature, 1979.

(c) These regulations may be cited as the Hazardous Materials/Wastes Regulations (HMR).

§1.2 Driving and piloting qualifications.

(a) Notwithstanding any other provision of law or regulation, no person may be licensed to drive, pilot, or otherwise be in charge of any transport vehicle transporting hazardous material or any material designated as hazardous waste, if that person has any disorder characterized by a lapse of consciousness or other mental or physical disability affecting the ability to drive, pilot, or otherwise be in charge safely.

(b) Pursuant to Section 1516B of the Act, the Secretary of the Department of Health and Human Resources shall provide a medical evaluation and recommendation as to which disorders are characterized by a lapse of consciousness and which types of mental or physical disability will affect the ability of a person to drive or pilot safely. Based on these recommendations, the Secret-

ary of the Department of Public Safety shall prescribe a listing of disorders and disabilities which make a person ineligible for a license pursuant to this section.

(c) This section becomes effective on January 1, 1982.

For the purpose of these regulations the words defined in this section have the following meanings, unless the context of use clearly indicates otherwise.

§1.3 Definitions — For the purpose of these regulations the words defined in this section have the following meanings, unless the context of use clearly indicates otherwise.

“Act” means (a) for the purposes of Part II, Act 83 of 1979, and (b) for the purposes of Part III, Act 334 of 1978, as superseded by Act 449.

“Carrier” means any person who transports in a transport vehicle hazardous materials, or hazardous wastes, subject to these regulations, and includes a common, contract or private carrier.

“Common carrier” means any carrier other than a contract carrier or private carrier.

“Contract carrier” means a for-hire carrier who transports materials tendered exclusively by shippers under special contract and whose services are not available to the public.

“Department” means the Department of Public Safety.

“Facility” means a structure, pond, impoundment, or other unit of land, with appurtenances used for treating, storing, or disposing of hazardous wastes.

“Generator” means a person or government agency whose act or process produces hazardous wastes.

“Hazardous material” means any gaseous, liquid or solid material which, because of its quantity, concentration, physical, chemical, or biological concentration, poses a substantial presence of a potential hazard to human health, the environment, or property when transported in commerce and which is identified and designated as being hazardous by rules prescribed by the Secretary pursuant to §2.2 of Part II.

“Hazardous waste” means a solid waste or combination of waste which, because of quantity, concentration, or physical chemical or infectious characteristics, may

(a) Cause, or significantly contribute to, an increase in mortality or an increase in serious irreversible, or incapacitating reversible, illness.

(b) Or pose a substantial or potential hazard to human health or the environment when improperly treated, stored, transported or disposed of, or otherwise managed.

It does not include radioactive materials covered by §1105 of Act 334.

“Manifest” means the form used for identifying the quantity and composition, and the origin, routing and destination of hazardous waste during its transportation from the point of generation to the point of off-site disposal, treatment, or storage.

“Person” means a natural person, firm, association, partnership, corporation, co-partnership, joint venture, or other legal entity, state, municipality, commission, political subdivision, interstate body or federal agency.

“Private carrier” means a carrier who transports for its own use or for other purposes without reward or compensation.

“Secretary” means the Secretary of the Department of Public Safety.

“Transportation” means, with respect to hazardous waste, the movement from point of generation or storage to the point of treatment, storage or disposal. It does not include movement on the premises of a hazardous waste generator or on the premises of a permitted hazardous waste treatment, storage or disposal facility.

“Transport vehicle” means a motor vehicle, a rail freight car, freight container, cargo tank, portable tank, aircraft, or vessel used to transport hazardous material or hazardous waste.

Part II—Hazardous Materials

§2.1 Purpose and applicability.

(a) The purposes of the regulations in this Part II are to

(1) Provide for the transportation of hazardous materials in the state of Louisiana as necessary, incident to their use and for the economic prosperity of the people of the state of Louisiana and

(2) Provide for the loading and transportation of hazardous materials, because of their capacity for injury to human health, the environment, or property, and because of substantial danger to the citizens of Louisiana unless they are loaded and transported in a safe and prudent manner.

(b) This Part II applies to the transportation of hazardous materials within the state of Louisiana.

(c) This Part II implements and is supplementary to the Louisiana motor vehicle laws.

(d) Whenever in this Part II a reference is made to another law or regulation, the reference also applies to any amendment of the referenced law or regulation.

§2.2 Authority of Secretary to prescribe regulations.

(a) Pursuant to Section 1504 of the Act, the Secretary may adopt and prescribe regulations necessary to carry out the Act, Chapter 13 of Title 49 of the Louisiana Revised Statutes. Each regulation so prescribed shall be consistent with regulations of the United States Department of Transportation contained in Titles 46 and 49 of the Code of Federal Regulations relating to the transportation of hazardous materials.

(b) In finding that any material is hazardous for the purposes of this Part II, the Secretary shall consider the following with respect to that material.

(1) Actual or relative potential for harm to human health, the environment, or property, when the material is transported in commerce.

(2) Scientific evidence of the potential for harm, based on quantity, concentration, or chemical or biological composition.

(3) The state of current knowledge regarding the material.

(4) Its history and current pattern of harm.

(5) Its actual or potential volatility when combined with other common substances likely to be encountered during transportation in commerce.

(6) Its actual or relative potential for harm to human health if allowed to escape its containment.

(c) The regulations prescribed by the Secretary shall be consistent with Title 49 of the Code of Federal Regulations.

(d) Explosives as defined and regulated by R.S. 40:1471.1 through 1471.22, inclusive, are not hazardous materials regulated by this Part II.

§2.3 Regulations incorporated by reference—Pursuant to §2.2 of this Part, the following regulations are adopted by reference, except to the extent that they are clearly inconsistent with express provisions of these regulations.

(a) Title 46 “Shipping,” Code of Federal Regulations.

(1) Parts 30-60, Tank Vessels.

(2) Part 64, Marine Portable Tanks.

(3) Part 98, Bulk Cargoes.

(4) Part 148, Solids in Bulk.

(5) Part 151, Unmanned Barges.

(b) Title 49, “Transportation,” Code of Federal Regulations.

(1) Part 171, General Information, Regulations and Definitions.

(2) Part 172, Hazardous Materials Tables and Hazardous Materials Communications Regulations (The Secretary has found that the materials listed in the tables therein are hazardous materials pursuant to §2.2 of this Part II).

(3) Part 173, Shippers—General Requirements for Shipments and Packagings (less that part of Subpart C which applies to Class A explosives).

(4) Part 174, Carriage by rail (except as applicable to Class A explosives).

(5) Part 175, Carriage by aircraft (except as applicable to Class A explosives).

(6) Part 176, Carriage by vessel (except as applicable to Class A explosives).

(7) Part 177, Carriage by public highway (except as applicable to Class A explosives).

(8) Part 178, Shipping Container Specifications.

(9) Part 179, Specifications for Tank Cars.

(10) Parts 391 thru 397, inclusive, so far as they apply to the carriage of hazardous material.

All of the regulations adopted by this section are for sale by the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

§2.4 Alternate means of compliance: general.

(a) Upon a finding by the Secretary that an alternate means of compliance with any provision of the Act, §1.2 of Part I, or any provision of this part II, provides public protection equal to or greater than that which would be derived from compliance with that provision of the Act, §1.2 of Part I, or this Part II, as the case may be, he may authorize, in writing, the use of that alternate method.

(b) The carrier or any other person to whom an authorization is given shall carry a copy of it in each transport vehicle to which it applies.

(c) The Secretary may revoke any authorization issued under this section if he finds that (1) it no longer provides the degree of protection required when the authorization was issued, (2) the activity being performed under the authorization is not being performed in accordance with its terms, or (3) it is no longer necessary because of an amendment to the regulations.

(d) The Secretary may not issue an authorization for any interstate transportation or for any transportation for which an exemption has been issued by the U.S. Department of Transportation.

§2.5 Alternate means of compliance: procedures.

(a) Any person who is subject to this Part II may apply to the Secretary for an authorization for an alternate means of compliance with any provision of the Act, §1.2 of Part I, or any provision of this Part II.

(b) Each application for an authorization must

(1) Be submitted to the Department of Public Safety, Office of the Secretary, Box 66614, Baton Rouge, Louisiana 70896.

(2) Set forth the text or substance of the provision for which the authorization is sought.

(3) State the name, address and telephone number of the applicant.

(4) Include a detailed description of the proposal and any supporting information, drawings, plans, procedures, test results or calculations.

(5) State the chemical name, common name, hazard classification, form, quantities, properties, and characteristics of the material covered by the proposal.

(6) Describe all relevant shipping and accident experience.

(7) Specify the proposed modes of transportation.

(8) Identify any increased risks that are likely if the authorization is granted.

(9) Specify the safety measures which the applicant considers necessary or appropriate to compensate for any increased risks.

(10) State why the applicant thinks the proposal will provide public protection equal to or greater than that which would be derived from compliance with the Act or regulation.

(11) And state any reasons why the application should be processed on a priority or emergency basis, if any.

(c) To allow timely consideration, each request should be submitted at least sixty days before the requested effective date.

§2.6 Special permits and exemptions.

(a) The Secretary shall exempt any person from compliance with any provision of the Act or this Part II if that exemption would be identical to an exemption or special permit issued by the U.S.

Department of Transportation. The Secretary shall enforce the exemption or special permit to the extent it pertains to transportation subject to the Act or this Part II.

(b) Each person to whom an exemption is granted under this section shall mark the number of that exemption on each package to which it applies.

(c) Each exemption granted under this section is subject to the termination provisions that apply to its federal counterpart.

§2.7 Financial responsibility.

(a) Each carrier of hazardous materials shall acquire continuous coverage for each of its transport vehicles to which this Part II applies at a minimum coverage of \$300,000 public liability and \$200,000 property damage.

(b) The financial responsibility required by this section may be established by any one or a combination of the following.

(1) Evidence of liability insurance.

(2) Self-insurance, but the level of self-insurance may not be more than twenty percent of equity.

(3) Other evidence of financial responsibility acceptable to the Secretary, and approved by him in advance of the proposed use.

§2.8 Unsafe vehicles and containers.

(a) An officer, employee, or agent of the Department may declare unsafe and mark any transport vehicle or container as out-of-service if its condition, filling, equipment or protective devices would be hazardous to life or property during the transportation of hazardous material.

(b) Until all corrections required under this section have been made, no person may operate or authorize or require the operation, for the carriage of hazardous material, of a vehicle or container that has been marked out-of-service.

(c) Until all corrections required under this section have been made and the vehicle or container has been inspected and approved by an officer, employee, or agent of the Department, no person may remove an out-of-service marking from a transport vehicle or container.

§2.9 Shipping documents.

(a) No carrier may transport any hazardous material unless proper shipping documents describing the lading are carried on the vehicle or combination of vehicles.

(b) The description of the lading shall include at least the shipping name, classification, and weight or volume of the hazardous material.

(c) Whenever requested by an officer, employee, or agent of the Department, the carrier shall make the shipping documents available for inspection.

§2.10 Reporting of accidents or incidents.

(a) TELEPHONE REPORT—Each carrier involved in an incident or accident during the transportation, loading, or related storage of hazardous material shall report immediately by telephone (504-925-6595) to the Department, if that incident or accident involved.

(1) A fatality due to fire, explosion or any exposure to any hazardous material.

(2) Hospitalization of any person due to fire, explosion or any exposure to any hazardous material.

(3) Continuing danger to life, health, or property at the place of the accident or incident.

(4) Or estimated property damage of more than \$50,000.

(b) WRITTEN REPORT—Within fifteen days after the date of an incident or accident requiring a telephone report under this section, the carrier shall submit a written report thereon to the Department at the following address: Department of Public Safety, Hazardous Materials Unit, Box 66614, Baton Rouge, Louisiana 70896. The written report shall contain

(1) The time and place of the incident or accident.

(2) A description of any injuries to persons or property.

(3) Any continuing danger to life at the place of the incident or accident.

(4) Any other pertinent details.

(c) In the case of an incident or accident in the state of Louisiana involving hazardous materials that are not subject to this Part II, but which are subject to Title 46 or 49 of the Code of Federal Regulations, the carrier shall, at the time it files a report with the U. S. Department of Transportation send a copy of the report to the Department at the following address: Department of Public Safety, Hazardous Materials Unit, Box 66614, Baton Rouge, Louisiana 70896.

§2.11 Investigations, hearings, and other activities.

(a) In carrying out this Part II, the Secretary or his designee may.

(1) Conduct investigations.

(2) Make reports.

(3) Issue subpoenas.

(4) Conduct hearings.

(5) Require the production of relevant documents, records and property.

(6) Take depositions.

(7) And conduct, directly or indirectly, research development, demonstrations, or training activities.

(b) A subpoena may require the attendance of a witness or the production of documents or other tangible evidence in the possession or under the control of the person served, or both.

(c) Service of a subpoena is made by delivery to the person named in it. For a natural person, delivery may be made by handing it to him, leaving it at his office with the person in charge, leaving it at his dwelling or usual place of abode with some person of suitable age or discretion residing there, or by mailing it by registered or certified mail to the person's last known address. For a person other than a natural person, the subpoena may be served by handing it to a registered agent for service, or to any officer, director or agent in charge of any office of the person, or by mailing it to the last known address of the person by registered or certified mail.

(d) If there is a refusal to obey a subpoena served upon any person, the Secretary may request the Louisiana Department of Justice to seek the aid of a district court to compel that person to appear and give testimony, produce documents or other tangible evidence, or both.

§2.12 Authority of officers, employees, and agents.

(a) The Secretary of the Department of Public Safety may authorize any officer, employee, or agent of the Department to

(1) Enter, inspect and examine, at reasonable times and in a reasonable manner, the property or records of any person or carrier, to the extent that property or those records relate to the transportation of hazardous materials governed by this Part II.

(2) And stop or inspect, or both, any transportation vehicles or part thereof for any violation of the Act or this Part II.

