
HOUSE COMMITTEE AMENDMENTS

2021 Regular Session

Amendments proposed by House Committee on Natural Resources and Environment to
Original House Bill No. 572 by Representative WhiteAMENDMENT NO. 1

On page 1, delete line 3 in its entirety and insert in lieu thereof "(D)(1) and R.S. 30:1103(3) through (12) and 1110(C)(3) and (E)(5) and to enact R.S. 30:1103(13), 1104(F), and 1110(F)(7), relative"

AMENDMENT NO. 2

On page 1, line 7, after "domes;" and before "to" insert "to provide for definitions; to provide for the "reasons for confidentiality" requirements as it relates to certain business records;"

AMENDMENT NO. 3

On page 1, delete line 12 in its entirety and insert in lieu thereof "(D)(1) and R.S. 30:1103(3) through (12) and 1110(C)(3) and (E)(5) are hereby amended and reenacted and R.S."

AMENDMENT NO. 4

On page 1, at the beginning of line 13, delete "30:1110(F)(7) is" and insert in lieu thereof "30:1103(13), 1104(F), and 1110(F)(7) are"

AMENDMENT NO. 5

On page 4, between lines 16 and 17, insert the following:

"§1103. Definitions

Unless the context otherwise requires, the words defined in this Section have the following meaning when found in this Chapter:

(1) "Carbon dioxide" means naturally occurring, geologically sourced, or anthropogenically sourced carbon dioxide including its derivatives and all mixtures, combinations, and phases, whether liquid or gaseous, stripped, segregated, or divided from any other fluid stream thereof.

(2) "Commissioner" has the same meaning as provided in R.S. 30:3.

(3) "Confidential Business Information" means any information accepted or determined by the United States Environmental Protection Agency to be subject to confidential treatment.

~~(3)~~(4) "Gas" has the same meaning as provided in R.S. 30:3.

~~(4)~~(5) "Geologic storage" means the long-or short-term underground storage of carbon dioxide in a reservoir.

~~(5)~~(6) "Interested person" means any person who presently owns an interest within the area of, or proximate to, the tracts directly affected by the storage facility.

~~(6)~~(7) "Office" means the office of conservation, Department of Natural Resources.

~~(7)~~(8) "Oil" has the same meaning as provided in R.S. 30:3.

~~(8)~~(9) "Person" means any natural person, corporation, association, partnership, limited liability company, or other entity, receiver, tutor, curator, executor, administrator, fiduciary, or representative of any kind.

~~(9)~~(10) "Reservoir" means that portion of any underground geologic stratum, formation, aquifer, or cavity or void, whether natural or artificially created, including oil and gas reservoirs, salt domes or other saline formations, and coal and coalbed methane seams, suitable for or capable of being made suitable for the injection and storage of carbon dioxide therein.

1 ~~(10)~~(11) "Storage facility" means the underground reservoir, carbon dioxide
2 injection wells, monitoring wells, underground equipment, and surface buildings and
3 equipment utilized in the storage operation. The underground reservoir component
4 of the storage facility includes any necessary and reasonable aerial buffer and
5 subsurface monitoring zones designated by the commissioner for the purpose of
6 ensuring the safe and efficient operation of the storage facility for the storage of
7 carbon dioxide and shall be chosen to protect against pollution, and escape or
8 migration of carbon dioxide.

9 ~~(11)~~(12) "Storage operator" means the person authorized by the
10 commissioner to operate a storage facility. A storage operator can, but need not be,
11 the owner of carbon dioxide injected into a storage facility. Ownership of carbon
12 dioxide and use of geologic storage is a matter of private contract between the
13 storage operator and owner, shipper, or generator of carbon dioxide, as applicable.

14 ~~(12)~~(13) "Waste" in addition to its ordinary meaning, means "physical
15 waste" as that term is generally understood in the storage industry.

16 §1104. Duties and powers of the commissioner; rules and regulations; permits

17 * * *

18 F. The commissioner of conservation, in order to facilitate orderly
19 application reviews in conjunction with the United States Environmental Protection
20 Agency (EPA) and in anticipation of being granted primary enforcement authority
21 from the EPA, shall adopt and apply the "Reasons of business confidentiality"
22 defined in 40 CFR 2.201(e) in the same manner and to the same extent as the EPA,
23 and shall not treat any confidential business information contained within the permit
24 applications as a public record. The commissioner shall promulgate any rules or
25 regulations necessary to implement this legislation.

26 * * *"