

2. ELA-6-H2—Analyzing and evaluating distinctive elements (e.g., recurrent themes, historical significance, literary techniques) of ancient, American, British, and world literature (1, 2, 4, 5)

3. ELA-6-H3—Analyzing, and synthesizing a variety of classic and contemporary fiction and non-fiction literature from many genres (e.g., epics)\*\* (1, 2, 4, 5)

4. ELA-6-H4—Analyzing and responding to various genres as records of life experiences (1, 2, 4, 5)

\* Inclusive of K-4 examples

\*\* Inclusive of K-8 examples

AUTHORITY NOTE: Promulgated in accordance with R.S.17:6.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:310 (March 2003).

## Chapter 7. Standard Seven

### §701. General Provisions

A. Standard Seven. Students apply reasoning and problem solving skills to their reading, writing, speaking, listening, viewing, and visually representing.

B. Focus. Students use language daily to solve problems and deal with issues surrounding them. In order to respond effectively to these situations, students need to use the English Language Arts clearly, fluently, strategically, critically, technologically, and creatively. Students should use reasoning skills as they pose questions, plan, predict, investigate, hypothesize, speculate, and communicate about issues they encounter in academic subjects as well as in everyday life.

AUTHORITY NOTE: Promulgated in accordance with R.S.17:6.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:311 (March 2003).

### §703. Benchmarks K-4

A. In Grades K-4, what students know and are able to do includes the following.

1. ELA-7-E1—Using comprehension strategies (e.g., sequencing, predicting, drawing conclusions, comparing and contrasting, making inferences, determining main ideas) to interpret oral, written, and visual texts (1, 2, 4)

2. ELA-7-E2—Using basic reasoning skills, life experiences, and available information to solve problems in oral, written, and visual texts (1, 2, 4)

3. ELA-7-E3—Recognizing an author's purpose (reason for writing), and viewpoint (perspective) (1, 2, 4)

4. ELA-7-E4—Using basic reasoning skills to distinguish fact from opinion, skim and scan for facts, determine cause and effect, generate inquiry, and make connections with real-life situations (1, 2, 4, 5)

AUTHORITY NOTE: Promulgated in accordance with R.S.17:6.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:311 (March 2003).

### §705. Benchmarks 5-8

A. As students in Grades 5-8 extend their knowledge, what students know and are able to do includes the following.

1. ELA-7-M1—Using comprehension strategies (e.g., summarizing, recognizing literary devices, paraphrasing)\* to analyze oral, written, and visual texts (1, 2, 4)

2. ELA-7-M2—Using reasoning skills (e.g., categorizing, prioritizing),\* life experiences, accumulated

knowledge, and relevant available information resources to solve problems in oral, written, and visual texts (1, 2, 4)

3. ELA-7-M3—Interpreting the effects of an author's purpose (reason for writing) and viewpoint (perspective) (1, 2, 4)

4. ELA-7-M4—Using inductive and deductive reasoning skills across oral, written, and visual texts\* (1, 2, 4, 5)

AUTHORITY NOTE: Promulgated in accordance with R.S.17:6.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:311 (March 2003).

### §707. Benchmarks 9-12

A. As students in Grades 9-12 extend and refine their knowledge, what they know and are able to do includes the following.

1. ELA-7-H1—Using comprehension strategies (e.g., synthesizing, critiquing)\*\* to evaluate oral, written, and visual texts (1, 2, 4)

2. ELA-7-H2—Using reasoning skills (e.g., analyzing evaluating),\*\* incorporating life experiences, and using available information resources to solve problems in complex oral, written, and visual texts (1, 2, 4, 5)

3. ELA-7-H3—Analyzing and evaluating the effects of an author's life, culture, and philosophical assumptions as reflected in the author's viewpoint (perspective) (1, 2, 4, 5)

4. ELA-7-H4—Using analytical reasoning skills in a variety of complex oral, written, and visual texts\*\* (1, 2, 4, 5)

\* Inclusive of K-4 examples

\*\* Inclusive of K-8 examples

AUTHORITY NOTE: Promulgated in accordance with R.S.17:6.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:311 (March 2003).