(b) If requested by the owner or operator of the transport vehicle or part thereof, the officer, employee or agent shall display proper credentials issued to him under this Part II.

Enforcement

§2.13 Investigations: general.

(a) The Secretary may initiate an investigation relating to compliance by any person with the Act, any provision of this Part II, or any order issued thereunder. The Secretary encourages voluntary cooperation with investigations. When circumstances warrant, however, he may issue subpoenas to compel the attendance of witnesses or the production of documents.

(b) Investigations are conducted by persons designated by the Secretary for that purpose. Each person so designated may administer oaths and receive affirmations in the matter under investigation.

(c) The Secretary notifies each person who is under investigation and who is requested to furnish information or documents.

§2.14 Civil penalties; assessment and compromise.

(a) Any person who is determined by the Secretary, after written notice of probable violation and opportunity for a fair and impartial hearing, held in accordance with the Administrative Procedures Act, to have knowingly committed an act in violation of the Act or this Part II, is subject to a civil penalty of not more than \$10,000. If this violation is a continuing one, each day of the violation constitutes a separate offense.

(b) The notice of probable violation includes a statement of the regulations that the person is alleged to have violated, a statement of the factual allegations, notice of the amount of civil penalty for which the person may be liable, and a statement of the person's right to a hearing.

(c) In determining the amount of the penalty, the Secretary considers

(1) The nature, circumstances, extent, and gravity of the violation.

(2) The degree of culpability of the person charged.

(3) The person's history of previous offenses and ability to pay.

(4) The effect of the penalty on the person's ability to continue to operate.

(5) And any other matters that justice requires.

(d) The Secretary assesses the amount of the civil penalty by a written notice to the violator.

(e) At any time before referring a civil penalty to the Attorney General for collection under Section 1513 of the Act, the Secretary may compromise any civil penalty.

(f) The amount of any civil penalty assessed or compromised may be deducted from any amounts owed by the state to the violator.

(g) All amounts received from civil penalties shall be deposited to the General Fund of the state.

(h) In any case in which a person does not pay a civil penalty within thirty days after it is assessed or in which the Secretary cannot compromise a civil penalty to his satisfaction, the Secretary may, under Section 1513 of the Act, refer the matter of the Attorney General for recovery as provided in that section.

§2.15 Civil penalties: hearings.

(a) If a person who is charged with knowingly committing a violation of the Act or this Part II, after reasonable written notice of probable violation, elects to request a hearing on the violation, he shall (within thirty days after the date of the notice) submit a written request for a hearing to Department of Public Safety, Office of the Secretary, Box 66614, Baton Rouge, Louisiana 70896. The request must

(1) State the person's name and address.

(2) State, with respect to each allegation in the notice, whether it is admitted or denied.

(3) And state the issues the person will raise at the hearing.

(b) If the person charged with the violation does not request a hearing within thirty days after the date of the notice to him, the person waived his right to appear and contest the allegations, and the Secretary may, without further notice to the person, find the facts to be as alleged in the notice and may assess the penalty accordingly.

(c) If a hearing is requested, an official designated by the Secretary presides over the hearing. To the extent practicable, the hearing is held in the general vicinity of the place where the alleged violation occurred or at a place convenient to the alleged violator. Testimony shall be under oath and the hearing recorded verbatim.

(d) The presiding official may

(1) Administer oaths and affirmations.

(2) Issue subpoenas.

(3) Take or cause depositions to be taken.

(4) Rule on evidence and offers of proof.

(5) Examine witnesses.

(6) Regulate the course of the hearing.

(7) And take any other action permitted by law to expedite the hearing or aid in disposing of the issues.

(e) The person charged may appear and be heard on his own behalf or through counsel of his choice. He may offer relevant testimony or evidence and may conduct such cross examination as is required for a full disclosure of the facts.

(f) The presiding officer shall make his written recommendations in the case to the Secretary, for the Secretary's action.

§2.16 Criminal penalties.

(a) Section 1514 A of the Act provides a criminal penalty of a fine of not more than \$1,000 or imprisonment for not more than one year, or both, for any person who violates any provision of the Act or this Part II.

(b) Section 1514 B of the Act provides a criminal penalty of a fine of not less than \$5,000 or more than \$10,000 or imprisonment with or without hard labor for not less than five years or more than ten years, or both, for any person who willfully violates any provision of the Act or this Part II.

§2.17 Injunctions.

(a) Section 1515 of the Act provides that if the Secretary considers that an imminent hazard exists with respect to the transportation of a hazardous material, he may petition the district court in the parish in which the person sought to be enjoined resides or in the parish in which the danger exists, for a restraining order to restrain that person from performing any act creating the hazard, or for any other order necessary to eliminate or ameliorate the hazard. The Secretary may take the action without posting a bond and any action taken by him in good faith exempts him from suit for civil damages.

(b) For the purposes of this section, an "imminent hazard" exists if there is a substantial likelihood that death, serious illness, or severe personal injury will occur before any proceedings can be completed to abate the risk of that death, illness or personal injury.

Part III—Hazardous Wastes.

§3.1 General.

(a) No person may offer for transportation or transport a shipment originating or terminating in the state of Louisiana any quantity of hazardous waste, except as provided in this Part III.

(b) This Part III does not apply to

(1) Any person or federal or state agency that transports hazardous waste on the site of a hazardous waste operator or permitted hazardous waste management facility, or generator of hazardous waste.

(2) Any person who offers for transportation or transports household refuse or household septic tank pumping generated at the site which the material is offered, if those materials are not offered for transportation with any other hazardous waste.

§3.2 Transport vehicles: marking.

(a) No person may transport a hazardous waste unless the transport vehicle is marked to display

(1) The name or trademark of the carrier operating the vehicle.

(2) The city or place in which the carrier has its principal office or in which the vehicle is customarily based.

(3) And the name of the person operating the vehicle, if the name of a person other than the operating carrier appears on the vehicle, with the words "operated by" immediately preceding the information required by sub-paragraphs (1) and (2) of this paragraph.

(b) Other identifying information may be displayed on the vehicle if it is not inconsistent with the information required by this section.

§3.3 Marking requirements.

(a) The marking required by §3.2 must

(1) Appear on both sides of the vehicle.

(2) Be in letters that contrast sharply in color with the background.

(3) Be readily legible during daylight hours from a distance of at least fifty feet while the vehicle is stationary.

(4) And be maintained in a manner that retains the legibility required by this section.

(b) The marking may be a removable device.

§3.4 Placarding—A transporter may not move a transport vehicle containing hazardous waste which is also a hazardous material unless the vehicle is placarded in accordance with Part II of these regulations and Subpart F of Part 172 of Title 49 of the Code of Federal Regulations, or any other regulations prescribed by the Secretary for placarding vehicles carrying hazardous material.

§3.5 Place of delivery—No person may deliver a hazardous waste to a place other than the permitted facility shown on the manifest. If a hazardous waste cannot be delivered to a permitted facility, the transporter shall return it to the generator, notify the Department of Natural Resources of the action immediately and give reasons to his best understanding why the waste was rejected.

§3.6 Identification numbers—Each person who transports or intends to transport hazardous waste in Louisiana shall obtain identification numbers from the Department and shall place that number on all shipping papers for hazardous waste to be transported by that person.

§3.7 Recordkeeping—Each transporter shall retain a copy of the manifest for each transportation of hazardous waste it makes, for a period of at least two years from either the date of transfer of the hazardous waste to another transporter or delivery of the waste to a permitted facility, as the case may be.

§3.8 Financial responsibility.

(a) Each transporter of hazardous waste shall acquire continuous coverage for each of its transport vehicles to which this Part III applies at a minimum coverage of \$300,000 public liability and \$200,000 property damage.

(b) The financial responsibility required by this section may be established by any one or a combination of the following.

(1) Evidence of liability insurance.

(2) Self-insurance, but the level of self-insurance may not be more than twenty percent of equity.

(3) Other evidence of financial responsibility acceptable to the Secretary, and approved by him in advance of the proposed use.

§3.9 Shipper marking requirements.

(a) Each person who offers any hazardous waste for transportation shall, in addition to complying with any other applicable law or regulation, mark each package of that waste with the following.

(1) "Controlled Waste"—federal and state law prohibits improper disposal.

(2) Generator I.D. Number.

(3) Manifest Number.

(4) Waste Number.

(b) Each generator shall mark and label each shipment of hazardous waste in accordance with U.S. Department of Transportation regulations on hazardous materials, Parts 172 and 173 of Title 49, Code of Federal Regulations.

§3.10 Acceptance and transportation.

(a) A transporter may not accept a shipment of hazardous waste without a manifest signed by the generator in accordance with Section 5.4 of the rules and regulations Hazardous Waste Management Plan of the Department of Natural Resources.

(b) A transporter may not transport a shipment of hazardous waste without signing the manifest acknowledging acceptance of the shipment, except as provided in the section cited in the preceding paragraph of this section.

(c) If a shipment of hazardous waste is transported by more than one transporter, no later transporter may accept for transport or transport the shipment without a manifest, or shipping document that contains the information required to be in the manifest.

(d) A transporter may not transport a shipment of hazardous waste in a container not properly labeled or marked in accordance with §3.9.

(e) If the label is lost or detached, the transporter shall replace it, based on the information taken from the manifest for the shipment.

(f) A transporter may not transport a container that is leaking or

appears to be damaged, except to the nearest place where the transport vehicle can be safely positioned without unnecessarily endangering other transport vehicles or the environment. The transporter shall then make the repairs necessary to remedy the unsafe condition.

(g) A transporter may not accept or consolidate hazardous wastes consisting of a material or mixture of materials that is prohibited under Section 173.21 of Title 49, Code of Federal Regulations.

§3.11 Compliance with the manifest.

(a) Each transporter shall assure that a copy of the manifest accompanies each shipment of hazardous waste at all times during the shipment.

(b) If the hazardous waste shipment is transferred between different modes of transportation or between different transporters using the air or highway mode, each transporter shall sign the manifest before transporting the hazardous waste.

(c) Each transporter shall comply with Section 5.4 of the rules and regulations Hazardous Waste Management Plan of the Department of Natural Resources.

§3.12 Delivery to designated permitted facility.

(a) The transporter shall deliver the entire amount of hazardous waste accepted from a generator or other transporter to a permitted facility designated by the generator on the manifest.

(b) If the transporter removes the hazardous waste from a transport vehicle for the purpose of blending, mixing, treating or storing, that blending, mixing, treating or storing shall be done at a permitted facility.

(c) If hazardous wastes from different generators or separate wastes from the same generator become mixed after being accepted by the transporter, the transporter shall comply with applicable federal or state generator standards unless the transporter shows that information on the manifest still identifies the hazardous waste.

(d) The transporter shall, upon delivering the hazardous waste to the designated permitted facility, obtain the signature of an authorized agent of the facility on the manifest or delivery document certifying delivery, or provide equivalent documentation acceptable to the Secretary as may be necessary. For rail shipments, documentation of delivery acceptable to the Secretary may be substituted and shall be provided on demand.

§3.13 Spills.

(a) The owner of a material that is spilled is considered to be a generator for the purposes of this Part III, unless the spill creates an emergency situation. In an emergency situation all generator reporting and manifest requirements of this Part III are suspended. However, a full report on the spill, including location, type of material, cause of spill, amount of spilled material, damage incurred, and how the spilled material was cleaned up, transported and disposed, shall be sent to the Department not later than twenty days after the spill.

(b) Whenever a spill of hazardous waste occurs that requires immediate removal to protect human health or the environment, the transporter shall immediately telephone the Department and furnish the following.

(1) Name of the person reporting the spill and phone number for that person.

(2) Name and address of the generator.

(3) Name and address of the transporter.

(4) Date, time and place of the spill.

(5) Any pollution of land, air, public water supply, or other water, if known.

(6) Description of the incident.

(7) Classification, name and amount of hazardous waste, to the extent available.

(8) Extent of personal injuries, if any.

(c) The transporter shall clean up all of the spilled waste or take such action as may be required pursuant to the Emergency Re-

response System prescribed in Section 5.6 of the rules and regulations Hazardous Waste Management Plan of the Department of Natural Resources, so that the spilled waste no longer presents a hazard to human health or the environment.

§3.14 Use and reuse of containers.

(a) A container may be used for the shipment of hazardous waste only to the extent allowed under Title 49, Code of Federal Regulations. A permitted container may be reused only as provided in paragraph (b) of this section.

(b) A packaged marked "NRC" or "STC" according to the specification requirements in Part 178 of Title 49, Code of Federal Regulations, may be reused only one time for the shipment of hazardous wastes, under the following conditions.

(1) The material is packaged, and each package is marked and labeled in accordance with Part 173 of Title 49, Code of Federal Regulations.

(2) Transportation is by highway only.

(3) The package is not offered for transportation less than twenty-four hours after it is finally closed for transportation and is inspected for leakage immediately before being offered for transportation.

(4) The package is loaded by the shipper and unloaded by the consignee, unless the motor carrier is a private or contract carrier.

§3.15 Hazardous waste that is also a hazardous material—If a hazardous waste is also a hazardous material, Part II of these regulations also applies to its transportation.

Enforcement

§3.16 Reports of violations: investigations.

(a) Upon the receipt of information concerning a violation of this Part III, the Secretary causes an investigation to be made of the alleged violation within seven days.

(b) All facts concerning any violation developed in an investigation shall be fully documented and presented to the Secretary within seven days after completing the investigation. The Department shall furnish a copy of the report to the Louisiana Department of Justice for use in any civil or criminal proceedings under the Act.

(c) Upon receipt of a report of investigation which substantiates a violation of the Act or this Part III, the Secretary begins enforcement proceedings under the Act.

(d) All civil action required in the enforcement process, including but not limited to suits for a temporary or permanent injunction and suits for damages resulting from a violation of the Act or this Part III, shall be brought by the Louisiana Department of Justice, upon the direction of the Secretary.

