

SENATE BILL NO. 180

BY SENATOR ALLAIN

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

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AN ACT

To amend and reenact R.S. 30:86(E)(2) and (5) and the introductory paragraph of R.S. 30:93(A), and to enact R.S. 30:86(G) and 93(A)(4), relative to the Oilfield Site Restoration Fund; to provide for the purposes and uses of the fund; to provide for recovery of site restoration costs; to require approval of the Oilfield Site Restoration Commission for expenditure of certain monies; to provide terms, conditions, and procedures; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 30:86(E)(2) and (5) and the introductory paragraph of R.S. 30:93(A) are hereby amended and reenacted and R.S. 30:86(G) and 93(A)(4) are hereby enacted to read as follows:

§86. Oilfield Site Restoration Fund

* * *

E. The monies in the fund may be disbursed and expended pursuant to the authority and direction of the secretary or assistant secretary for the following purposes and uses:

* * *

(2) ~~The~~ **Upon approval of the commission, the** administration of this Part by the ~~Department of Natural Resources~~ **department** in an amount not to exceed nine hundred fifty thousand dollars each fiscal year.

* * *

(5) Any costs associated with response to any emergency as provided in R.S. 30:6.1 **unless directed by the commission not to expend monies in the fund pursuant to Subsection G of this Section. The department shall seek to recover from the responsible party any monies disbursed and spent from the fund for any emergency as defined in R.S. 30:6.1 within six months of the initial**

1 expenditure for such emergency.

2 * * *

3 G. Upon declaration of an emergency as defined in R.S. 30:6.1, the
4 assistant secretary shall notify the commission of the declared emergency. A
5 meeting of the commission shall be held within ninety days after the emergency
6 declaration. At such meeting, the commission may direct that no monies in the
7 fund be disbursed or spent for response activity related to the emergency
8 declaration.

9 * * *

10 §93. Recovery of site restoration costs; emergency costs

11 A. If the assistant secretary undertakes restoration of an orphaned oilfield site
12 under this Part or responds to any emergency as provided in R.S. 30:6.1, the
13 secretary shall seek to recover all costs incurred by the secretary, assistant secretary,
14 penalties, and other relief from any party who has operated or held a working interest
15 in such site, or who is required by law, rules adopted by the department, or a valid
16 order of the assistant secretary to control, clean up, close, or restore the oilfield sites
17 or other facilities, structures, or pipelines under the commissioner's jurisdiction
18 pursuant to R.S. 30:1 et seq. in accordance with the following:

19 * * *

20 (4) For a response to any emergency as provided in R.S. 30:6.1, recovery
21 of costs shall be against the responsible party.

22 * * *

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____