The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Alan Miller.

DIGEST

SB 377 Original

2018 Regular Session

Allain

Proposed law provides definitions.

<u>Proposed law</u> provides that if an inactive well has been designated as being inactive with future utility by the operator for a period of 10 years or more and that well is neither scheduled to be plugged and abandoned on a plan approved by the commissioner nor covered under a site specific trust account in accordance with <u>present law</u>, then the owner may request in writing that the office of conservation determine whether the inactive well has future utility.

<u>Proposed law</u> provides the following procedure to determine whether the inactive well should be plugged:

- (1) Within 30 days of receipt of such a request, the commissioner notifies the operator of the request.
- (2) The operator submits to the office a written justification including any evidence he deems necessary to prove that the well has future utility within 90 days of receipt of the notice from the office.
- (3) The office reviews the operator's written justification and determines whether the inactive well in question has future utility.
- (4) The operator submits a plan to the office to plug the well within 90 days after a final determination by the office that the well has no future utility has been made.
- (5) The commissioner may approve the plan of plugging and abandonment submitted by the operator that shall include any revisions the commissioner deems necessary.
- (6) The operator plugs the well in accordance with and within the time frame set forth in the plan of plugging and abandonment approved by the commissioner.
- (7) The operator or the owner may appeal the office's determination in accordance with <u>present</u> <u>law</u>.

<u>Proposed law</u> provides that if the office is unable to carry out any of the responsibilities set <u>proposed</u> <u>law</u> within 90 days of a request or submission due to lack of sufficient personnel or funding, then the commissioner may delay such responsibilities and notify the operator and owner of such a delay and provide an estimate of when the office plans to carry out its responsibility. Effective August 1, 2018.

(Adds R.S. 30:9.3)