(e) Notwithstanding any other provision of this Part III, whenever the Secretary determines that a violation of the Act or this Part III is occurring or is about to occur, which violation is of such magnitude as to require immediate action to prevent irreparable damage to the public health or the environment, the Secretary may issue an emergency cease and desist order pursuant to the Act.

(f) In addition to the civil liabilities enumerated in this section, any person who knowingly violates any provision of the Act, or any written order or regulation issued thereunder, shall, upon conviction, be subject to the criminal penalties provided in the Act.

Donald G. Bollinger
Secretary

RULE

Department of Transportation & Development Office of Aviation & Public Transportation

The Louisiana Department of Transportation & Development (formerly the Department of Public Works) as provided under Title 2 of the Louisiana Revised Statutes of 1950, as regulates aeronautics in Louisiana. Section 2.8 of the Title provides that "all proposed airports and landing fields shall first be approved by the Office of Aviation and Public Transportation (OAPT) before they are so

used or operated, and that no airport or landing field, excepting those constructed and operated prior to July 28, 1936, shall be used or operated without the approval of the Department."

Section G of the Statute provides that the Department may prescribe such reasonable rules and regulations as it deems necessary and advisable for the public safety and for the promotion and aeronautics governing the designing, laying out, location, building, equipping, operation, and use of all airports, landing fields, or landing strips, and for the safety of those engaged in aeronautics. It is for this purpose that this rule is promulgated. A public hearing was held in the Department of Transportation and Development Auditorium, first floor of DOTD Headquarters, 1200 Capitol Access Road, Baton Rouge, Louisiana, on Tuesday, June 17, 1980, at 7:00 p.m. No objections were received.

Landing Area Registration Procedures

Pursuant to these statutory provisions, all landing area proponents will provide the Louisiana Department of Transportation and Development, Office of Aviation and Public Transportation with the following information prior to use of the area for landing or take-off of aircraft:

1. Completed Environmental Questionnaire - OAPT FORM 500A. This form addresses general environmental considerations.

2. Completed Landing Area Location Sketch - OAPT FORM 500B. This sketch shows the relationship of the proposed site to other prominent centers of activity within an area of several miles.

3. Completed Landing Area Immediate Vicinity Sketch - OAPT FORM 500C. This sketch shows the relationship of the proposed site to structures within the immediate vicinity.

4. A location drawing of the proposed landing area on the United States Geological Survey topographic quadrangle series map covering your location. These can usually be obtained at blueprint supply companies, or one can be sent to you upon request if none are available from commercial sources.

5. One copy of the Form 7480-1 which you submitted to the Federal Aviation Administration showing your intention to establish a landing area.

6. One copy of the Federal Aviation Administration's notification to you of its favorable or unfavorable airspace findings.

Instructions for registration along with copies of all appropriate forms are combined in OAPT Information Publication Number 5000, a copy of which may be obtained at no charge from: Louisiana Department of Transportation & Development, Office of Aviation & Public Transportation, Box 44245, Baton Rouge, Louisiana 70804, Attention: Director of Safety and Information Systems

Classifications of Louisiana Airports Seaplane Bases & Heliports

The classification of airports is necessary to assure an orderly method of administration by establishing a coded identity for each airport which relates to the role it plays in the Louisiana Airport Systems Plan (LASP), what guidelines should be followed in its development, and what special funds may be available for scheduled improvements.

AIRPORTS — The airports in the LASP are classified according to a simplified version of the Federal Aviation Administration's National Airports System Plan (NASP) classification system. Essentially this involves identifying the airport according to the type of aircraft which it will principally serve. Although the LASP classification is less complicated than that of the FAA NASP, there is no conflict between the NASP classification of an airport and the LASP classification. The classification of each publicly-owned airport is listed on the individual airport data sheets in Volume Two of the State Plan. Additional classifications were necessary to complete the System Plan: 1) Landing Strip, 2) Seaplane Base, and 3) Heliport. The letter codes used are as follows:

LS-Landing Strip — Air strips to be used as emergency, recreational, agricultural or other private business operations at the pilots own risk. Will accommodate about 75% of the propeller

airplanes under 12,500 pounds gross weight. No special activity criterion for this type airport, and the facility cannot be approved as "open to the public".

BU-Basic Utility — THE DISTINCTION BETWEEN STAGES I AND II HAS BEEN ELIMINATED. This type of facility will accommodate about 95% of the general aviation propeller fleet under 12,500 pounds. There is no special activity criterion required for this type of airport. However, it is primarily intended to serve as the basic airport development unit open for use by the public.

GU-General Utility — This type of airport accommodates substantially all general aviation propeller aircraft under 12,500 pounds. It is primarily intended to serve the majority of a city's aeronautical needs (other than a metropolitan area) for other than business-jet aircraft.

BT-Basic Transport — These airports accommodate all general aviation aircraft up to 60,000 pounds maximum gross weight (MGW), including propeller transport and business or executive jets.

GT-General Transport — These airports generally accommodate transport category aircraft between 60,000 pounds and 175,000 pounds MGW. Generally, the GT airport serves scheduled jet air carrier operators.

Seaplane Bases — These facilities can be either natural waterways, or man-made seaways used on a regular basis for take-off and landing of amphibious aircraft.

CU-Seaplane Utility — Based upon level of commercial activity

CT-Seaplane Transport — Based upon level of commercial activity

Helicopter Landing Site — A location used for helicopter takeoffs and landings on a one-time, temporary, or infrequent basis, which have not been specifically prepared for helicopter operations. A Helicopter Landing Site is typically an area used for emergency evacuation, or a rural site used in agricultural spraying operations. Helicopter Landing Sites need not be registered with the State.

Heliport — Any area of land, water, or structure used or intended to be used for the landing and takeoff of helicopters, which has been specifically prepared for use by helicopters, any area for use by helicopters which is "open to the public", or any area, other than those used for agricultural operations, which may have three or more takeoffs or landings in a thirty-day period. All heliports must be registered with the State in accordance with the Department of Transportation and Development, Office of Aviation and Public Transportation Information Publication No. OAPT 5000, "Registration Procedures for Landing Areas in Louisiana."

Heliport Service Facilities — Those facilities such as major maintenance facilities, or fueling facilities which may be used in conjunction with a heliport. Such facilities must receive approval from the Office of Aviation and Public Transportation prior to their construction or use. Registration of a heliport is not to be understood as approval for Heliport Service Facilities.

Interim Standards

The following facility standards will be utilized by the Louisiana Department of Transportation and Development when reviewing registration information supplied by proponents. (See drawings pages 235-242.)

Review of Landing Area Proposals

Upon receipt of the required information, the Office of Aviation and Public Transportation, following a reasonable period for review will provide the proponents with a statement of its findings and issue a notice of no objection to the establishment and use of the proposed landing area, if such is appropriate. The review may include:

1. Review of site in comparison with FAA and/or state minimum safety standards as appropriate to the type of use intended.
2. The solicitation of comments by the local governing bodies and local residents.

3. The holding of formal public hearings, or informal gatherings of concerned interests.

4. Site inspections, or any other lawful means of gathering needed information.

Administrative Remedy for Rejection of Application

Section 13 of the statute (Title 2) provides that where the Department rejects an application for permission to operate or establish an airport or landing field or in any case where the Department shall issue any order requiring certain things to be done, it shall set forth its reasons therefor and shall state the requirements to be met before such approval will be given or such order modified or changed. In any case where the Department may deem it necessary it may order the closing of any airport or landing field until it shall have complied with the requirements laid down by the Department. To carry out the provisions of this Chapter the Secretary of the DOTD or any person designated by him and any officers, state, parish, or municipal, charged with the duty of enforcing this Chapter, may inspect and examine at reasonable hours any premises, and the buildings and other structures thereon, where such airports or landing fields are operated. Any order made by the Department pursuant to this Chapter shall serve upon the interested person by registered mail or in person before such order shall become effective.

Failure to Comply

Failure to properly comply with appropriate directives of the Louisiana Department of Transportation and Development may result in penalties. State Law (2:12) provides that the Department, its members and employees, and every state, parish, and municipal officer charged with the enforcement of state and municipal laws, shall enforce and assist in the enforcement of this Chapter. The Department is further authorized in the name of the "State of Louisiana" to enforce the provision of this Chapter by injunction in the district courts of this State.

Interested persons may submit written comments on these proposed regulations at the following address: Mr. Art Jones, Office of Aviation and Public Transportation, Box 44245, Baton Rouge, Louisiana 70804. Mr. Jones is the person responsible for responding to inquiries about the proposed changes.

David L. Blackshear, Assistant Secretary
Office of Aviation and Public Transportation

FAA GENERAL AVIATION AIRPORT STANDARDS
LOUISIANA ACCEPTABLE RANGE

ITEM	Landing Strip (LS)	Basic Utility (BU)	General Utility (GU)	Basic Transport (BT)	General Transport (GT)	ILS
R/W and T/W Slopes:						
Shoulder - R/W	3%-5% for 10 ft. then 1.5%-5% to edge of safety area					
- T/W	3%-5% for first 10 ft. then engineering design for grading and drainage will dictate					
Longitudinal	0%-2%					
Transverse	1%-2%					
Taxiway:						
C _L to Bldg. Line	50 ft. for primary T/W, 37.5 ft. (for T/W between Hangars)			50-75	100	200
C _L to Parallel T/W C _L	50	50	50	150	200	300
C _L to Obstruction	50	50	50	50-75	100	200
C _L to Aircraft Tiedowns	75	75	75	75-100	175	250
Safety Area Beyond Runway End:	200	200	200	200	200	200
Apron Slope	1%-2%	1.5% is optimum considering both drainage and aircraft operations				
Radius of Fillet	50-100					
Landing Area (acres)	27	35	53	64		
Approach Area (acres)***	21	21	25	25		
Building Area (acres)	8	12	24	24		
Total Area (acres)	56	68	102	113		

*** Note: Acreage assumes rectangular land acquisition

1/ Runway minimum length calculated for the weight group of the probable using aircraft for each airport type based on the State average normal maximum temperature (°F) in the hottest month of the year.

() = Louisiana Minimum

FAA GENERAL AVIATION AIRPORT STANDARDS
LOUISIANA ACCEPTABLE RANGE

ITEM	Landing Strip (LS)	Basic Utility (BU)	General Utility (GU)	Basic Transport (BT)	General Transport (GT)	ILS
Clear Zones	<p style="text-align: center;">200'</p> <p style="text-align: center;">20:1 CLEAR ZONE TYPICAL LENGTH = 1000'</p> <p style="text-align: center;">50'</p> <p style="text-align: center;">PROPERTY LINE</p>					
Visual	250x450 x 1000 @20:1	250x450 x 1000 @ 20:1	250x450 x 1000 @ 20:1	500x700 x 1000 @ 20:1	500x700 x 1000 @ 20:1	
Trapezoid Size	= 8 acres	= 8 acres	= 8 acres	= 14 acres	= 14 acres	
	Non-prec.	Non-prec.	Non-prec.	Non-prec. +3/4 mile	Non-prec. + 3/4 mile	Prec.
Instrument	500x800 x 1000 @ 20:1 =15 acres	500x800 x 1000 @ 20:1 = 15 acres	500x800 x 1000 @ 20:1 = 15 acres	1000x1510 x 1700 @ 34:1 = 49 acres	500x1010 x 1700 @ 34:1 = 30 acres	1000x1700 x 2500 @ 50:1 = 79 acres
Transitional Surfaces	3:1	3:1	7:1	7:1	7:1	7:1

- Note: 1) Practicalities of land acquisition may dictate rectangular configuration
 2) Length of Approach Zones for Utility Runways and Visual Approaches equal distance to obtain 50 ft. vertical clearance.
 3) 3:1 Transitional Surfaces recommended in accordance with proposed revision to FAR Part 77 as submitted by NASAO to the FAA October 14, 1974

**FAA GENERAL AVIATION AIRPORT STANDARDS
LOUISIANA ACCEPTABLE RANGE**

ITEM	Landing Strip (LS)	Basic Utility (BU)	General Utility (GU)	Basic Transport (BT)	General Transport (GT)	ILS
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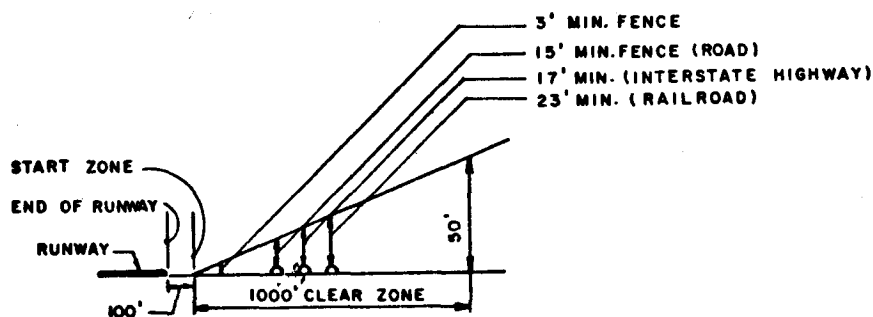
Obstacle Removal

All objects except for frangible-mounted air navigational aids which, because of their function, must be located near the runway should be cleared to ground level within the area 125 ft. laterally either side of the runway centerline and extending 200 feet beyond the runway ends. (100 feet min.)

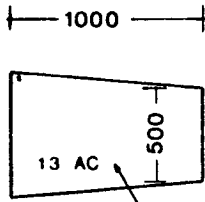
Part 77 Clearances

- 17 ft. for interstate highway
- 15 ft. for any other public roadway
- 10 ft. or the height of the highest mobile object that would normally traverse the road whichever is greater for a private road
- 23 ft. for a railroad and for a waterway or any other traverse way not previously mentioned, or amount equal to the highest mobile object that would normally traverse it.

These dimensions measured from nearest existing or planned pavement edge.

