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

DIGEST

Present law provides for the permitting requirements for the underground storage of hazardous wastes, natural gas, liquid hydrocarbons, carbon dioxide, and Class III brine extractions.

Present law provides that underground storage of hazardous wastes, natural gas, liquid hydrocarbons, carbon dioxide and Class III brine extractions shall be in the public interest and for a public purpose, and that such storage shall be determined by the commissioner to be suitable and feasible, and not contaminate other formations containing fresh water, oil, gas, or other commercial mineral deposits.

Present law requires public hearings on the issuance of permits for the underground storage of hazardous wastes, natural gas, liquid hydrocarbons, carbon dioxide, and Class III brine extraction.

Present law provides that the commissioner shall issue such orders, rules, and regulations as may be necessary for the purpose of protecting any such underground storage reservoir, strata, or formations against pollution or against the escape of hazardous wastes, natural gas, liquid hydrocarbons, carbon dioxide, or Class III brine extractions therefrom, including such necessary rules and regulations as may pertain to the drilling into or through such underground storage reservoir.

Proposed law retains present law and provides for a ban on all underground storage of hazardous wastes, liquid hydrocarbons, natural gas, carbon dioxide, Class III brine extractions and drilling into or through such underground storage reservoirs, caverns and salt domes near moderate and catastrophic disasters such as sinkholes and collapses in salt dome caverns.

Proposed law provides that such a ban on permits for underground activities near salt domes, underground caverns or sink holes where moderate or catastrophic disasters have occurred shall continue until the secretary of the Department of Natural Resources and industry have sufficient time to review the current rules and regulations, examine the issues and promulgate new and more stringent rules and regulations in accordance with the APA in order to determine if such operations may be safely resumed.

Proposed law provides that permits for underground storage of hazardous wastes, liquid hydrocarbons, natural gas, carbon dioxide, Class III brine extractions and drilling into or through such underground storage reservoirs and caverns issued prior to the effective date of proposed law shall require the approval of the secretary of the Department of Natural Resources before such operations may continue.

Proposed law provides that bans on issuance of such permits shall further continue until the

amended and upgraded permitting process is promulgated by the secretary of the Department of Natural Resources and that process has been subjected to the oversight of the House Committee on Natural Resources and Environment and the Senate Committee on Natural Resources and the Senate Committee on Environmental Quality as provided for pursuant to R.S. 49:968.

Proposed law provides that no new permits shall be issued without a permittee providing a performance bond, the amount of which shall be determined by the secretary of the Department of Natural Resources.

Effective August 1, 2013.

(Adds R.S. 30:23.1)