

Jill C. Clark  
General Counsel

## FISCAL AND ECONOMIC IMPACT STATEMENT

### FOR ADMINISTRATIVE RULES

#### RULE TITLE: Exclusion of Wastes for The Dow Chemical Company, Plaquemine Plant

##### I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

There are no anticipated implementation costs or savings to state or local governmental units as a result of the proposed rule change.

The proposed rule change seeks to exclude (delist) Solvents/EDC Process Wastewater Effluent and Solvents East Ditch Sediment from certain Environmental Protection Agency (EPA) hazardous waste number categories and establish monitoring conditions to maintain the delisting status.

The Dow Chemical Company is requesting a petition to exclude (delist) from the hazardous waste regulations the Solvents/EDC process wastewater effluent and Solvents East Ditch sediment that is generated from an air pollution control system (wet scrubbing) that treats combustion gas produced from F-700 TTU, which burns chlorinated organic wastes carrying EPA-listed hazardous waste. The delisting was requested to comply with the Consent Agreement and Final Order (CAFO) requirements directed by the EPA.

LAC 33:V.105.M allows a hazardous waste generator to petition the department for this kind of rulemaking when a listed hazardous waste does not meet any of the criteria that cause the material to be classified as a hazardous waste. Based on extensive testing, the department has determined that the nature of this material does not warrant retaining it as a hazardous waste.

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

There is no anticipated effect on revenue collections of state or local governmental units as a result of the proposed rule change.

##### III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NONGOVERNMENTAL GROUPS (Summary)

Assuming the delisting petition is granted, the Dow Chemical Company benefits from the delisting of the solvents/EDC process wastewater effluent and Solvents East Ditch sediment. The delisting will not relieve the company from any liability for these wastes under federal or state law. This option may produce an economic benefit for the facility. The delisting of the solvents/EDC process wastewater effluent and Solvents East Ditch sediment will enable the facility to avoid managing the effluent and sediment in accordance with Resource Conservation and Recovery Act (RCRA) disposal standards. If the delisting is approved, the facility does not have to remove, haul, or transport the effluent and sediment to a hazardous waste facility, reducing the impact of traffic and stress on the roadways.

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

There are no anticipated effects on competition or employment in the public or private sectors as a result of the proposed rule change.

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## NOTICE OF INTENT

Office of the Governor  
Board of Architectural Examiners

Architects Selection Board (LAC 46:I.Chapter 21)

Notice is hereby given that the Board of Architectural Examiners, in accordance with the provisions of R.S. 49:950 et seq., and through the authority granted in R.S. 37:144(C), proposes to amend many of the Sections in LAC 46:I.Chapter 21 pertaining to the election of members of the Architects Selection Board. More specifically, the board gives notice that it proposes to amend LAC 46:I.2103 pertaining to nominations, LAC 46:I.2107 pertaining to ballots, LAC 46:I.2109 pertaining to voting, LAC 46:I.2113 pertaining to tabulation, LAC 46:I.2115 pertaining to tie, LAC 46:I.2117 pertaining to vacancies, and LAC 46:I.2119 pertaining to election contest.

Act 192 of 2024 mandated that all state agencies which make rules (i) systematically review in accordance with stated criteria a sufficient number of rules each year so that all rules have been reviewed within a five-year period and (ii) submit a report of their review to the appropriate legislative oversight committee. Executive Order JML 25-038 issued April 1, 2025, mandated that by December 31, 2025, state agencies review at least 50 percent of the rules listed in the order or a minimum of 100 rules, whichever is greater. Each rule should be evaluated to determine if it is necessary, consistent with the law, aligned with the agency's mission, and otherwise complies with the legislation described therein. The list of rules to be reviewed under the executive order included LAC 46:I.2101-2115 and LAC 46:I.2119.

Applying the criteria required by Act 192 and EO JML 25-035, the board reviewed Chapter 21 of its rules (LAC 46:I.Chapter 21) and determined that a number of the rules in Chapter 21 should be modernized, simplified, and clarified. The amendments proposed herein allow for email transmissions to submit nominations (LAC 46:I.2103), distribute and return ballots (LAC 46:I.2107 and LAC 46:I.2109), and provide notice of election results to the candidates (LAC 46:I.2113 and LAC 46:I.2119); provide for online voting (LAC 46:I.2109); provide for the electronic tabulation of votes (LAC 46:I.2113); clarify that only properly licensed architects residing in Louisiana are eligible to vote (LAC 46:I.2107, LAC 46:I.2109, and LAC 46:I.2115); provide that an architect previously nominated but not elected will receive notice of any vacancy of the person elected (LAC 46:I.2117); and provide for related matters.