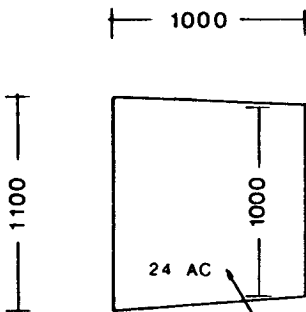


UTILITY RUNWAYS

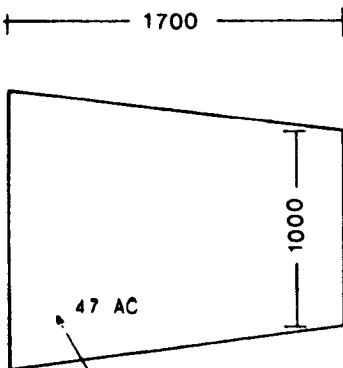


VISUAL APPROACH (20:1)
NONPRECISION INSTRUMENT APPROACH (20:1)

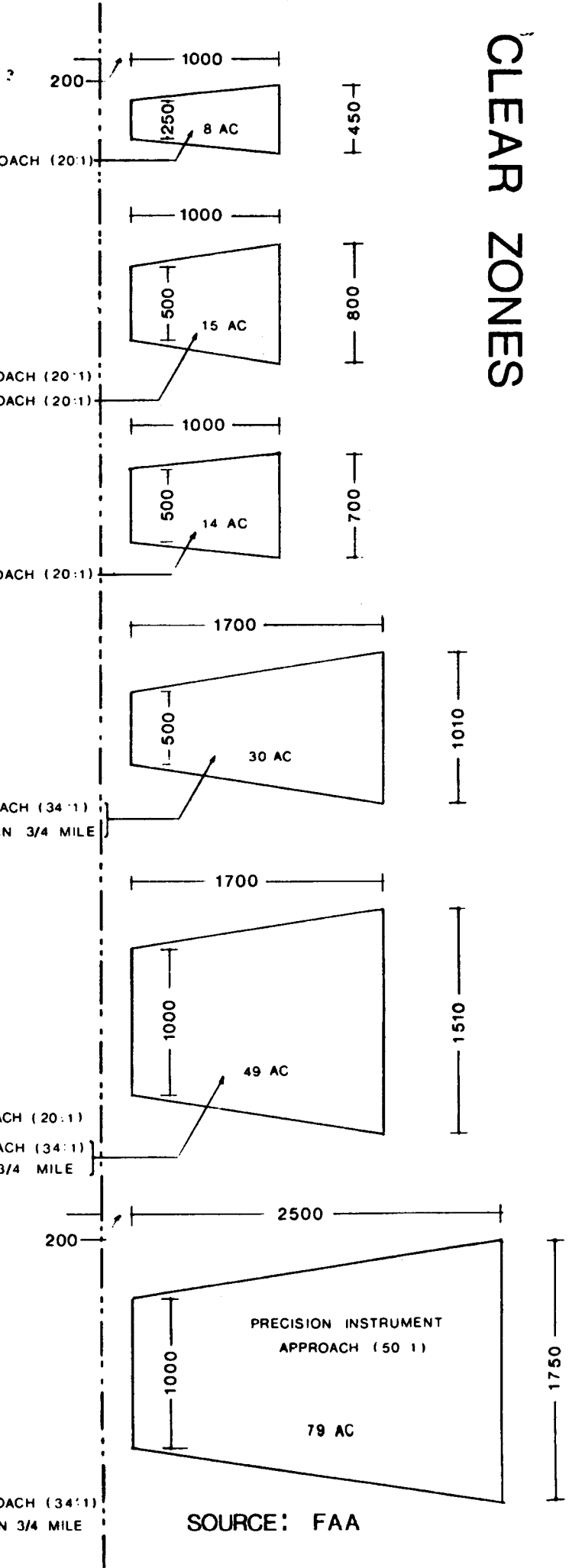
LARGER THAN UTILITY RUNWAYS



VISUAL APPROACH (20:1)
NONPRECISION INSTRUMENT APPROACH (34:1)
VISIBILITY MINIMUM AS LOW AS 3/4 MILE



NONPRECISION INSTRUMENT APPROACH (34:1)
VISIBILITY MINIMUM GREATER THAN 3/4 MILE



CLEAR ZONES

SOURCE: FAA

STATE OF LOUISIANA
RECOMMENDED HELIPORT DESIGN STANDARDS

GEOMETRIC CRITERIA	DESIGN CRITERIA	COMMENTS
Length of Landing Area Class I (Private) Class II (Public) <u>1/</u>	1.5 times overall helicopter length 1.5 times overall helicopter length (FAA current Design Guide recommended 2x - for Class II)	To preclude premature obsolescence, the size of future aircraft must be considered and planned for. Special consideration must be given elevated heliports.
Width of Landing Area Class I Class II	1.5 times overall helicopter length 1.5 times overall helicopter length	Note: At some sites the areas available can be less than the recommended dimensions.
Touchdown Pad <u>2/</u> Class I Class II	1.5 times the tread and 1.5 times the wheel base (or skid/float contact length)	Same as above
Length and Width of Touchdown Area Class I Class II	One rotor diameter One rotor diameter	Same as above
Width of Peripheral Area Class I Class II	.25 times overall helicopter length 10 ft. minimum .25 times overall helicopter length 10 ft. minimum	This area constitutes a safety zone related to the landing area. Any fencing should be on the outside edge of the peripheral area. Also, no aircraft should be parked here.
Taxiway Width Class I Class II	20 feet 20 feet	Hover taxiing may eliminate the need for a taxiway at Class I heliports.

1/ FAA Class III has been eliminated

2/ Not in present FAA Design Guide

NOTE: FAA Heliport Design Guide to be revised to incorporate above notes.

STATE OF LOUISIANA

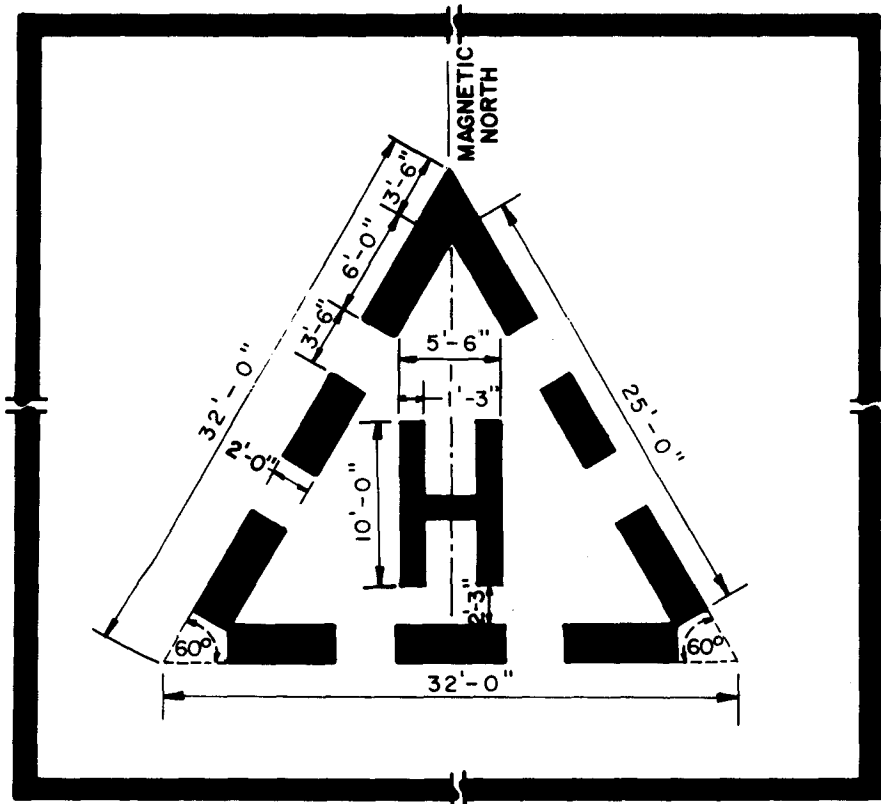
RECOMMENDED HELIPORT DESIGN STANDARDS (Continued)

GEOMETRIC CRITERIA	DESIGN CRITERIA	COMMENTS
Pavement Slopes	2.0 percent maximum	
Shoulder Slope	5.0 percent maximum for 1st 10 ft. 3.0 percent thereafter	These are preferred slopes.
Radius of Pavement Fillet	25 feet, minimum	Filletts may be omitted at Class I heliports
Shoulder Width for Touchdown Area		
Class I	Varies	
Class II	10 feet	
Shoulder Width for Taxiways and Aprons		
Class I	Varies	
Class II	10 feet	

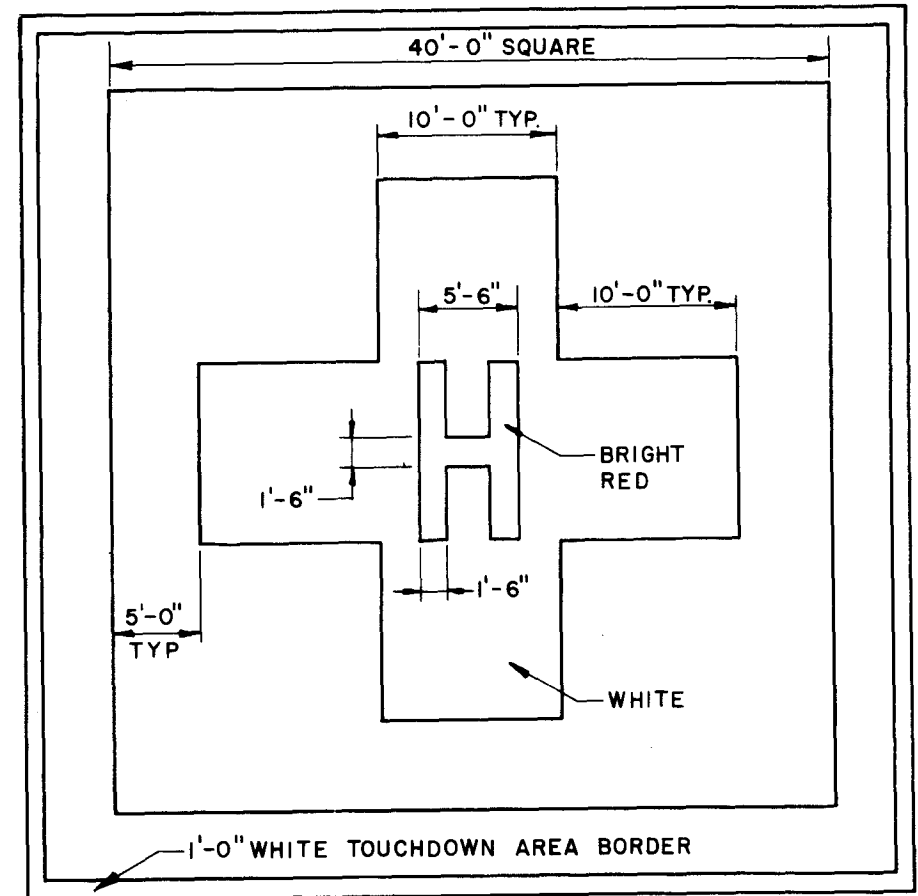
NOTE: Rooftop heliports require special engineering and architectural considerations of structural design strength requirements, static loading and dynamic loading.

HELIPORT MARKING

The triangular marker should be placed in the approximate center of the touchdown area. The letter "H" shall be centered in the triangle as shown. The triangle should be oriented so that solid apex is pointed to magnetic north. All marking should be white. Where necessary or desirable to confine the actual touchdown area of the helicopter landing area to a comparatively small area, as on roof tops, or specific portions of landing areas, the touchdown area should be clearly defined by a solid or segmented border at least one foot wide.



HOSPITAL HELIPORT MARKING



STATE OF LOUISIANA
RECOMMENDED SEAPLANE FACILITY STANDARDS

Classification	Lane length in ft. at Sea Level	Lane width in ft. Constructed/Natural	Depth in ft.	Turning Basin in ft.-Diameter	Remarks
Seaplane Utility	3,000	100/200	3	None	Minimum for limited small float plane operation. Approaches should be 20:1 or flatter for a distance of at least 2 miles on natural sites.
Seaplane Utility	3,500	150/200	4	None	Minimum for limited commercial operation. Approaches should be 40:1 or flatter for a distance of at least 2 miles.
Seaplane Transport	5,000	150/250	10	1,000	Minimum for extensive commercial operation. Approaches should be 40:1 or flatter for a distance of at least 2 miles.
Seaplane Transport	8,000	200/350	12	1,000	Unlimited. Approaches should be 40:1 or flatter for a distance of 2 miles.

- Notes:
- 1) Approach clearances stated in Remarks apply to natural sites - constructed sites have same clear zone criteria as land airports.
 - 2) Above widths are single lane no water taxiways.
 - 3) The recommended lengths indicated above are for glassy water, no wind, sea level conditions at standard temperature of 59 degrees Fahrenheit.
 - 4) Utility classification refers to limited commercial operation. Transport classifications refers to extensive commercial operation.

TABLE VI-2
 FAA GENERAL AVIATION AIRPORT STANDARDS
 LOUISIANA ACCEPTABLE RANGE

ITEM	Landing Strip (LS)	Basic Utility (BU)	General Utility (GU)	Basic Transport (BT)	General Transport (GT)	ILS
Widths:						
Runway (R/W)* (ft.)	50-75	60-75	75-100	75-100	100	150
Taxiway (T/W)* (ft.)	20-40	30-40	40	40	40-60	40-60
Safety Area (ft.)	100-150	120-150	150-300	150-300	300	500

*Note: When constructing a new airport consider use of minimums of next higher classification when practicable.

Runway:						
Strength (gross wt.-lbs.)	112,500	(12,500)	(12,500)	(60,000)	(175,000)	
Min. Length (ft.) $\frac{1}{2}$	2000-(2500)	(3,000)	(3,700)	(4,700)	Critical Aircraft	
C _L to T/W C _L	150-200	150-200	150-200	200	300	400
C _L to Obstacle	200-250	200-250	200-250	250-275	400	600
C _L to Apron	225-275	225-275	225-275	275-300	475	650
C _L to Bldg. Line	250-350	250-350	300-350	250-300	350	750-1250
C _L to Property Line	200-350**	200-350**	200-350**	250-1250	350-1250	750-1250
C _L to R/W C _L	300	500	500	500	700	4,300

Grade Change 0%-0.33% per 100 ft. of vertical curve and no vertical curve required if grade change is less than 0.4%

Site Distance Without 24 hour tower - any 2 points 5 ft. above R/W C_L must be mutually visible for entire R/W length

Edge to Holding Line 50 ft.

