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GOVERNOR

State of Louisiana
DEPARTMENT OF NATURAL RESOURCES
OFFICE OF CONSERVATION

STEPHEN CHUSTZ
SECRETARY
JAMES H. WELSH
COMMISSIONER OF CONSERVATION

January 8, 2015

Senator John A. Alario, Jr., President
Senator Gerald Long, Natural Resource Committee Chairman
Representative Chuck Kleckley, Speaker
Representative Gordon E. Dove, Sr., Natural Resources and Environment Committee Chairman

Via Statutorily Prescribed E-mail

Re: Report of Proposed Amendment to
Office of Conservation Rules and Regulations
LAC 43:XIX. 311 and 313 (Statewide Order No. 29-B)

Dear Oversight Authorities:

The Commissioner of Conservation proposes to amend LAC 43:XIX.507 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.

I. Copy of the rule as it is proposed for amendment per La R.S. 49:968.C(1):

See the attached Notice of Intent.

II. Statement of the proposed action per La R.S. 49:968.C(2):

The Louisiana Office of Conservation proposes to amend LAC 43:XIX.507. The current regulations pertaining to commercial facilities and transfer stations require a setback of 500 feet from a residential, commercial, or public building, church, school or hospital. The proposed rule change adds an additional setback area associated with new commercial facilities and transfer stations in that they may not be located within 1,250 feet from a school, hospital or public park. Existing facilities and transfer stations will be exempt from the 1,250 foot rule. The facilities and stations handle the off-site storage, treatment and/or disposal of exploration and production waste generated from drilling and production of oil and gas wells.

III. The specific citation of the enabling legislation purporting to authorize amendment of the rule per La R.S. 49:968.C(3):

La R.S 30:4et seq.

IV. Statement of the circumstances requiring amendment of the rule per La R.S. 49:968.C(4):

The proposed amendment was initiated in an effort to address concerns of citizens that the current commercial facility setbacks are perceived to be insufficient. To address these concerns, members of the regulated industry met with representatives of the concerned citizens and worked out the proposed language.

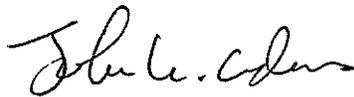
V. Statement of the fiscal and economic impact of the proposed rule amendment per La R.S. 49:968.C(5):

The fiscal and economic impact statement is attached to this report.

A notice of intent to initiate rule-making will be published in the Louisiana Register on January 20, 2015, with a public hearing on the proposal scheduled for February 26, 2015 at 9:00 AM.

Please contact me at 225-342-7889 if there are any questions.

Yours very truly,



John W. Adams
Attorney, Office of Conservation

JWA:jwa

Attachments