Weegie Peabody  
Executive Director

0303#014

## RULE

Department of Environmental Quality  
Office of Environmental Assessment  
Environmental Planning Division

Commercial Laboratories Pending Accreditation  
(LAC 33:I.4501 and 4719)(OS039)

Under the authority of the Environmental Quality Act, R.S. 30:2001 et seq., and in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., the secretary amends the Office of the Secretary regulations, LAC 33:I.4501 and 4719 (Log #OS039).

As a result of deadlines established in current Louisiana regulations, the department was prohibited from accepting data from commercial laboratories that have not received departmental accreditation. This Rule will allow the department to accept data from laboratories that have submitted complete applications and supporting documents, have submitted documentation verifying certification/accreditation by a department-approved accreditation program or supporting documentation showing

the quality assurance and quality control program used to generate analytical data by the laboratory, and have paid all appropriate fees. The department is adding an exemption for personnel monitoring services and those activities specifically licensed in accordance with LAC 33:XV.Chapter 3.Subchapter B, equivalent agreement state regulations, and the Nuclear Regulatory Commission regulations, Title 10 Code of Federal Regulations, due to the fact that they are licensed under other department regulations and to prevent an additional economic burden and duplication of effort by the department. The department relies on the analytical data to determine permit compliance, enforcement issues, and effectiveness of remediation of soils and groundwater. Permit issuance and compliance are effective means of determining the impact on human health and the environment. The basis and rationale for this Rule are to establish regulations to allow the department to have access to accurate, reliable, precise analytical data in order to meet its mandate to protect human health and the environment. This Rule will promulgate the regulation changes in Emergency Rule OS039E4, which was effective on March 11, 2003.

This Rule meets an exception listed in R.S. 30:2019.D.(2) and R.S. 49:953.G.(3); therefore, no report regarding environmental/health benefits and social/economic costs is required. This Rule has no known impact on family formation, stability, and autonomy as described in R.S. 49:972.

#### **Title 33**

### **ENVIRONMENTAL QUALITY**

#### **Part I. Office of the Secretary**

#### **Subpart 3. Laboratory Accreditation**

#### **Chapter 45. Policy and Intent**

#### **§4501. Description and Intent of Program**

A. - D. ...

E. This Subpart shall not apply to the following:

1. laboratory analyses programs accredited under the regulatory and statutory authority of the Louisiana Department of Health and Hospitals; and

2. personnel monitoring services in accordance with LAC 33:XV.430.C and to those activities specifically licensed in accordance with LAC 33:XV.Chapter 3.Subchapter B, equivalent agreement state regulations, and the Nuclear Regulatory Commission regulations, Title 10 *Code of Federal Regulations*.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2011.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of the Secretary, LR 24:917 (May 1998), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:1434 (July 2000), IR 29:312 (March 2003).

#### **Chapter 47. Program Requirements**

#### **§4719. Implementation**

A. - B. ...

C. The department will accept analytical data generated by laboratories that do not comply with the deadlines established in Subsection B of this Section for accreditation if such laboratories:

1. have submitted a complete application form and supporting documents;

2. have submitted documentation verifying certification/accreditation by a department-approved

accreditation program or supporting documentation showing the quality assurance and quality control program used to generate analytical data by the laboratory; and

3. have paid appropriate fees.

D. These regulations shall not apply to field tests as defined in LAC 33:I.4503.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2011.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of the Secretary, LR 24:922 (May 1998), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:1436 (July 2000), LR 29:312 (March 2003).

James H. Brent, Ph.D.  
Assistant Secretary

0303#072

### **RULE**

#### **Department of Environmental Quality Office of Environmental Assessment Environmental Planning Division**

#### **Reorganization of Solid Waste Regulations (LAC 33:VII.Chapters 151-169)(SW031)**

Under the authority of the Environmental Quality Act, R.S. 30:2001 et seq., and in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., the secretary has repealed LAC 33:VII.Subpart 3 of the solid waste regulations (Log #SW031).