Alignment To provide at least 95% wind coverage

** Note: (250 ft. minimum on T/W side of R/W)

RULES

Department of Wildlife and Fisheries Wildlife and Fisheries Commission

The Department of Wildlife and Fisheries, via resolution of the Wildlife and Fisheries Commission, has adopted the following rules.

Waterfowl Seasons

WHEREAS, the technical staff of the Game Division of the Louisiana Department of Wildlife and Fisheries has had several meetings with the Flyway Council, U. S. Fish and Wildlife Service and other groups pertaining to the 1980-81 waterfowl seasons, and

WHEREAS, the technical staff has reviewed all recommendations made for these seasons from the general public in the form of correspondence, public hearings and other meetings, and

WHEREAS, the waterfowl season for 1980-81 seems to be satisfactory to the majority of the hunters, and

WHEREAS, the hunting season recommendations for 1980-81 are very similar to the 1979-80 seasons, now

THEREFORE BE IT RESOLVED, that the Louisiana Wildlife and Fisheries Commission approve the seasons as recommended by the technical staff for the 1980-81 waterfowl seasons.

DUCKS

	1980-81 Season	Days
West Zone	November 1-November 30	30
	December 20-January 13	25
	Total	55
East Zone	November 15-December 2	18
	December 20-January 20	32
	Total	50

GEESE

	1980-81 Season	Days
West Zone	November 1-November 30	30
	December 20-January 28	40
	Total	70
East Zone	November 15-December 2	18
	December 20-February 9	52
	Total	70

Special Scaup Season

East Zone	January 21-January 31	Total	11
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(Certain open waters only)

THEREFORE BE IT FURTHER RESOLVED, that the Louisiana Wildlife and Fisheries Commission does hereby adopt all other federal regulations controlling the hunting of waterfowl including shooting hours, baiting, firearm useage, etc., except that the noon and 2:00 p.m. shooting hours on a number of wildlife management areas as previously established by the Commission and announced, shall remain in effect.

Joseph V. Colson
Secretary

Notices of Intent

NOTICE OF INTENT

Department of Commerce Racing Commission

The Louisiana State Racing Commission does hereby give notice in accordance with law that it intends to adopt an amendment to rule LAC 11-6:30.9. Due notice of this intent was given at the Racing Commission Meeting held on September 5, 1980 in Baton Rouge, Louisiana. The proposed amendment will provide the times racing will commence and terminate on racing days at each track and provide for a five minute delay for the first race at the track's discretion, however, no race could be started or run after the time set for termination of races.

Copies of the proposed amendment may be obtained by telephoning Ms. Rosalie Robinson at the Commission (9:00 a.m. to 4:00 p.m., excluding holidays and weekends), (504) 568-5870, or by writing to Suite 1020, One Shell Square, 701 Poydras Street, New Orleans, Louisiana 70139. Written comments relative to this rule may be submitted through October 7, 1980.

Albert M. Stall, Chairman
Racing Commission

NOTICE OF INTENT

Board of Elementary and Secondary Education

The State Board of Elementary and Secondary Education intends to adopt the following as policy at its October meeting.

1. Guidelines for Implementation of the 1980-81 Pilot Year of the Compensatory/Remedial Education Act.
2. Amendment to Personnel Assessment and Evaluation System.
3. Revision to Generic Certification Requirements for Special Education, Interim Requirements.
4. Policy requiring the director of a vocational-technical school to notify all other directors of vocational-technical schools relative to the action taken by an instructor who abandons a teaching position.

Interested persons may comment on the proposed policy changes and/or additions, in writing, until 4:30 p.m., October 8, 1980, at the following address: State Board of Elementary and Secondary Education, Box 44064, Baton Rouge, Louisiana 70804.

James V. Soileau
Executive Director

NOTICE OF INTENT

Board of Trustees for State Colleges and Universities

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, and under the authority of Article VIII, Section 6, of the 1974 Constitution, a public hearing will be held in the Mineral Board Hearing Room, State Land and Natural Resources Building, Baton Rouge, Louisiana, beginning at 9:30 a.m., on October 24, 1980.

At such hearing the Board will consider amendment to Part VII, Section 7.4B of the Policies and Procedures Manual, Chief Executive Vacancies.

The Board of Trustees for State Colleges and Universities shall accept written comments until 4:30 p.m., October 10, 1980, at the following address: Miller Shamburger, Board of Trustees for State Colleges and Universities, Box 44307, Baton Rouge, Louisiana 70804.

The public is made aware of the proposed policies and procedures in compliance with R.S. 49:051-968.

All interested persons will be accorded reasonable opportunity to submit data, views, comments or arguments at the regular October Board meeting.

Bill Junkin
Executive Director

NOTICE OF INTENT

Louisiana State University and Agricultural and Mechanical College Board of Supervisors

The Board of Supervisors of Louisiana State University and Agricultural and Mechanical College intends to amend the *University Regulations* whereby the same tenure regulations which presently apply to faculty will also apply to librarians.

Chapter II

Section 2-7. Tenured and Term Appointments, Academic Staff. "Faculty Ranks. Faculty members and other members of the academic staff of comparable rank, including librarians, may be appointed for a specified term ("Term appointment") or indefinitely ("tenured appointment") depending on rank and experience." (The remainder of the section to be unchanged) Delete, in its entirety, 2-7.b. entitled Library Ranks.

Interested persons may comment on the proposed amendment to the *University Regulations* through October 3, 1980 at the following address: Mrs. Kitty B. Strain, Administrative Secretary, Board of Supervisors Office, Louisiana State University, Box JG, Baton Rouge, Louisiana 70893.

M. D. Woodin
Secretary to the Board

NOTICE OF INTENT

Office of the Governor Data Processing Coordinating and Advisory Council

The Office of the Governor, Data Processing Coordinating and Advisory Council (DPCAC), intends to adopt revised rules on the following subjects at its October, 1980, meeting:

LAC 1-9:3 Development of Long-Range Plans for Data Processing in Departments.

LAC 1-94:4 Development of Long-Range Plans for Data Processing in Colleges and Universities.

Interested persons may comment on these proposed rules, in writing, through October 5, 1980, at the following address: Mr. Thomas G. Hagan, Executive Director, Data Processing Coordinating and Advisory Council, Office of the Governor, 555 St. Tammany Street, Baton Rouge, Louisiana 70806. Mr. Hagan is the person responsible for responding to inquiries about the proposed rules. Persons desiring to present comments orally at the Council's October, 1980, meeting should also notify Mr. Hagan, in writing, of their intention to do so no later than October 5, 1980.

Persons interested in presenting suggestions regarding other new DPCAC rules, or modifications or deletions to existing DPCAC rules, may also contact Mr. Hagan at the above mentioned address.

Details of each proposed revised rule follows.

LAC 1-9:3 Development of Long-Range Plans for Data Processing in Departments

3.1 Each department of state government shall develop a long-range plan for data processing.

3.1.1 The planning process will cover a three year period and shall be on a fiscal year basis to coincide with the budgeting process. A plan shall be submitted to the Data Processing Coordinating and Advisory Council (DPCAC) no later than December 31 of each year. Semiannual updates including changes, additions or deviations to the plan shall be submitted to the DPCAC by July 15

of each year. The December plan will drop the oldest year and add an additional fiscal year.

3.1.2 The methodology or technique for developing the plan is left to the discretion of the department. However, the plan shall provide the summary information described in Section 3.2. In addition, the methodology employed in developing the plan must provide the detailed data described in Subsection 3.2.3 for the DPCAC review upon request.

3.1.3 The actual format of the plan will be determined by the department. Section 3.3 does discuss, however, a set of forms and instructions which may be used, at the option of the department, in preparation of its plan.

3.2 The following is a description of information to be included in the plan.

3.2.1 State the mission and objectives of electronic data processing (EDP) within your department.

3.2.2 Provide the following information for systems currently in production on state EDP equipment and systems currently operating on nonstate equipment (do not include these systems in paragraph C below) which will be brought in-house within the three fiscal years covered in the plan.

A. For each system listed provide a narrative of the scope, objectives and benefits of the system.

B. Indicate the current and anticipated monthly computer center production costs for the system, and whether the system is run on state or nonstate equipment.

C. Indicate the percentage of the current total computer center's monthly production cost used by the system.

D. Indicate the current and anticipated level of staffing and other cost, on a monthly basis, associated with maintenance of the system.

E. Indicate any hardware or software changes necessitated by growth of the system, and the dates such changes are planned to occur.

3.2.3 Each agency will maintain and make available upon request the following detailed information associated with each of the systems described in Subsection 3.2.2 above.

A. Processing frequency, whether daily, weekly, monthly, quarterly, semiannually, or on request.

B. The run time per month (both Central Processing Unit (CPU) and total throughput).

C. The total permanent disk storage required for the system.

D. The maximum number of concurrent tape drives required for the system, and the average number of reels stored for the system in a tape library.

E. The total monthly print volume for the system.

F. The file organizations used by the system, i.e. sequential, indexed sequential, random, virtual storage access method (VSAM), relative or direct access.

G. Number of personnel or level of effort required for basic maintenance.

H. Method and volume of data entry. Also indicate time required for the system in terms of manhours per month or number of full-time data entry operators.

3.2.4 List any major enhancements or redesign efforts, either in progress or proposed, for each of the production systems.

A. Indicate whether in progress or proposed showing a start and completion date.

B. State the scope, objectives and anticipated benefits of this effort.

C. Indicate the level of consultant and state personnel staffing in manmonths and level of expertise required for this effort.

D. Indicate any hardware or software changes necessitated by the implementation of this effort, and the dates such changes are planned to occur.

E. State the dollar amount requested for the enhancement or redesign. This amount will normally equal the total shown on budget forms BR-4 and BR-4A "Expansion of Current Services

and/or Proposed New Services.”

3.2.5 List new systems currently in progress or planned during the three fiscal year period.

A. Indicate starting and completion date.

B. State the scope and objectives and anticipated benefits.

C. Indicate the level of consultant and state personnel staffing in man-months and level of expertise required for this effort.

D. Indicate any planned hardware or software changes necessitated by the implementation of this effort, and the dates such changes are planned to occur.

E. State the dollar amount requested for the new system. This amount will normally equal the total shown on budget forms BR-4 and BR-4A, “Expansion of Current Services and/or Proposed New Services”.

3.2.6 Summarize the funds necessary to provide the EDP resources described in other parts of the plan, in terms of amounts by categories of expenditure. This summary will be for not only the three years of the plan but for the previous year as well. The form entitled “EDP Resource Requirements Cost Plan,” available from the DPCAC, provides a format suitable for easy presentation of these cost estimates.

A. Amounts.

1. For the last fiscal year, indicate the total budgeted amount.

2. For the first year of the three-year plan, indicate for each category of expenditure the following:

a. Amount of State General Fund requested, excluding outgoing interagency transfers.

b. Amount of State General Funds for interagency transfer, i.e., amount being transferred out to another State agency.

c. Total amount of State funds being requested.

d. Amount of Federal Funds.

e. Total amount (State and Federal) being requested.

B. Categories of expenditure.

1. Hardware — Include expenditures for the purchase, rental, lease and maintenance of hardware. The total amount requested for hardware will equal the sum of the detail costs shown in the Hardware Plan (see Subsections 3.2.7 A-B).

2. Software — Include expenditures for the purchase, rental, lease and maintenance of software, e.g., operating systems, compilers, assemblers, data base systems, data dictionary systems, utilities, etc. The total amount requested for software will equal the sum of the detail costs shown in the Software Plan (see Subsections 3.2.7 C-D).

3. Personnel — Include expenditures for all salaries, wages and related benefits for personnel assigned to the data processing costs center (or section). Also include those personnel having Civil Service data processing classifications (e.g., Data Entry Operator) who are assigned outside of the data processing cost center (or section). Exclude those personnel outside the data processing cost center (or section) who may use the data processing equipment but do not have Civil Service data processing classification titles.

4. Facilities — Include expenditures for items such as building rentals, repairs, construction, acquisition of desks/typewriters/other office equipment, utilities and telephones.

5. Training — Include expenditures for off-site courses and conferences, vendor-supplied in-house training, audio-visual equipment and supplies, training manuals, etc.

6. Supplies — Include expenditures for paper, office supplies, ribbons, magnetic tapes and disks, gasoline, etc.

7. Professional Services — Include expenditures for all professional services, whether they be used for system development, management consulting, operations audit, systems tuning, etc.

8. Other Non-State Services — Include expenditures for services provided by non-State organizations such as service bureaus and timesharing services, and related consulting services associated with service bureaus or timesharing services. Also include subscription services (e.g., library or legal), outside data entry services and microfilm/microfiche production services.

9. Other operating services — Include expenditures for services not included in other categories. Examples would be travel, postage, dues and subscriptions, insurance, automobile purchase and repairs.

10. Total EDP cost — This category represents the total dollar amount requested, the sum of the preceding nine categories.

11. Interagency Transfer In — Include the total amount of incoming interagency transfers from other State agencies.

12. Positions Allocated — Indicate the number of personnel positions requested, including incumbents, vacant positions and new positions. This number will match the total number indicated in the part of the plan detailing future manpower requirements (see Subsection 3.2.7 E).

3.2.7 Provide the following detailed information associated with the resource requirements in Subsection 3.2.6 above.

A. The currently installed hardware configuration, indicating for each component whether leased, purchased or rented and the annual cost. Provide a schematic of the hardware configuration.

