

NOTICE OF INTENT

Department of Natural Resources

Oilfield Site Restoration
(LAC 43:I.Chapter 23)

The Department of Natural Resources, Office of Conservation proposes to amend LAC 43:XIX, Subpart 1 in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., and pursuant to the power delegated under the laws of the state of Louisiana. The current rule reflects the law at the time the rule was first promulgated in 1995. Since then, the law has been changed multiple times, but the regulations have not been amended to reflect those changes. The proposed rule changes will make the regulations consistent with the law by incorporating the applicable law by reference.

Title 43

NATURAL RESOURCES

Part I. Office of the Secretary

Subpart 2. Oilfield Site Restoration

Chapter 23. Oilfield Site Restoration Fund

§2301. Establishment of the Fund

A. The Oilfield Site Restoration Fund is in the custody of the state treasurer and shall be a special custodial trust fund administered by the secretary in accordance with R.S. 30:86.

B. The fund shall be and remain the property of the commission.

C. The monies in the fund shall be used solely for the purposes of this Part.

D. The secretary shall make certifications to the Secretary of the Department of Revenue as required by R.S. 30:86.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:80 et seq.

HISTORICAL NOTE: Promulgated by Department of Natural Resources, Office of Conservation, LR 21:398 (April 1995), repromulgated LR 21:471 (May 1995).

§2303. Assessment of Fees

A. Fees shall be assessed in the amounts set forth in and as provided for in R.S. 30:87.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:80 et seq.

HISTORICAL NOTE: Promulgated by Department of Natural Resources, Office of Conservation, LR 21:398 (April 1995), repromulgated LR 21:472 (May 1995).

Family Impact Statement

This Rule has no known impact on family formation, stability, and autonomy as described in R.S. 49:972.

Poverty Impact Statement

This Rule has no known impact on poverty as described in R.S. 49:973.

Small Business Analysis

This Rule has no known impact on small businesses as described in R.S. 49:965.6.

Provider Impact Statement

This Rule has no known impact on providers as described in HCR 170 of 2014.

Public Comments

All interested parties will be afforded the opportunity to submit data, views, or arguments, in writing. Written comments will be accepted by hand delivery or USPS only, until 4 p.m., April 10, 2019, at Office of Conservation, Executive Division, P.O. Box 94275, Baton Rouge, LA 70804-9275; or Office of Conservation, Executive Division, 617 North Third Street, Room 931, Baton Rouge, LA 70802. Reference Docket No. R A 2019-02. All inquiries should be directed to John Adams at the above addresses or by phone to (225) 342-7889. No preamble was prepared.

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES

RULE TITLE: Oilfield Site Restoration Fund

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

There are no anticipated implementation costs to the department (DNR) or local governmental units as a result of the proposed rule changes. The current rule reflects the law at the time the rule was first promulgated in 1995. Since then, the law has been changed multiple times, but the regulations have not been amended to reflect those changes. The proposed rule changes will make the regulations consistent with the law by incorporating the applicable law by reference.

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

The proposed rule change will have no effect on revenue collections of state or local government units.

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

There are no anticipated costs to directly affected persons or nongovernmental groups. Operators of producing wells are currently assessed all applicable rates as specified in law. Modifying the regulations to accurately reflect existing law will have no effect on the rates being paid by well operators.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed rule changes are not anticipated to have any impact on competition or employment.

Thomas H. Harris
Secretary

Evan Brasseaux
Staff Director
Legislative Fiscal Office