

February 24, 1998

Mr. Gustave Von Bodungen
Assistant Secretary, State of Louisiana
Department of Environmental Quality
Post Office Box 82135
Baton Rouge, Louisiana 70884

Dear Mr. Von Bodungen:

This is in response to your letter to Robert Hanneschlager regarding the Louisiana Department of Environmental Protection's (LDEQ) position on the prevention of significant deterioration (PSD) significant emission level for ozone depleting substances (ODS) at existing major sources. It is my understanding that LDEQ is considering the applicability of the PSD program to a source where the proposed emissions of ODS are approximately 40 tons per year (TPY).

As discussed in the September 11, 1997 letter from Region VI to LDEQ, current Federal regulations specify "any emissions rate" as the significance level for ODS. Nevertheless, as you are also aware, on July 23, 1996, the Environmental Protection Agency (EPA) proposed a new significance level of 100 TPY for ODS. The comment period with regard to this proposal is now closed, and the Agency received no adverse comments on the proposed significance level. The EPA's current plans are to issue a final rulemaking on this issue by the end of this year. In light of these factors, EPA would have no objection to LDEQ's issuance of a permit to this source, which will emit substantially less than 100 TPY of ODS, without conducting a PSD review for ODS emissions, prior to the promulgation of final rules establishing an ODS significance level.

If you have any questions concerning this response, please contact David Solomon of the Integrated Implementation Group at (919) 541-5375. I appreciate the opportunity to be of service and trust that this information will be helpful to you.

Sincerely,

/s/ Seitz

John S. Seitz
Director
Office of Air Quality Planning
and Standards

cc: Robert Hanneschlager