B. Hardware upgrades or changes planned during the three-year period indicating the month in which it is to be installed. Indicate the anticipated rental, lease or purchase amount for each component. Indicate whether the upgrade or change is due to an increase in the volume of utilization of existing systems, implementation of new systems, changes due to technological advances, cost considerations, etc.

C. The software presently used, i.e., operating systems, compilers, assemblers, telecommunications, data base systems, data dictionary system, and major utilities. Indicate whether the software is furnished by the vendor, rented, leased or purchased. Indicate the annual cost associated with each.

D. Software changes or upgrades planned during the three-year period. Indicate the month of installation, plus the annual cost. Indicate whether the software change is due to technological advances, requirement for new systems, changes in existing systems, etc.

E. Provide a listing of classifications, and the number of positions in each, planned to be allocated to the department during each of the three years. The total will equal that specified in Section 3.2.6 and will include all positions in the data processing cost center (or section) as well as positions with data processing classifications in other cost centers of the department.

F. If professional services are being budgeted for Year 1, provide the name of the proposed vendor (if known), the nature of the work to be performed and amount requested for each project. A completed form BR-17A (Schedule of Professional Services-Detail) may be provided instead. The total amount shown will equal that required in Section 3.2.6.

G. For any incoming interagency transfers, specify service to be rendered and dollar amount to be received from each department or university. Completed budget forms BR-6/BR-6A/BR-6B may be provided instead.

H. For any interagency transfers being made by the department to another department or university, list the services to be received, the dollar amount to be transferred and to whom. A completed form BR-19 may be used instead.

3.3 Section 3.2 of this rule states the information to be collected and reported but does not specify exact formats or forms to be used. Given below are instructions for forms that may be used as presented or modified to meet a department's exact needs. Copies of these forms are available on request from the DPCAC.

3.3.1 The mission and objectives of EDP within a department shall be in a free format narrative, and shall be submitted to the DPCAC.

3.3.2 The form entitled “Production System Summary” contains space for all information required in Subsection 3.2.2, including a narrative of the scope, objectives and benefits, and projections of costs over the three-year planning period. These forms shall be submitted to the DPCAC as part of the plan.

3.3.3 The form entitled "Production System Detail Sheet" contains space for three-year projections in several categories for each production system. These forms are kept at the agency and do not have to be submitted to the DPCAC.

3.3.4 Provide Subsection 3.2.4 information on the form entitled "System Development or Enhancement Plan." Included is space for a narrative of the scope, objectives and benefits of the effort, as well as a three fiscal year view of start/completion dates, staffing, and hardware/software changes. These forms are submitted to DPCAC as part of the agency's plans.

3.3.5 New systems are described as per instructions in Subsection 3.3.4.

3.3.6 All information requested in Subsection 3.2.6 may be supplied on the form entitled "EDP Resource Requirements Cost Plan." These forms are submitted to DPCAC as part of the plan.

3.3.7 For Subsection 3.2.7 A-D information, use form entitled "Hardware/Software Plan," along with a schematic of the configuration. Use form entitled "Plan of Positions in EDP Organization" for Subsection 3.2.7 E information. Use budget form BR-17A for Subsection 3.2.7 F information, BR-6/BR-6-A/BR-6B, Subsection 3.2.7, BR-19, Subsection 3.2.7 H. All forms are submitted to DPCAC as part of the plan.

LAC 1-9:4 Development of Long-Range Plans for Data Processing in Colleges and Universities

4.1 Each state college and university shall develop a long-range plan for data processing.

4.1.1 The planning process will cover a three-year period and shall be on a fiscal year basis to coincide with the budgeting process. The plan shall be submitted to the Data Processing Coordinating and Advisory Council (DPCAC) no later than December 31 of each year. Semiannual updates including changes, additions or deviations to the plan shall be submitted to the Data Processing Coordinating and Advisory Council by July 15 of each year. The December plan will drop the oldest year and add an additional fiscal year.

4.1.2 The methodology or technique for developing the plan is left to the discretion of each individual college or university. However, the plan shall provide the summary information described in Section 4.2.

4.1.3 The actual format of the plan will be determined by the college or university. Section 4.3 does provide, however, a set of forms and instructions which may be used, at the option of the college or university, in preparation of its plan.

4.2 The following is a description of information to be included in the plan.

4.2.1 State the mission and objectives of electronic data processing (EDP) within your college or university. Also include a description of benefits from the usage of EDP to your college or university in the following terms (at a minimum).

A. The number of credit courses in the college or university which make use of the computing facilities.

B. The total number of students enrolled who have (or will) at one time or another used the computing facilities for course work or research work (use best estimates), and subtotals by number pursuing each level of degree.

C. Number of students supported by administrative system.

4.2.2 List and describe any major enhancements or redesign efforts in progress or proposed for each existing administrative application. Also, it is recommended, but not mandatory, to include major efforts in instruction, research and academic applications to the extent practical in order to present a complete plan. For example, if considerable resources (fifteen percent or more of the development/enhancement budget) are to be committed to the enhancement of a programmed instruction package for students in engineering, the plan would be incomplete without inclusion of such an effort. For each application listed, describe as follows.

A. Indicate whether in progress or proposed showing a start

and completion date.

B. State the scope, objectives and anticipated benefits of this effort.

C. Indicate the level of university and consultant personnel staffing in man-months and expertise (programmer, analyst, project leader, etc.) required for this effort.

D. Indicate any hardware or software changes necessitated by the implementation of this effort.

E. State the dollar amount requested for the enhancement or redesign. The amount will normally equal the total shown on budget forms BR-4 and BR-4A, "Expansion of Current Services and/or Proposed New Services."

4.2.3 List and describe new administrative applications currently in progress or planned during the three fiscal year period. Also, as mentioned in Subsection 4.2.2 above, other applications are recommended, but not mandated, for inclusion when considerable resources are required for implementation. For each application listed, describe as follows.

A. Indicate whether in progress or proposed showing estimated starting and completion date.

B. State the scope, objective and anticipated benefits.

C. Indicate the level of university and consultant personnel staffing in man-months and expertise (programmer, analyst, project leader, etc.)

D. Indicate any planned hardware or software changes necessitated by the implementation of this effort.

E. State the dollar amount requested for the new system. This amount will normally equal the total shown on budget forms BR-4 and BR-4A, "Expansion of Current Services and/or Proposed New Services."

4.2.4 Separate the anticipated total yearly EDP costs (as specified in Subsection 4.2.5) of the college or university into the costs necessary to support administrative, research, instruction and other activities. Include totals for both shared and dedicated EDP resources for the next three fiscal years in a format like the following.

(See Table page 574.)

The term EDP resources can include a central processing unit (CPU) and associated peripheral units, remote job entry terminal, other terminals, minicomputers, and microcomputers. Describe the cost allocation method or algorithm used to determine costs associated with central, shared systems. Also include a definition of each component in the algorithm.

4.2.5 Summarize the funds necessary to provide the EDP resources described in other parts of the plan, in terms of amounts by categories of expenditure. This summary will be for not only the three years of the plan but for the previous year as well. The form entitled "EDP Resource Requirements Cost Plan," available from the DPCAC, provides a format suitable for easy presentation of these cost estimates.

A. Amounts.

1. For the last fiscal year, indicate the total budgeted amount.

2. For the first year of the three-year plan, indicate for each category of expenditure the following.

a. Amount of State General Fund requested, excluding outgoing interagency transfers.

b. Amount of State General Funds for interagency transfer, i.e., amount being transferred out to another college, university, or State agency.

c. Total amount of State funds being requested.

d. Amount of Federal funds.

e. Total amount (State and Federal) being requested.

3. For the last two years, indicate only the total amount planned.

B. Categories of expenditure.

1. Hardware — Include expenditures for purchase, rental, lease and maintenance of hardware. The total amount requested for hardware will equal the sum of the detail costs shown in the

Hardware Plan (see Subsections 4.2.6 A-B).

2. Software — Include expenditures for the purchase, rental, lease and maintenance of software, e.g., operating systems, com-

pilers, assemblers, telecommunications, data base systems, data dictionary systems, utilities, etc. The total amount requested for software will equal the sum of the detail costs shown in the Software Plan (see Subsections 4.2.6 C-D).

Category	Fiscal Year 1		Fiscal Year 2		Fiscal Year 3	
	Shared	Dedicated	Shared	Dedicated	Shared	Dedicated
Administrative	\$	\$	\$	\$	\$	\$
Research	\$	\$	\$	\$	\$	\$
Instruction	\$	\$	\$	\$	\$	\$
Other	\$	\$	\$	\$	\$	\$

3. Personnel — Include expenditures for all salaries, wages and related benefits for personnel assigned to the data processing costs center (or section). Also include those personnel having Civil Service data processing classification (e.g. Data Entry Operator) who are assigned outside of the data processing costs center (or section). Exclude those personnel outside the data processing costs center (or section) who may use the data processing equipment but do not have Civil Service data processing classification titles. Also exclude part-time student workers, personnel funded by a grant, or students or faculty who use an EDP system.

4. Facilities — Include expenditures for items such as building rentals, repairs, construction, acquisition of desks/typewriters/other office equipment, utilities and telephones.

5. Training — Include expenditures for off-site courses and conferences, vendor-supplied in-house training, audio-visual equipment and supplies, training manuals, etc.

6. Supplies — Include expenditures for paper, office supplies, ribbons, magnetic tapes and disks, gasoline, etc.

7. Professional Services — Include expenditures for all professional services, whether they be used for system development, management consulting, operations audit, systems tuning, etc.

8. Other Non-State Services — Include expenditures for services provided by non-State organizations such as service bureaus and timesharing services, and related consulting services associated with service bureaus or timesharing services. Also include subscription services (e.g., library or legal), outside data entry services and microfilm/microfiche production services.

9. Other Operating Services — Include expenditures for services not included in other categories. Examples would be travel, postage, dues and subscriptions, insurance, automobile purchase and repairs.

10. Total EDP Cost — This category represents the total dollar amount requested, the sum of the preceding nine categories.

11. Interagency Transfer In — Include the total amount of incoming interagency transfers from other colleges, universities or State agencies.

12. Positions Allocated — Indicate the number of personnel positions re-requested, including incumbents, vacant positions and new positions. This number will match the total number indicated in the part of the plan detailing future manpower requirements (see Subsection 4.2.6 E).

4.2.6 Provide the following detailed information associated with the resource requirements in Subsection 4.2.5 above.

A. The currently installed hardware configuration, indicating for each component whether leased, purchased or rented and the annual costs. Provide a schematic of the hardware configuration.

B. Hardware upgrades or changes planned during the three-year period indicating the month in which it is to be installed. Indicate the anticipated rental, lease or purchase amount for each component. Indicate whether the upgrade or change is due to an increase in the volume of utilization of existing systems, implementation of new systems, changes due to technological advances, cost considerations, etc.

C. The software presently used, i.e., operating systems, compilers, assemblers, telecommunications, data base systems, data dictionary system, and major utilities. Indicate whether the software is furnished by the vendor, rented, leased or purchased. Indicate the annual cost associated with each.

D. Software changes or upgrades planned during the three-year period. Indicate the month of installation, plus the annual cost. Indicate whether the software change is due to technological advances, requirement for new systems, changes in existing systems, etc.

E. Provide a listing of classifications, and the number of positions in each, planned to be allocated in the college or university during each of the three years. The total will equal that specified in Section 4.2.5 and will include all positions in the data processing cost center (or section) as well as positions with data processing classifications in other cost centers of the college or university.

F. If professional services are being budgeted for Year 1, provide the name of the proposed vendor (if known), the nature of the work to be performed and amount requested for each project. A completed form BR-17A (Schedule of Professional Services-Detail) may be provided instead. The total amount shown will equal that required in Section 4.2.5.

G. For any incoming interagency transfers, specify service to be rendered and dollar amount to be received from each department or university. Completed budget forms BR-6/BR-6A/BR-6B may be provided instead.

H. For any interagency transfers being made by the college or university to another department or university, list the services to be received, the dollar amount to be transferred and to whom. A completed form BR-19 may be used instead.

4.3 Section 4.2 of this rule states the information to be collected and reported but does not specify exact formats or forms to be used. Given below are instructions for forms that may be used as presented or modified to meet a college or university's exact needs. Copies of these forms are available on request from the DPCAC.

4.3.1 The mission and objectives of EDP within the university shall be in a free format narrative, and shall be submitted to the DPCAC.

4.3.2 Provide Subsection 4.2.2 information on the form entitled "System Development or Enhancement Plan." Included is space for a narrative of the scope, objectives and benefits of the effort, as well as a three fiscal year view of start/completion dates, staffing, and hardware/software changes. These forms are submitted to DPCAC as part of the college or university's plan.

4.3.3 New systems are described as per instructions in Subsection 4.3.2.

4.3.4 Subsection 4.2.4 information shall be in free format narrative and submitted as part of the plan to the DPCAC.

4.3.5 All information requested in Subsection 4.2.5 may be supplied on the form entitled "EDP Resource Requirements Cost Plan." These forms are submitted to DPCAC as part of the plan.

4.3.6 For Subsection 4.2.6 A-D information, use form entitled

"Hardware/Software Plan," along with schematic of the configuration. Note that only annual costs are required; quarterly costs are not. Use form entitled "Plan of Positions in EDP Organization" for Subsection 4.2.6 E information. Use budget form BR-17A for Subsection 4.2.6 F information, BR-6/BR-6A/BR-6B, Subsection 4.2.6 G, BR-19 Subsection 4.2.6 H. All forms are submitted to DPCAC as part of the plan.

Thomas G. Hagan, Executive Director
Data Processing Coordinating and
Advisory Council

NOTICE OF INTENT

Department of Health and Human Resources Louisiana State Board of Dentistry

The Department of Health and Human Resources, Louisiana State Board of Dentistry proposes to adopt the following rule by virtue of its authority under LSA—R.S. 37:760.

Proposed Rule

Because of recent decisions by the U.S. Supreme Court with regard to advertising by professionals, the following section on advertising shall be added to the Laws of the State of Louisiana, governing the Practice of Dentistry as authorized under Chapter 9, Title 37, Revised Statutes as amended through 1979.

