

Regular Session, 2014

SENATE BILL NO. 197

BY SENATOR ALLAIN

MINERALS. Provides relative to oilfield sites and exploration or production sites. (8/1/14)

1 AN ACT
2 To amend and reenact R.S. 30:29(B)(1) and (7)(b) and (I)(1) and (5), relative to the
3 remediation of oilfield sites and exploration and production sites; to provide relative
4 to certain procedures; to provide for notice requirements; to provide for definitions,
5 terms, admissions, conditions, and effects; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 30:29(B)(1) and (7)(b) and (I)(1) and (5) are hereby amended and
8 reenacted to read as follows:

9 §29. Remediation of oilfield sites and exploration and production sites

10 * * *

11 B.(1) Notwithstanding any law to the contrary, immediately upon the filing
12 or amendment of any litigation or pleading making a judicial demand arising from
13 or alleging environmental damage, the provisions of this Section shall apply and the
14 party filing same shall provide timely notice to the state of Louisiana through the
15 Department of Natural Resources, commissioner of conservation and the attorney
16 general. The litigation shall be stayed with respect to any such judicial demand until
17 thirty days after such notice is issued and return receipt **or verification of receipt**

1 is filed with the court.

2 * * *

3 (7) * * *

4 (b) The party issuing the notice of intent to investigate shall mail by certified
5 mail return receipt requested **or commercial delivery service with verification of**
6 **receipt** to all persons identified in the notice a copy of the notice.

7 * * *

8 I. For the purposes of this Section, the following terms shall have the
9 following meanings:

10 (1) "Environmental damage" shall mean any actual or potential impact,
11 damage, or injury to environmental media caused by contamination resulting from
12 activities associated with oilfield sites or exploration and production **(E&P)** sites.
13 Environmental media shall include but not be limited to soil, surface water, ground
14 water, or sediment.

15 * * *

16 (5) "Timely notice" means written notice sent by certified mail, return receipt
17 requested, **or commercial delivery service with verification of receipt**. Such notice
18 shall include a copy of the petition and any other filing in such litigation.

19 * * *

The original instrument and the following digest, which constitutes no part
of the legislative instrument, were prepared by J. W. Wiley.

DIGEST

Allain (SB 197)

Present law provides that timely notice may be accomplished by certified mail, return receipt requested.

Proposed law adds another method of timely notice by commercial delivery service with verification of receipt.

Effective August 1, 2014.

(Amends R.S. 30:29(B)(1) and (7)(b) and (I)(1) and (5))