

2025 Regular Session

HOUSE BILL NO. 585

BY REPRESENTATIVE MCCORMICK

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

ENERGY: Requires advance notice to surface and mineral owners prior to permitting or performing carbon dioxide sequestration activities

1 AN ACT

2 To amend and reenact R.S. 30:1115, relative to notice requirements for Class V and Class
3 VI permit applications; to require notice to surface and mineral owners of property
4 that may be burdened with a carbon dioxide storage facility; to prohibit carbon
5 dioxide sequestration activity and permitting without providing required notice; to
6 provide for the persons entitled to receive notice; to require notice by certified mail;
7 and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 30:1115 is hereby amended and reenacted to read as follows:

10 §1115. Notifications regarding applications

11 A. No public or private legal entity shall engage in, nor shall any government
12 agency permit, activity associated with carbon capture, use, or sequestration
13 unrelated to enhanced oil and gas recovery, without first having delivered advance
14 written notice via United States Postal Service certified mail to any person or persons
15 owning or having any interest, including mineral rights, in property whose planned
16 use includes such activities. Every applicant for a Class VI permit or a Class V
17 permit related to a geologic sequestration project shall comply with the following:

18 ~~A.(1) Within thirty days of receiving notice of an application for a Class VI~~
19 ~~injection well being~~ In order for an application for a Class VI permit to be deemed
20 administratively complete, the owner or operator shall make a good faith effort to

1 provide notice of the submission of the application via United States certified mail
2 to all of the following located within the surface or subsurface extent of the area of
3 review delineated in the permit application:

4 ~~(1)(a)~~ The last operator of record for any oil or gas well ~~located within the~~
5 ~~area of review delineated in the application.~~

6 ~~(2)(b)~~ Any person known to the applicant after reasonable search that,
7 including owners and operators, acting on behalf of the person, that presently has the
8 right to drill into and produce from a pool and to appropriate production either for
9 himself or others within the predicted or modeled carbon dioxide plume, as that term
10 is defined in administrative rules and regulations providing for Class VI injection
11 wells. All mineral interest owners known to the applicant after a reasonable search,
12 including owners in interest, mineral servitude owners, mineral lessees, and
13 operators acting on behalf of such mineral interest owners.

14 (c) All surface owners.

15 ~~B.(2)~~ Within ten days of filing an application with the commissioner for a
16 ~~Class V stratigraphic test well~~ In order for an application for a Class V stratigraphic
17 test well permit to be considered complete, the owner or operator shall make a good
18 faith effort to provide notice of the submission of the application via United States
19 certified mail to all of the following located within five hundred feet of the proposed
20 well:

21 ~~(1)(a)~~ The last operator of record for any oil or gas well ~~located within five~~
22 ~~hundred feet of the proposed Class V stratigraphic test well location.~~

23 ~~(2)(b)~~ Any person known to the applicant after reasonable search, including
24 owners and operators, acting on behalf of the person, that presently has the right to
25 drill into and produce from a pool and to appropriate production either for himself
26 or others within five hundred feet of the proposed Class V stratigraphic test well
27 location. All mineral interest owners known to the applicant after a reasonable
28 search, including owners in interest, mineral servitude owners, mineral lessees, and
29 operators acting on behalf of such mineral interest owners.

- 1 (c) All surface owners.
- 2 (3) Notice to all surface owners as required by this Section may be satisfied
- 3 by notifying all persons shown on the parish assessor's rolls as the current owner of
- 4 the surface rights for the land included within the applicable area of required notice.
- 5 B. The department shall also publish on its website a notice of each
- 6 application for a Class VI permit or Class V permit related to a carbon dioxide
- 7 sequestration project.

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)]

HB 585 Reengrossed

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McCormick

Abstract: Prohibits carbon dioxide sequestration activity and permitting unless advance notice is provided via certified mail to operators of record for existing wells and all surface and mineral owners within the area of review for a Class VI permit or within 500 feet for a Class V permit.

Proposed law adds a prohibition on any carbon dioxide sequestration or carbon dioxide sequestration permitting without first providing advance written notice via certified mail to all persons owning property planned to be used in a storage project and all persons owning any interest, including mineral interests in such property.

Present law requires applicants for Class V and Class VI well permits to provide notice of the application via U.S. mail to the following parties:

- (1) The last operator of record for any oil or gas well located within the area of review for the Class VI permit or within 500 ft. of the Class V well.
- (2) Any person known to the applicant after reasonable search, including owners and operators acting on behalf of the person, that presently has the right to drill into and produce from a pool and to appropriate production either for himself or others within the Class VI area of review or within 500 ft. of the Class V well.

Proposed law changes present law to require permit applicants to send notice of the permit application via certified mail to all of the following:

- (1) The last operator of record for oil and gas wells within the Class VI area of review or within 500 ft. of the Class V well.
- (2) All mineral interest owners within the Class VI area of review or within 500 ft. of the Class V well, including owners in interest, mineral servitude owners, mineral lessees, and operators acting on behalf of such mineral owners.
- (3) All surface owners within the Class VI area of review or within 500 ft. of the Class V well.

Proposed law provides that the permit applicant can satisfy the requirement to notify all surface owners by providing notice to all persons listed as current owners by the parish assessor.

Proposed law requires that all notices be completed before the permit application can be considered complete.

Proposed law requires the dept. to post notices of Class VI and Class V permits on their website as well.

(Amends R.S. 30:1115)

Summary of Amendments Adopted by House

The House Floor Amendments to the engrossed bill:

1. Add a requirement that the Dept. of Energy and Natural Resources post notices of Class VI well permit applications and applications for Class V wells related to carbon dioxide sequestration projects on their website.
2. Require notice to be completed prior to a Class V permit application can be considered complete, rather than after the application is submitted.
3. Make technical changes.