Advertising by dentists in the State of Louisiana to provide the citizens of this State with helpful information as to the fees and services rendered by the dental profession shall be permitted under the guidelines listed below.

1. Advertising by dentists in the printed media is limited to advertising in newspapers in general circulation in the community in which the dentist maintains an office. Advertising on radio or television is limited to those radio or television stations located in the community in which the dentist maintains an office. No advertising in other media is permitted.

2. All advertising in any media must contain the name, address, telephone numbers of the dentist, and of other dentists with whom he is associated. The use of the dentist's name shall mean the use of the full name of the dentist as it appears on his license or renewal certificate. The use of assumed names is prohibited.

3. In addition to the above advertising by dentists in any media may contain the following information.

(a) Any speciality recognized by the Board to which the dentist confines his practice, if the dentist has fulfilled the requirements set forth in the rules and regulations of the Board.

(b) Office hours.

(c) Fees charged for routine dental services as delineated in Subsection 7. If the fees are contained in an advertisement then the advertisement shall include a disclosing statement which states that the fee advertised is the minimum fee charged for these services and that the actual fee may vary depending upon the degree of complexity involved in a given case. Such disclosing statement shall be no less prominent in context of the advertisement than the fee information in the advertisement. If the fee statement is verbal, then the disclosing statement shall be both verbal and written, and must be of equal size, intensity and duration as the fee statement.

4. Advertising on radio or television may contain a person narrating the advertisement. In the case of advertisements on television, only the advertising dentist may appear or speak on camera. If the person narrating a radio or television advertisement represents himself to be a dentist, then he must be the dentist represented.

5. No advertisement on radio or television shall use any celebrity or authority figure. Nor shall the advertisement contain direct or implied guarantees or testimonials from patients or other persons.

6. A pre-recorded copy of all advertisement on radio or television must be retained for a six month period following the final appearance of the advertisement. The advertising dentist is re-

sponsible for retaining control of the advertisement for a period of six months following termination of the use of the advertisement and is responsible for making prerecorded copies of the advertisement available to the Board of Dentistry within five days following a request by the Board.

7. The purpose of this sub-section is to delineate the routine dental services which may be advertised, pursuant to Subsection 3C of these rules. The definition of each of these services is intended to set forth a minimum standard as to what constitutes such service for advertising purposes in order to allow the public to accurately compare the fees charged for a given service and to preclude potentially misleading advertisement of fees for a given service which may be delivered on a superficial or minimum basis. Advertising of fees pursuant to Subsection 3(c) is limited to the following dental services.

(a) Examination—a study of all of the structures of the oral cavity, including the recording of the conditions of all of such structures and an appropriate history thereof. As a minimum, such study shall include charting of caries, identification of periodontal disease, occlusal discrepancies, and the detection of oral lesions.

(b) Diagnosis—a written opinion of items found in an examination.

(c) Treatment Planning—a written statement of treatment recommendation following an examination and diagnosis. This statement shall include a written itemized treatment recommendation and written itemized fee statement.

(d) Radiographs—x-rays of the hard and soft oral structures to be used for purposes of diagnosis and which includes either I) panoramic and bite wings, or II) an intra-oral x-ray review utilizing a minimum of sixteen films. Any films must be adequate to provide an appropriate radiographic study of both dental arches.

(e) Basic full upper or lower denture—the replacement of all natural dentition with artificial teeth. The replacement includes satisfactory tissue adaptation, satisfactory function, and satisfactory aesthetics. The materials used in these replacements shall be non-irritating in character and meet all the standards set by the National Institute of Health, the Bureau of Standards and the Testing Agencies of the American Dental Association for materials to be used in or in contact with the human body. If the service advertised is for a denture which is partially prefabricated or is intended by the manufacturer to be used as an emergency or temporary denture, such fact shall be fully set forth in the text of the advertisement. The advertising of partial dentures is prohibited.

(f) Prophylaxis—the removal of calculus deposits, accretions and stains from exposed surfaces of the teeth and from the gingival sulcus.

(g) Simple extractions—this service is for the removal of non-impacted teeth and includes necessary x-rays, anesthesia, pre-operative and postoperative care.

(h) Amalgam restorations—Class I, II, III, V, amalgam restorations shall include preparation of cavity, normal cement, CaOH or ZnO&E base when necessary, novocaine when required, placing matrix band and carving. Minimum fees may be advertised together with a disclosing in Subsection 3(c) of these regulations. Amalgam restoration must be listed as the number of surfaces restored unless it is the custom of the office to charge a single fee for all restorations.

8. Because of the many variables which could be misleading or misrepresented as to diagnosis, materials, techniques, and therapy, no other dental services may be advertised, but the patient should be informed as to the fees, prior to the rendering of any service.

9. The purpose of this section is to list advertising practices which are expressly prohibited.

(a) Although any dentist may advertise, no dentist shall advertise or solicit patients in any form of communication in a manner that is false or misleading in any way.

(b) No range of fees may be advertised for routine dental services.

(c) Make any statement as to his own, an associate, dental hygienist, any employee or any other dentists, dental hygienists' skill or lack of skill, or method of practice.

(d) Claim to practice without causing pain.

(e) Claim superiority over other dentist, or circulate or advertise reports, letter, certificates, endorsements, or evidence of cures or corrections of dental conditions by such dentist, his employee or associate by reason of his or their skill, expertise, or ability, of his or their use of any system, method, technique, device, drug, medicine, material, manipulations or machine.

(f) Advertise as giving or give, free dental services or examination as an inducement to secure dental patronage.

(g) The use of advertising containing as a part thereof the representation of a tooth, teeth, bridgework or any part of the human head.

(h) Use such words as "quality," "comfort," "custom," "secure," "painless," or words of similar nature in advertising dental services of any type.

(i) The advertising to guarantee any dental service.

10. Any violation of these rules as set forth in the previous sections, shall constitute "unprofessional conduct," and is punishable as outlined in RS:37:776.

Interested persons may comment on the proposed rule, in writing, through October 15, 1980 at the following address: Mr. Norman J. Robinson, Jr., Secretary-Treasurer, Louisiana State Board of Dentistry, 505 Saratoga Building, New Orleans, Louisiana 70112.

Norman J. Robinson, Jr.
Secretary-Treasurer
Louisiana State Board of Dentistry

NOTICE OF INTENT

Department of Health and Human Resources Office of Family Security

The Department of Health and Human Resources, Office of Family Security, proposes to adopt the following changes in the medically needy income eligibility standards (MNIES) in the Medical Assistance Program.

Rural—Medically Needy Income Eligibility Standard

FAMILY SIZE	AFDC FLAT GRANT AMOUNT	MONTHLY MNIES	QUARTERLY MNIES
1	\$ 60	\$ 142	\$ 426
2	112	150	450
3	158	217	651
4	197	267	801
5	235	317	951
6	269	367	1,101
7	304	408	1,224
8	339	458	1,374
9	371	500	1,500
10	404	542	1,626
11	438	592	1,776
12	474	633	1,899
13	513	692	2,076
14	551	742	2,226
15	588	792	2,376
16	626	842	2,526
17	663	892	2,676
18	701	942	2,826
19	742	992	2,976
20	783	1,050	3,150
21	824	1,100	3,300
22	865	1,158	3,474

23	906	1,208	3,624
24	947	1,267	3,801
25	988	1,325	3,975
26	1,029	1,375	4,125
27	1,070	1,433	4,299
28	1,111	1,483	4,449
29	1,152	1,542	4,626
30	1,193	1,592	4,776

FAMILY SIZE	Urban—Medically Needy AFDC FLAT GRANT AMOUNT	Income Eligibility MONTHLY MNIES	Standard QUARTERLY MNIES
1	\$ 65	\$ 150	\$ 450
2	125	167	501
3	173	233	699
4	213	292	876
5	252	342	1,026
6	287	383	1,149
7	320	433	1,299
8	355	475	1,425
9	388	525	1,575
10	420	567	1,701
11	455	608	1,824
12	491	658	1,974
13	527	708	2,124
14	564	758	2,274
15	602	808	2,424
16	643	858	2,574
17	674	900	2,700
18	717	958	2,874
19	761	1,017	3,051
20	805	1,075	3,225
21	849	1,133	3,399
22	893	1,192	3,576
23	937	1,250	3,750
24	981	1,308	3,924
25	1,025	1,367	4,161
26	1,069	1,433	4,299
27	1,110	1,492	4,476
28	1,157	1,550	4,650
29	1,201	1,608	4,824
30	1,245	1,667	5,001

Interested persons may submit written comments on the proposed policy change through October 4, 1980, at the following address: Mr. Michael S. Haddad, Assistant Secretary, Office of Family Security, Box 44065, Baton Rouge, Louisiana 70804. Mr. Haddad is the person responsible for responding to inquiries about the proposed rule.

George A. Fischer, Secretary
Department of Health and Human Resources

NOTICE OF INTENT

Department of Health and Human Resources Office of Family Security

The Department of Health and Human Resources, Office of Family Security, proposes to implement a new reimbursement methodology and increase payment rates for private nursing homes enrolled in the Medical Assistance Program effective with the November, 1980 payment.

The methodology is to set reasonable payment rates based on the sixtieth percentile of cost by level of care and by region.

The rates for Region I, composed of Orleans, Jefferson, St. Tammany, and St. Bernard Parishes, are as follows.

Level of Care	Monthly Rate	Daily Rate
Skilled Nursing Facilities	\$1,016.22	\$33.41
Intermediate Care Facilities I	861.70	28.33
Intermediate Care Facilities II	683.16	22.46

The rates for Region II, composed of the remaining parishes, are as follows.

Level of Care	Monthly Rate	Daily Rate
Skilled Nursing Facilities	\$968.77	\$33.85
Intermediate Care Facilities I	809.69	26.62
Intermediate Care Facilities II	644.83	21.20

This proposal will increase present monthly expenditures by 1.1 percent.

Interested persons may submit written comments on the proposal through October 4, 1980 at the following address: Mr. Michael S. Haddad, Assistant Secretary, Office of Family Security, Box 44065, Baton Rouge, Louisiana 70804. Mr. Haddad is the person responsible for responding to inquiries about this proposal.

George A. Fischer, Secretary
Department of Health and Human Resources

NOTICE OF INTENT

Department of Labor

The Office of Labor, Department of Labor, intends to adopt rules under the Administrative Procedure Act (R.S. 49:951, et. seq.), for the administration of the Prevailing Wage Law of Louisiana (R.S. 38:2301, et. seq.).

It will hold a public hearing thereon on Wednesday, October 8, 1980, at 10:00 a.m. in the office of Labor Conference Room, Room 1045, Land and Natural Resources Building, 625 North Fourth Street, Baton Rouge, Louisiana, at which time all interested parties will be given an opportunity to be heard.

Copies of the proposed rules may be obtained from Mr. J. T. Armatta, Assistant Secretary, Office of Labor, Room 1045, Land and Natural Resources Building, 625 North Fourth Street, Box 44094, Baton Rouge, Louisiana 70804, (504) 342-3080, on or before said hearing date.

J. T. Armatta, Assistant Secretary
Department of Labor

NOTICE OF INTENT

Department of Natural Resources Office of Environmental Affairs

The Department of Natural Resources, Office of Environmental Affairs, as lead agency under the authority of Act 449 of 1979 (Louisiana Environmental Affairs Act) and the Resource Conservation and Recovery Act (Public Law 94-580) applied to the Environmental Protection Agency Region VI, on behalf of the State of Louisiana, on September 16, 1980 for Phase I Interim Authorization of the Hazardous Waste Management Program.

The regulations setting forth the requirements for states to seek program approval were published in the Monday, May 19, 1980, *Federal Register*.

The following elements were included in the Phase I Interim Authorization Application: 1) program description, 2) Attorney General's statement, and 3) Memorandum of Agreement between the Secretary of the Department of Natural Resources and the EPA Regional Administrator.

The other agencies who have been designated as having authority and responsibilities in implementing the State's Hazardous Waste Management Plan for the purposes of federal authorization are the Department of Public Safety, the Department of Agriculture, and the Department of Natural Resources' Office of Conservation.

The Louisiana Phase I Interim Authorization Application is currently available for public inspection at the Department of Natural Resources, Office of Environmental Affairs, State Land and Natural Resources Building, Sixth Floor, 625 North Fourth Street, Baton Rouge, Louisiana, the official state depositories, and the eight regional planning offices. Those individuals requesting a copy of the application should contact Ms. Mary MacDonald, Office of Environmental Affairs, Box 44066, Baton Rouge, Louisiana 70804, or at (504) 342-1265.

Upon determination of the U.S. Environmental Protection Agency Region VI, that the application submitted by the state is complete, notice will be issued in the *Federal Register* of public hearing on the state's application for Phase I Interim Authorization. This hearing will be held by EPA no earlier than thirty days after notice of the hearing is published, provided that if significant public interest in a hearing is not expressed, the hearing may be cancelled if a statement to this effect is included in the public notice.

Frank A. Ashby, Jr., Secretary
Department of Natural Resources

NOTICE OF INTENT

Department of Transportation & Development

It is the policy of the Department of Transportation and Development (DOTD) that minority business enterprises, as defined in Title 49, Code of Federal Regulations, Part 23, shall have the maximum opportunity to participate in the performance of contracts financed in whole or part with federal financial assistance and administered by the Department.

The Department of Transportation and Development has set a minority business enterprise participation goal of \$1.4 million for the fourth quarter U.S. D.O.T. fiscal year 1980 (July 1 through September 30, 1980). A description of how the goal was selected will be available for inspection for the next thirty days, Monday through Friday, during normal working hours, in the lobby of the Louisiana Department of Transportation and Development Headquarters Building in Baton Rouge.

The Department of Transportation and Development will accept written comments, for informational purposes only, on the minority business participation goals for the next forty-five days. Such comments should be sent to: Civil Rights Office, Department of Transportation and Development, Box 44245, Baton Rouge, Louisiana, 70804.

