

## NOTICE OF INTENT

### Department of Energy and Natural Resources Office of Conservation

#### Pipeline Safety—Liquid Chlorine (LAC 33:V.30105)

The Department Energy and Natural Resources, Office of Conservation proposes to amend LAC 33:V 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 proposed Rule changes are to eliminate a safety gap in the pipeline safety rules with chlorine. Chlorine is regulated as a gas by US Department of Transportation and Louisiana but not currently as a liquid. This Rule change adds chlorine to the hazardous liquid definition and would be regulated by state of Louisiana.

#### Title 33

#### ENVIRONMENTAL QUALITY

#### Part V. Hazardous Wastes and Hazardous Materials

#### Subpart 3. Natural Resources

#### Chapter 301. Transportation of Hazardous Liquids by Pipeline [49 CFR Part 195]

#### Subchapter A. General [49 CFR Part 195 Subpart A]

#### §30105. Definitions [49 CFR 195.2]

A. ...

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*Hazardous Liquid*—petroleum, petroleum products, anhydrous ammonia, chlorine and ethanol or other non-petroleum fuel, including biofuel, which is flammable, toxic, or would be harmful to the environment if released in significant quantities.

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AUTHORITY NOTE: Promulgated in accordance with R.S. 30:703.

HISTORICAL NOTE: Promulgated by the Department of Natural Resources, Office of Conservation, Pipeline Division, LR 15:629 (August 1989), amended LR 18:861 (August 1992), LR 21:815 (August 1995), LR 27:1523 (September 2001), LR 28:83 (January 2002), LR 29:2805 (December 2003), LR 31:675 (March 2005), LR 33:467 (March 2007), LR 38:99 (January 2012), LR 44:1021 (June 2018), LR 46:1604 (November 2020), LR 49:1090 (June 2023), LR 50:1243 (September 2024), LR 51:

#### 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, USPS or FedEx, until 4 p.m., October 21, 2025, at Office of Conservation, Pipeline Division, P.O. Box 94275, Baton Rouge, LA 70804-9275; or Office of Conservation - Pipeline Division, 617 North Third Street, Baton Rouge, LA 70802. All inquiries should be directed to Michael Peikert at the above addresses or by phone to (225) 219-3799.

Steven M. Giambrone  
Commissioner

## FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES

### RULE TITLE: Pipeline Safety—Liquid Chlorine

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

The proposed rule change will have no implementation costs, as regulations will be enforced using existing staff. The proposed rule change does not establish any new fees or modify any existing fees, but applies the current fee structure to any liquid chlorine pipeline operators that fall under the state's jurisdiction pursuant to the expanded definition of hazardous liquid under the pipeline safety regulations.

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

The proposed rule change is anticipated to have a negligible effect on state revenue collections and no effect on local government units. According to a 2015 study by the U.S. Department of Transportation's Pipeline and Hazardous Materials Safety Administration (PHMSA) on nonpetroleum hazardous liquids transported by pipeline, Louisiana had 6 operators managing 9 chlorine plants. Currently, the Department of Energy and Natural Resources is aware of only one plant actively constructing a pipeline that would be subject to these regulations. The study indicates that liquid chlorine is typically used on-site or transferred by rail tank car, tank truck, or tank barge, rather than by pipeline. All hazardous liquid pipeline operators are subject to a fee of \$44.80 per mile or a minimum of \$800, therefore the increase in revenue from the addition of a limited number of operators will be minimal.

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

The proposed rule change will directly affect liquid chlorine pipeline operators. Operators may experience increased workload due to compliance with testing, operations and maintenance requirements, operator qualification standards and corrosion control measures as outlined in the rule. It is estimated that operators not currently subject to these requirements may incur additional compliance costs of approximately \$200,000 per year.

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

The proposed rule change will have no effect on competition and employment.

Steven M. Giambrone  
Commissioner  
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Legislative Fiscal Office