### Title 46

#### PROFESSIONAL AND OCCUPATIONAL

##### STANDARDS

###### Part I. Architects

###### Chapter 21 Architects Selection Board

###### §2101. Districts

A. Only one architect may be elected from each of the districts set forth in R.S. 38:2311(A)(1)(a).

B. If the parishes comprising any district or if the number of districts are changed by the legislature, these rules shall be revised to be consistent with the latest expression of the legislature without the need of formal action by the board.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:144.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Board of Architectural Examiners, LR 29:575 (April 2003), repromulgated LR 52;

#### **§2103. Nominations**

A. For terms commencing September 15 of each year, the board will accept nominations for election to the Architects Selection Board on the following basis: any resident architect holding a current Louisiana license desiring nomination must deliver or email to the board office by June 1 at 5 p.m. a written nomination on a current form and/or reproduction obtained from the board office signed by not less than 10 resident architects other than the nominee holding a current Louisiana license between May 1 and May 31 preceding the election. The nomination shall state the parish in which the nominee resides and the district for which election is sought. Nominations received on or before such deadline shall be considered timely delivered. If no nomination for a district is received by the deadline, the board may accept a later nomination for that district in its discretion. Confirmation of receipt is the sole responsibility of the nominee.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:144.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Board of Architectural Examiners, LR 29:575 (April 2003), amended LR 52;

#### **§2105. Waiver of Election**

A. If only one resident architect is nominated from any district, no election shall be held in that district, and that nominee shall be deemed elected without any further activity of the board.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:144.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Board of Architectural Examiners, LR 29:575 (April 2003), repromulgated LR 52;

#### **§2107. Ballots**

A. If an election is necessary, an official ballot will be emailed to each properly licensed architect residing in Louisiana at their last email address provided to the board approximately three weeks after the closing date for nominations. On the ballot shall be printed the names of the candidates for each district in alphabetical order, the deadline for voting, and any other information the board believes helpful in the election process. Attachments to the ballot may include biographical information provided by the candidates and instructions.

B. If the ballot emailed by the board is lost, misplaced or not received, an architect desiring to vote may request from the board a substitute or replacement ballot.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:144.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Board of Architectural Examiners, LR 29:575 (April 2003), amended LR 52;

#### **§2109. Voting**

A. Only properly licensed architects residing in Louisiana shall have the right to vote. A resident architect may vote in one or more but less than all district elections, and no ballot shall be voided for that reason.

B. The resident architect shall complete and submit the ballot as instructed and vote online.

C. The ballot shall not be valid unless the license number and last name of the voting architect appear on the ballot.

D. No write-in candidates will be allowed, and any ballot containing a vote for a write-in candidate will be voided. Any ballot containing more than one vote for candidates in one district will be entirely voided.

E. The deadline for returning the ballots will be fixed by the executive director and will be at least 14 calendar days after the ballots are emailed to all resident architects. Ballots received after the deadline shall not be counted.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:144.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Board of Architectural Examiners, LR 29:576 (April 2003), amended LR 52;

#### **§2111. Plurality**

A. The candidate elected in each district will be based on plurality.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:144.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Board of Architectural Examiners, LR 29:576 (April 2003), repromulgated LR 52;

#### **§2113. Tabulation**

A. Tabulation of the votes shall be done electronically. The executive director will notify the candidates of the results by email.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:144.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Board of Architectural Examiners, LR 29:576 (April 2003), amended LR 52;

#### **§2115. Tie**

A. ...

B. If a run-off election is necessary, an official ballot will be emailed to each properly licensed architect residing in Louisiana approximately two weeks after it has been determined that such an election is necessary.

C - E. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:144.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Board of Architectural Examiners, LR 29:576 (April 2003), amended LR 52;

#### **§2117. Vacancies**

A. Any vacancy occurring with respect to any person elected shall be filled in the following manner:

1. the executive director shall give notice of the vacancy to any person who has previously requested such notice in writing and to any architect previously nominated but not elected for the district in which the vacancy has occurred; and

2. the executive director shall also publish in the official journal of the state an advertisement which will appear for a period of not less than 10 calendar days;

- a. the advertisement in the official journal of the state need not appear more than three times during the 10-day period;
- b. the executive director may publish other such advertisements in his or her discretion;
- c. the advertisements shall:
  - i. identify the district in which a vacancy has occurred; and
  - ii. state that any resident architect in that district holding a current Louisiana license desiring nomination:
    - (a). must furnish a nomination signed by not less than 10 resident architects holding a current Louisiana license by certified mail or email to the board office;
    - (b). that a sample of the nomination form may be obtained upon request from the board office, the deadline for filing the nomination; and
    - (c). any other information the board may consider necessary.