This notice is pursuant to 49 CFR 23.45(g)(3)(ii).

Paul J. Hardy, Secretary
Department of Transportation
and Development

NOTICE OF INTENT

Department of Urban and Community Affairs Office of Community Services Governor's Commission on Indian Affairs

The 1980 Louisiana Legislature appropriated funds to the Governor's Commission on Indian Affairs for the purpose of establishing a Higher Education Assistance Program for Native Americans. This program provides for higher education financial assistance for Native American students in Louisiana to attend Louisiana state public junior colleges, colleges, and universities.

The objective of the program is to assist Native American students to continue their education and training beyond high school. The purpose of the program is to develop leadership, improve the education levels of the Indian people, promote self-determination and vocational fields.

The Guidelines have been developed for the purpose of administering the Louisiana Indian Higher Education Assistance Program in an efficient manner.

The Guidelines are addressed to both the institutions of higher education and the Native American students who desire to participate in this educational program. The Governor's Commission on Indian Affairs encourages all parties to familiarize themselves with the details of the Guidelines. Infractions in the following guidelines will cause students to pay their own tuition.

Any questions relative to the Guidelines should be submitted to the Director of Indian Affairs, Governor's Commission on Indian Affairs. Interested persons may submit written comments to Peter D. Mora, III, Director of Indian Affairs, Box 44455, Baton Rouge, Louisiana 70804. Comments will be received through October 5, 1980.

Louisiana Indian Higher Education Assistance Program

The Governor's Commission on Indian Affairs established a Higher Education Assistance Program for Native Americans, effective July 1, 1979, as a result of the Louisiana Legislature providing funds for the implementation of this needed program. The objective of the program is to assist Native American students to continue their education and training beyond high school. The purpose of the program is to develop leadership, improve the educational levels of the Indian people, promote self-determination and to improve and increase employment opportunities in the professional and vocational fields. This program provides for full educational financial assistance for full-time students and part-time students. Approximately one-hundred and twenty grants will be made to eligible students in the fall, spring, and summer semesters of 1980-1981.

The following eligibility requirements have been established and Native American residents in Louisiana must meet the following criteria.

1. The student must be at least one-eighth degree of American Indian blood and be an enrolled member of a State or Federally recognized tribe, band, or group of Indians. While the program was established to give preference to Native Louisiana Indians, applications from members of other tribes receive full consideration.

2. The student must possess a high school diploma or general equivalency diploma (G.E.D.) (copy of diploma must be attached to the Higher Education Assistance application).

3. The student must be enrolled or accepted for enrollment as a full-time or part-time student in an accredited Louisiana State public junior college, college, or State university and must maintain an acceptable standing and social conduct within the policies of the institution.

4. The student must have resided in Louisiana for a period not less than twelve consecutive months immediately preceding application for college educational financial assistance.

Application Procedures—Prior to the time of registration at any State public junior college, or State university, each eligible Indian student must possess a certificate of tribal enrollment or verification of tribal enrollment and completion of high school or G.E.D. program equivalency and present it to the Director of Indian Affairs, Governor's Commission on Indian Affairs for approval before a grant is made. A certificate of eligibility from the Director of Indian Affairs must accompany the student at the time of registration to receive benefits of this program. Application should be made to Peter D. Mora, III, Director of Indian Affairs at Box 44455, Baton Rouge, Louisiana 70804, (504) 925-3731.

Students receiving grant assistance must maintain an acceptable academic standing and social conduct within the policies of the institution and upon completion of an academic year, notify the Registrar's Office to forward an official to the Director, Governor's Commission on Indian Affairs, of the student's academic record from the institution.

Louisiana Indian Higher Education Assistance Program

I. Eligibility requirements for Native American students—The following eligibility requirements have been established and Native American student residents in Louisiana must meet the following

criteria.

A. The student must be at least one-eighth degree of American Indian blood and be an enrolled member of a State or Federally recognized tribe, band or group of Indians. While the program was established to give preference to Native Louisiana Indians, applications from members of other tribes receive full consideration.

B. Must have resided in Louisiana for a period not less than twelve consecutive months immediately preceding application for college tuition and registration fee assistance.

C. The student must possess a high school diploma or general equivalency diploma (G.E.D.) (copy of diploma must be attached to the Higher Education Assistance application).

D. The student must be enrolled or accepted for enrollment as a full-time (12 semester hours minimum) or a part-time (6 semester hours minimum) student in an accredited Louisiana State public junior college, college, or State university and must maintain an acceptable academic standing and social conduct within the policies of the institution.

E. The student who is presently receiving or who will receive Veteran's eligibility or State rehabilitation benefits, will be considered for assistance, but only after those applicants not eligible to receive any other benefits have been considered for this program.

II. Responsibility of the Applicant.

A. Procedures Applicant must follow.

1. Read the Guidelines.

2. Complete all information on the application form. Do not omit information on the application form. Omitted information will cause your application to be delayed.

3. The student must submit his or her application for assistance to the Director of Indian Affairs, Governor's Commission on Indian Affairs by July 1 for Fall semester, December 1 for Spring semester, and April 1 for the Summer semester assistance.

8. Appeals.

a. If your application is denied, you may send a letter of appeal to the Governor's Commission on Indian Affairs, with a copy of the letter of denial.

b. Any enrolled student whose tuition exemption is denied, shall have the right to a due process appeal hearing before the Governor's Commission on Indian Affairs.

B. Registration.

1. Application for admission to State public junior colleges, colleges, and universities must be in compliance with the college or university regulations, entrance requirements, deadlines, and any other conditions for admission.

2. Application packages for the Louisiana Indian Higher Education Assistance Program may be obtained from the Governor's Commission on Indian Affairs, Louisiana Indian Tribal Offices, Title IV-Indian Education Program Offices, and Student Aid Offices at the institutions of higher education.

3. Applications for assistance must be completed and returned to the Director of Indian Affairs, Governor's Commission on Indian Affairs, for review and a certificate of eligibility must accompany the student at the time of registration. The application will be reviewed by the Director of Indian Affairs.

4. The full-time applicant shall be exempt from paying tuition and related expenses at registration for the fall, spring, and summer semesters provided that the applicant possess a certificate of eligibility at the beginning of each semester from the Office of Management and Finance, Office of Community Services, Department of Urban and Community Affairs. Tuition is defined as registration fee and related student activity fees. Full-time students are eligible for room and board and book fees if applicable. Part-time students are eligible for tuition and related fees only. Room and board expenses are allowable if student has financial need.

4. The student must obtain a certificate of eligibility from the Director of Indian Affairs, Governor's Commission on Indian Affairs, and present it to the college or university at the time of registration.

5. If student drops course(s), or does not complete coursework by the end of the semester, the student will not be considered for future tuition assistance.

6. Tuition assistance will not be paid by the state if

a. The application form is incomplete or inaccurate.

b. The applicant is ineligible.

c. The following ineligible courses are taken

1. Non-credit course or audit courses.

2. Non-instructional credit courses such as examination courses or thesis research courses.

3. Courses in theology or divinity.

4. Correspondence courses.

5. No student shall be allowed to pursue courses at more than one college or university simultaneously under this program.

6. Courses taken outside the geographical boundaries of the State of Louisiana.

d. The application is received by the Director of Indian Affairs after the deadline date.

7. In submitting the application for Higher Education Assistance to the Director of Indian Affairs, Governor's Commission on Indian Affairs, one should submit the application by registered mail with a return receipt requested. Application will be logged in by the agency for consideration.

III. Colleges and Universities: Eligibility for Participation—Colleges and universities located in Louisiana may participate in the Louisiana Indian Higher Education Assistance Program according to the Guidelines stated hereunder.

A. State supported Louisiana colleges and universities. Students may attend any of the following listed state supported Louisiana colleges and universities.

1. Grambling State University.

2. Louisiana State University.

3. Louisiana Tech University.

4. McNeese State University.

5. Nicholls State University.

6. Northeast Louisiana University.

7. Northwestern State University.

8. Southern University.

9. Southern University of New Orleans.

10. University of New Orleans.

11. Southeastern Louisiana University.

12. University of Southwestern Louisiana.

B. Two-Year Public Junior Colleges are eligible institutions—Students may attend any of the following listed state supported two year public junior colleges.

1. Bossier Parish Community College.

2. Delgado Vocational Technical College.

3. L.S.U. at Eunice.

4. St. Bernard Parish Community College.

IV. Universities and Colleges: Reimbursement Procedures—Colleges and universities participating in the tuition exemption program shall be reimbursed for tuition lost due to student exemptions. Reimbursements shall be made to the colleges and universities by the Department of Urban and Community Affairs, Office of Management and Finance, from state appropriated funds.

A. Tuition Exemption: Definition—Tuition exemption allowable to Native American students is defined and limited as follows. Tuition, for the purpose of this program is defined as the registration fee and the related student activity fees per semester hour. The state will not reimburse for the restricted courses listed in Section II-6, of the Guidelines.

B. Procedures at Colleges or Universities — The reimbursement phase of the tuition exemption program shall be in time sequences described below.

1. At the time of registration, the Native American student

applicant who possesses a certificate of eligibility, shall be exempt from paying tuition for eligible course work covered in this program.

2. The last date for the colleges and universities to accept student requests for tuition exemption shall be the fourteenth class day of a regular semester or quarter, the seventh class day of a summer session.

3. Two weeks after the fourteenth class day, the college or university shall submit to the Department of Urban and Community Affairs, Office of Management and Finance the following documents.

a. Student eligibility certificates.

b. A Master List of students enrolled in the tuition exemption program as of the fourteenth class day.

c. An invoice for tuition payments.

4. Upon receipt of invoice, the Office of Management and Finance of the Department of Urban and Community Affairs shall submit to the participating colleges and universities a check for the full amount of the invoice.

5. The participating colleges or universities shall submit to the Office of Management and Finance, and the Department of Urban and Community Affairs an official transcript of all participants in the tuition exemption program.

V. Application Forms—The Director of Indian Affairs, Governor's Commission on Indian Affairs, shall be responsible for the preparation and distribution of application forms to be used in the Louisiana Indian Higher Education Assistance Program.

A. Contents—The application forms shall include, but not be limited to, the following.

1. Information on degree of Indian Blood eligibility.

2. Information on eligibility based on prior education.

3. Information on residency requirements for eligibility.

4. Information establishing course eligibility.

B. Depositories—The Governor's Commission on Indian Affairs shall be the central depository for all application forms. In addition, all tribal offices and Title IV, Indian Education Program offices and student aid offices of institutions of higher education shall have applications available for interested Native American students.

Peter D. Mora, III

Director of Indian Affairs

Potpourri

Department of Natural Resources

Fisherman's Gear Compensation Fund Claim

In accordance with regulations of the Fishermen's Gear Compensation Fund published in the August 20, 1980 issue of the *Louisiana Register*, the Department of Natural Resources hereby gives notice that one completed claim of \$147.24 was filed against the Fund during the month of August.

A public hearing will be held on Friday, October 10, 1980, at 10:00 a.m., in the Mineral Board Auditorium, First Floor, State Lands and Natural Resources Building, 625 North Fourth Street, Baton Rouge, Louisiana, to consider payment of the following claim against the Fund. Persons desiring to give testimony in support or opposition to the claim will be permitted to do so at the hearing.

80-088 Charles N. Landry of Delcambre, Louisiana. Vessel: Tara Love Hoke. On March 24, 1980 claimant caught piece of submerged cable in vessel propeller near mouth of Freshwater Bayou about 3/4 mile off beach, Vermilion Parish. Amount of claim \$147.24.

Frank A. Ashby, Jr.

Secretary

POTPOURRI

Board of Trustees State Employees Group Benefits Program

WHEREAS, on February 20, 1980, the Board of Trustees of the State Employees Group Benefits Program passed a resolution stating that school systems which had existing insurance programs prior to September 1, 1979, must allow the retirees of said system to enroll in said insurance program as a condition for partial reimbursement of employee premiums by the State of Louisiana as authorized by Act 745 of 1979; and

WHEREAS, the school board of Assumption Parish, through error, did not hold an open enrollment period for its retirees and is now scheduled to enter the State Program; and

WHEREAS, the Board of Trustees does not feel it equitable to penalize the employees of the Assumption Parish School System due to an error on the part of the school board or the school administration:

THEREFORE BE IT RESOLVED, that the Board of Trustees of the State Employees Group Benefits Program hereby grants an exception to Assumption Parish and waives the open enrollment period in this specific instance, thus allowing a reimbursement from the State retroactive to February, 1980; provided, however, the school board of Assumption Parish furnish to the Board a written explanation concerning the error which prevented the open enrollment period from being held.

Approved by the Board of Trustees on August 27, 1980.

James D. McElveen
Executive Director

Errata

ERRATA

Department of Health and Human Resources Board of Optometry Examiners

Notice is hereby given that the Louisiana State Board of Optometry Examiners' meeting planned for October 16, 1980, at 1:30 p.m., at the Holiday Inn North in Lafayette, Louisiana as originally published in Volume 6, Number 8, dated August 20, 1980, has been changed. The date and time will remain the same (October 16, 1980, 1:30 p.m.), but the location will change to the Prince Murat Hotel, 1480 Nicholson Drive, Baton Rouge, Louisiana.

ERRATA

Department of Natural Resources Environmental Control Commission

The Environmental Control Commission hereby gives notice that its meeting originally scheduled for 10:00 a.m., on September 23, 1980, in the State Land and Natural Resources Building, Mineral Board Hearing Room, 625 North Fourth Street, Baton Rouge, Louisiana (as announced in the *Louisiana Register*, Volume 6, Number 7, dated July 20, 1980, page 398) has now been changed to Thursday, September 25, 1980, 10:00 a.m., at the same location. The rest of the Notice of Intent remains the same.

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Brown shrimp season, 224R
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Seasons and bag limits (1980-81), 234N, 308R
Spring shrimp season, 100N, 224R
Waterfowl season and bag limits (1980-81), 291N, 570R