

**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 commission, upon approval of the secretary, may enter into one or more agreements with a private legal entity to receive and administer the "Oilfield Site Restoration Fund," which shall be an interest bearing trust fund. 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.

~~1. certify to the Secretary of the Department of Revenue and Taxation, the date on which the fund equals or exceeds the sum of \$10 million (hereinafter referred to as the cap); and~~

~~2. the fees as provided for in R.S. 30:87 shall not be collected after the first day of the second month following certification that the cap has been reached; and~~

~~3. the Secretary of the Department of Revenue and Taxation shall resume collection of the fees upon certification by the secretary that, based on expenditures or the commitment to expend monies, the fund has fallen below \$6 million;~~

~~4. site specific trust account funds within the fund shall not be counted to determine the cap.~~

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), repromulgated LR ?? (Month 2019).

**§2303. Assessment of Fees**

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

~~A. Effective September 1, 1993, in order to establish the oilfield site restoration fund, the following fees shall be paid:~~

~~1. \$0.01 on each barrel of oil and condensate from producing wells. Production shall be determined based on severance tax collections on each well;~~

~~2. \$0.005 on each barrel of oil and condensate from incapable wells. Production shall be determined based on severance tax collections on each well;~~

~~3. \$0.0025 on each barrel of oil and condensate from stripper wells. Production shall be determined based on severance tax collections on each well;~~

~~4. \$0.002 per thousand cubic feet of gas. Production shall be determined based on severance tax collections on each well.~~

~~B. Effective July 1, 1995 the fee shall be increased by 5 percent annually, in each of the above categories, until such time as the fee has been increased by 100 percent per site after which no further increases shall occur.~~

~~C. The royalty and overriding royalty owners shall not bear the burden of the fees imposed hereinabove.~~

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

HISTORICAL NOTE: Promulgated by the Department of Natural Resources, Office of Conservation, LR 21:398 (April 1995), repromulgated LR 21:472 (May 1995), repromulgated LR ?? (Month 2019).