3. - 4. ...

B. If the deadline for submission of nominations has passed and (i) the board has not received a nomination from a qualified architect for election to a district that will become vacant on September 15 or (ii) no architect has been nominated or elected to fill a vacancy on the Architects Selection Board that will occur on September 15 for some other reason, the board shall attempt to fill the upcoming vacancy by repeating the procedures described in the preceding Subsection.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:144.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Board of Architectural Examiners, LR 29:576 (April 2003), amended LR 35:949 (May 2009), amended LR 52:

#### **§2119. Election Contest**

A. The executive director will notify the candidates of the results of the election by email. The 10 calendar days for contesting an election shall commence three work days (excluding Saturdays, Sundays, and legal holidays) after the results of the election are emailed by the executive director.

B. - C. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:144.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Board of Architectural Examiners, LR 29:577 (April 2003), amended LR 52:

#### **Family Impact Statement**

In accordance with R.S. 49:961(A)(2)(h)(i) and 972, the following Family Impact Statement is submitted with the Notice of Intent for publication in the *Louisiana Register*. The proposed Rules have no known impact on family formation, stability, or autonomy.

#### **Poverty Impact Statement**

In accordance with R.S. 49:961(A)(2)(h)(ii) and 973, the following Poverty Impact Statement is submitted with the Notice of Intent for publication in the *Louisiana Register*. The proposed Rules have no known impact on child, individual, or family poverty in relation to individual or community asset development as described in R.S. 49:973.

#### **Small Business Analysis**

The impact of the proposed Rule on small businesses as defined in the Regulatory Flexibility Act has been considered. It is estimated that the proposed action is not expected to have a significant adverse impact on small businesses. The agency, consistent with health, safety, environmental and economic welfare factors, has considered and, where possible, utilized regulatory methods in the drafting of the proposed Rule that will accomplish the objectives of applicable statutes while minimizing the adverse impact of the proposed Rule on small businesses.

#### **Provider Impact Statement**

In accordance with HCR 170 of the 2014 Regular Legislative Session, the following Provider Impact Statement is submitted with the Notice of Intent for publication in the *Louisiana Register*. The proposed Rules have no known effect on the staffing level requirements or qualifications required to provide the same level of service, the cost to the provider to provide such services, or the ability of the provider to provide the same level of service.

#### **Public Comments**

Interested persons may submit written comments on the proposed Rules to Tyson Ducote, Executive Director, Louisiana State Board of Architectural Examiners, 9625 Fenway Avenue, Suite B, Baton Rouge, LA 70809. All comments must be submitted by 4:30 pm on November 14, 2025.

Tyson Ducote  
Executive Director

#### **FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES RULE TITLE: Architects Selection Board**

##### **I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)**

The proposed rule changes are anticipated to result in a saving of approximately \$1,381 per year for the Board of Architectural Examiners.

The board conducts the elections of the members of the Architects Selection Board. Existing rules provide that the process for submitting nominations, distribution of ballots, voting, and notifications be done by mail and that the tabulation of votes be done manually. The proposed rule changes will allow the nomination process, distribution of ballots, voting, tabulation of voting, and notifications to be done electronically.

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

The proposed rule changes have no anticipated effect on the revenue collections of state or local governmental units. No revenues related to the election of the members of the Architects Selection Board are collected by the board.

##### **III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NONGOVERNMENTAL GROUPS (Summary)**

The proposed rule changes simplify and modernize the procedures for the election of the members of the Architects Selection Board by allowing the nomination process, distribution of ballots, voting, tabulation of votes, and

notifications to be done electronically. Although the nomination process for candidates will become somewhat simpler, the board does not anticipate any increase or decrease in costs or economic benefits to directly affected persons, small businesses, or non-governmental groups that can be measured or calculated.

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

The proposed rule changes will not affect competition or employment.

