ACT 193 (SB 180)   **2019 Regular Session**   **Allain**

<u>Prior law</u> allowed the monies in the Oilfield Site Restoration Fund (fund) to be disbursed and expended pursuant to the authority and direction of the secretary or assistant secretary of the Department of Natural Resources (DNR) for certain purposes and uses, including costs associated with response to an emergency.

<u>New law</u> retains <u>prior law</u> and requires approval by the Oilfield Site Restoration Commission for costs associated with response to any emergency unless directed by the commission not to expend monies in the fund pursuant to <u>new law</u>.

<u>New law</u> requires the DNR to seek recovery from the responsible party any monies disbursed and spent from the fund for an emergency within six months from the initial expenditure.

<u>New law</u> requires the assistant secretary of DNR to notify the commission of an emergency. Further requires the commission to hold a meeting within 90 days after the emergency to approve the expenditure of certain monies.

<u>Prior law</u> allowed the secretary of the DNR to recover certain costs incurred by the secretary for the control, clean up, closure, or restoration of oilfield sites. Further provides a procedure for the recovery of costs.

<u>New law</u> retains <u>prior law</u> and includes costs for responding to an emergency at an oilfield site or other facility, structure, or pipeline under the jurisdiction of the commissioner of conservation as to the costs the secretary may recover from the responsible party.

<u>Prior law</u> provided certain balance requirements in the fund. When the balance in the fund equals or exceeds $14 million dollars, the oilfield site restoration fees on oil and gas will not be collected or required to be paid by the responsible party. When the balance in the fund has fallen below $10 million dollars, the fees will be collected or required to be paid by the responsible party. <u>New law</u> retains <u>prior law</u>.

Effective August 1, 2019.

(Amends R.S. 30:86(E)(2) and (5) and 93(A)(intro para); adds R.S. 30:86(G) and 93(A)(4))