This Rule repealed and replaced in its entirety all previously promulgated Solid Waste regulations cited as LAC 33:VII.Subpart 1 and repealed in its entirety LAC 33:VII.Subpart 3, Louisiana Resource Recovery and Development Authority. This action was being taken to: 1) reorganize the regulations in a more user-friendly manner; 2) correct errors in text; 3) eliminate the Louisiana Resource Recovery and Development Authority (LRRDA) in accordance with Act 524 of the 2001 Louisiana Legislative Session; 4) clarify technical requirements for all solid waste facilities; 5) incorporate into regulations geology and groundwater standards currently required by the department; 6) allow the department to establish the numbers and levels of certified operators at a facility; 7) provide more flexibility regarding characterization of subsurface geology; 8) remove language allowing operations at a proposed facility with a temporary permit; and 9) establish a basis for the phrase "environmentally sound manner." Upon further evaluation of the solid waste regulations and after review and consideration of comments received, the department has chosen to sever Subpart 1 from the proposed Rule and not promulgate it at this time. The repeal of Subpart 3, Louisiana Resource Recovery and Development Authority, is the only portion of the Rule that is being promulgated.

This Rule meets an exception listed in R.S. 30:2019.D.(2) and R.S. 49:953.G.(3); therefore, no report regarding environmental/health benefits and social/economic costs is required. This Rule has no known impact on family formation, stability, and autonomy as described in R.S. 49:972.

**Title 33**  
**ENVIRONMENTAL QUALITY**

**Part I. Office of the Secretary**

**Subpart 3. Laboratory Accreditation**

**Chapter 45. Policy and Intent**

**§4501. Description and Intent of Program**

A. Description and Intent of Program

1. These regulations provide requirements for an accreditation program specifically applicable to commercial laboratories, wherever located, that provide chemical analyses, analytical results, or other test data to the department, by contract or by agreement, and the data is:

- a. submitted on behalf of any facility, as defined in R.S. 30:2004;
- b. required as a part of any permit application;
- c. required by order of the department;
- d. required to be included on any monitoring reports submitted to the department;
- e. required to be submitted by contract; or
- f. otherwise required by department regulations.

2. The department laboratory accreditation program is designed to ensure the accuracy, precision, and reliability of the data generated, as well as the use of department-approved methodologies in the generation of that data. Laboratory data generated by commercial environmental laboratories that are not accredited under these regulations will not be accepted by the department.

B. This accreditation covers the following fields of testing:

1. air emissions;
2. wastewater/surface water;
3. groundwater;
4. solid/hazardous wastes;
5. soils, sediments, and sludges;
6. biological materials;
7. radiologicals/radioassays;
8. bioassays/biomonitoring/toxicological testing; and
9. asbestos.

C. Each field of testing is divided into test categories. Applications for accreditation may be made for one or more test categories within specified fields of testing. To apply the laboratory must identify the specific department-approved methods it will be using for each test category and participate in all relevant department-approved proficiency testing programs. Any variance from approved protocol or

procedure is acceptable only with prior written confirmation by the department.

D. Applicants must have an acceptable quality control system and associated documentation. Accreditation earned from other states or regulatory agencies may be accepted by the department, provided that a review shows that the requirements are no less stringent than those required by these regulations. Reciprocity with other state accreditation programs will be reviewed by the department, and if the requirements of these regulations are met, then accreditation may be granted.

E. This Subpart shall not apply to the following:

1. laboratory analyses programs accredited under the regulatory and statutory authority of the Louisiana Department of Health and Hospitals; and

2. personnel monitoring services in accordance with LAC 33:XV.430.C and to those activities specifically licensed in accordance with LAC 33:XV.Chapter 3.Subchapter B, equivalent agreement state regulations, and the Nuclear Regulatory Commission regulations, Title 10 *Code of Federal Regulations*.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2011.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of the Secretary, LR 24:917 (May 1998), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:1434 (July 2000), LR 29:312 (March 2003).

**§4503. Definitions**

A. When used in these rules and regulations, the following words and phrases shall have the meanings ascribed to them below.

*Accreditation*—the formal recognition by the department of a laboratory's competence wherein specific tests or types of tests can be accurately and successfully performed in compliance with all minimum requirements set forth in these regulations.

*Annual Renewal Date*—July 1.

*Applicant*—the laboratory requesting accreditation.

*Commercial Laboratory*—any laboratory, wherever located, that performs analyses or tests for third parties for a fee or other compensation and provides chemical analyses, analytical results, or other test data to the department, by contract or agreement, and the data is: submitted on behalf of any facility, as defined in R.S. 30:2004; or required as a part of any permit application; or required by order of the department; or required to be included on any monitoring reports submitted to the department; or otherwise required