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Executive Director  
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Patrice Thomas  
Deputy Fiscal Officer  
Legislative Fiscal Office

#### NOTICE OF INTENT Office of the Governor Board of Architectural Examiners Organization (LAC 46:I,Chapter 3)

Notice is hereby given that the Board of Architectural Examiners, in accordance with the provisions of R.S. 49:950 et seq., and through the authority granted in R.S. 37:144(C), proposes to amend LAC 46:I.301 pertaining to its executive director, LAC 46:I.303 pertaining to its officers, LAC 46:I.305 pertaining to its other personnel, LAC 46:I.307 pertaining to its meetings, LAC 46:I.309 pertaining to its minutes, LAC 46:I.313 pertaining to the quorum for meetings, LAC 46:I.315 pertaining to its official records, and LAC 46:I.317 pertaining to the National Council of Architectural Registration Boards (NCARB). In addition, the board proposes to adopt a new rule, LAC 46:I.319 pertaining to the powers and duties of the board.

Act 192 of 2024 mandated that all state agencies which make rules (i) systematically review a sufficient number of rules each year so that all rules have been reviewed within a five-year period and (ii) submit a report of their review to the appropriate legislative oversight committee. Executive Order JML 25-038 issued April 1, 2025, mandated that by December 31, 2025, state agencies review at least 50 percent of the rules listed in the order or a minimum of 100 rules, whichever is greater. Each rule should be evaluated to determine if it is necessary, consistent with the law, aligned with the agency's mission, and otherwise complies with the legislation described therein. The list of rules to be reviewed under the executive order included LAC 46:I.301-305 and LAC 46:I.309-315.

Applying the criteria required by Act 192 and EO JML 25-035, the board reviewed Chapter 3 of its rules (LAC 46:I,Chapter 3). It decided that amendments of the rules contained herein should be made and that proposed LAC 46:I.319 pertaining to the powers and duties of the board should be adopted. The proposed amendments to LAC 46:I.301, LAC 46:I.303, and LAC 46:I.305 pertaining respectively to the executive director, the officers of the board, and other personnel of the board describe more completely and accurately the duties of such persons as presently exists. The proposed amendments to LAC 46:I.307, LAC 46:I.309, and LAC 46:I.313 pertaining respectively to board meetings, the minutes of meetings, and the necessary quorum for meetings describe more

completely and accurately the meetings, minutes, and quorum of the board as presently exists. The proposed amendment to LAC 46:I.315 pertaining to the official records of the board describes more completely and accurately the existing records maintained by the board. The proposed amendment to LAC 46:I.317 pertaining to the NCARB describes more completely and accurately the relationship between the board and NCARB. Proposed LAC 46:I.319, which is new, sets forth more completely the powers and duties of the board.

#### Title 46 PROFESSIONAL AND OCCUPATIONAL STANDARDS Part I. Architects

##### Chapter 3. Organization

###### §301. Executive Director

A. ...

B. The executive director is responsible for the day-to-day operations of the board office. The board delegates to the executive director certain responsibilities to properly fulfill the board's duties, which may include, but are not limited to, the following:

1. oversee the issuance of licenses for board approval;
2. oversee the investigations of complaints and present proposed adjudications for board action;
3. act as the board's agent with banks and financial institutions and as the board's primary signatory on all checks, and make financial decisions on behalf of the board within the scope of these rules;
4. develop the budget for board approval;
5. collect fees and monitor the expenditure of funds;
6. contract for required business services;
7. report key operations performance measures to the board;
8. engage the board in planning and implementing the strategic plan;
9. oversee and evaluate all staff;
10. facilitate communication to and among board members and make arrangements for board meetings;
11. serve as an agent of the board when communicating with other jurisdictional agencies and the public;
12. issue meeting minutes, reports, and notices required of the board;
13. possess on behalf of the secretary the official records of the board; and
14. perform such administrative, ministerial, and other duties as the board may assign from time to time.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:144.

HISTORICAL NOTE: Promulgated by the Department of Commerce, Board of Architectural Examiners, LR 4:333 (September 1978), amended LR 10:738 (October 1984), amended by the Office of the Governor, Board of Architectural Examiners, LR 29:559 (April 2003), amended LR 52:

###### §303. Officers

A. The board shall elect a president and a secretary, each to hold office until their successors shall have been elected. The term of office shall be for one year beginning the first day of January of the ensuing year.

B. The president shall preside at all meetings, appoint all committees, sign all licenses issued, and perform all other duties pertaining to his office.