

Regular Session, 2011

HOUSE BILL NO. 563

BY REPRESENTATIVES CORTEZ, CHAMPAGNE, KATZ, AND SEABAUGH AND
SENATOR KOSTELKA

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

MINERALS: Provides for surface and subsurface restoration

1 AN ACT

2 To enact R.S. 30:4(L), 84(A)(3), and 86(D)(7), relative to the remediation of oilfield sites;
3 to provide for the jurisdiction of the office of conservation; to provide for certain
4 judicial demands; to provide for the authority of the secretary; to provide for funding
5 of the Oilfield Site Restoration Fund; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 30:4(L), 84(A)(3), and 86(D)(7) and (E)(7) are hereby enacted to
8 read as follows:

9 §4. Jurisdiction, duties, and powers of the assistant secretary; rules and regulations

10 * * *

11 L. The office of conservation through the commissioner shall have primary
12 jurisdiction for all demands arising as a result of any actual or potential impact,
13 damage, or injury to environmental media caused by contamination resulting from
14 activities associated with oilfield sites or exploration and production sites. All
15 judicial demands which have been filed or amended as of July 1, 2011, and which
16 the office has not approved a plan to evaluate or remediate the environmental
17 damage shall be stayed and referred to the office for approval of a plan.

18 * * *

1 §84. Powers of the secretary

2 A. The powers of the secretary shall include without limitation the power to
3 do the following:

4 * * *

5 (3) Take any legal action necessary to meet the purposes of this Part.

6 * * *

7 §86. Oilfield Site Restoration Fund

8 * * *

9 D. The following monies shall be placed into the Oilfield Site Restoration
10 Fund:

11 * * *

12 (7) Any monies recovered from activities conducted pursuant to this Part.

13 * * *

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Cortez

HB No. 563

Abstract: Provides that the jurisdiction of the office of conservation includes claims for certain environmental damages resulting from oil and gas activity and authorizes the secretary of the Dept. of Natural Resources to take legal action to meet the purpose of the La. Oilfield Site Restoration Law.

Proposed law provides that the office of conservation shall have primary jurisdiction for all demands arising as a result of any actual or potential impact, damage, or injury to environmental media caused by contamination resulting from activities associated with oilfield sites or exploration and production sites.

Proposed law requires that all judicial demands which have been filed or amended as of July 1, 2011, and which the office has not approved a plan to evaluate or remediate the environmental damage be stayed and referred to the office for approval of a plan.

Present law provides for the proper and timely cleanup, closure, and restoration of orphaned oilfield sites and creates the Oilfield Site Restoration Fund (fund) for that purpose.

Proposed law provides that monies recovered from activities conducted pursuant to the La. Oilfield Site Restoration Law shall be placed in the fund.

Proposed law authorizes the secretary of the Dept. of Natural Resources to take legal action to meet the purpose of the La. Oilfield Site Restoration Law.

(Adds R.S. 30:4(L), 84(A)(3) and 86(D)(7))