
DIGEST

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HB 1156 Original

2026 Regular Session

Bacala

Abstract: Enacts safety-related requirements for Class VI injection well emergency preparedness and response, permitting, construction, operation, and site closure and for the design, construction, operation, and maintenance of pipelines used to transport carbon dioxide (CO₂) for sequestration.

Present law requires the secretary to make at least one of the following findings prior to the use of any reservoir for CO₂ storage:

- (1) That the reservoir is suitable and feasible for storage. If the reservoir is capable of producing minerals in paying quantities, it can only be found suitable and feasible if all owners agree to storage, all minerals have been produced, or the reservoir has greater value as CO₂ storage and 3/4 owners consent.
- (2) Use of the reservoir for storage will not contaminate other formations with fresh water or minerals.
- (3) The proposed storage will not endanger human life or cause hazardous property conditions.

Proposed law requires that all three of findings under present law are met, rather than just one of them.

Present law provides that any action to drill through a CO₂ storage facility must comply with rules issued by the secretary.

Proposed law retains present law and also requires compliance with proposed law in order to drill through a storage facility.

Proposed law provides minimum requirements for Class VI injection wells and pipelines related to safety and provides that proposed law does not limit the secretary's ability to promulgate additional rules or comply with federal law or permits. Further provides that nothing in proposed law requires the dept. or operators to violate or come into noncompliance with other applicable state or federal law or permits.

Present law establishes the Right-to-Know laws which govern unauthorized releases and emergency response to those releases.

Proposed law makes CO₂ storage facility and pipeline owners and operators subject to the Right-to-Know laws.

Proposed law requires facility and pipelines owners and operators to coordinate with emergency response agencies prior to operating in order to educate first responders, government agencies, and the public regarding CO2 releases; ensure that at least 1 fire department in each affected parish has equipment and supplies necessary to respond to a release; and to implement an emergency alert system for releases.

STORAGE FACILITY SAFETY REQUIREMENTS

Proposed law prohibits the underground injection of CO2 or the construction of a Class VI well without a permit from the dept.

Proposed law requires that all required submissions include the departmental serial number assigned to the Class VI well associated with the submission and that all geoscientific and engineering work be prepared and signed by licensed professional geoscientists and engineers licensed to practice in the state and in good standing with their professional licensing board.

Proposed law establishes the duties of a Class VI permittee, including the following:

- (1) Duty to comply with all permit conditions.
- (2) Duty to reapply for continued activity after the expiration of a permit.
- (3) Duty to halt or reduce activity to remain in compliance with permit conditions.
- (4) Duty to mitigate adverse impacts on the environment.
- (5) Duty to properly operate and maintain facilities in compliance with permit conditions.
- (6) Duty to allow inspections and entry by the dept.
- (7) Duty to establish and maintain mechanical integrity.

Proposed law establishes financial responsibility requirements for all phases of a sequestration project, including maintaining sufficient security to address endangerment to underground sources of drinking water (USDWs), corrective action, plugging, site closure, and emergency and remedial response, and authorizes the dept. to prescribe acceptable forms of financial responsibility and require periodic review of the sufficiency of financial security.

Proposed law establishes siting criteria for Class VI wells, including minimum requirements regarding geologic criteria that the injection zone, point of injection, and confining zones must meet.

Proposed law requires Class VI operators to prepare and comply with area of review and corrective action plans that address the following to the dept.'s satisfaction:

- (1) Area of review delineation that must meet certain modeling requirements.
- (2) Corrective action for existing wells within the area of review.
- (3) Regularly scheduled reevaluation of both the area of review delineation and corrective action.

Present law establishes a 500 foot setback for Class VI wells from inhabited dwellings, schools, and healthcare facilities.

Proposed law retains present law.

Proposed law prohibits the siting of CO₂ injection in solution-mined sal caverns and in locations that would adversely affect any Class I waste plumes.

Proposed law establishes well construction and completion requirements for the following:

- (1) Injection well construction, including supervision, materials and equipment, design, casing and cementing, casing and casing seat tests, and tubing and packers.
- (2) Logging, sampling, and testing prior to injection regarding geologic formations, formation fluids, reservoir pressure, and certain characteristics of the injection and confining zones.

Proposed law requires pre-operation approval from the dept. and sets forth the documentation an owner or operator must submit for the dept. to consider prior to approval of injection operations.

Proposed law establishes Class VI injection well operating requirements that address injection and fracture pressure, injection placement, corrosion control, maintaining mechanical integrity, continuous recordation of pressure and flow data, and alarms and automatic emergency shutoff systems.

Proposed law requires that if mechanical integrity is found to be lacking or if monitoring indicates that there may be a lack of mechanical integrity, an operator must immediately cease injection, determine whether there has been an unauthorized release of CO₂, notify the dept. within 24 hours, and restore and demonstrate mechanical integrity to the satisfaction of the dept. before resuming injection operations.

Proposed law requires Class VI operators to maintain protective barriers and signage around wellheads and infrastructure.

Proposed law prohibits well work of any kind without prior written authorization from the dept.

Present law requires Class VI owners and operators to have emergency and remedial response plans that include continuing training programs for operating and maintenance personnel and to provide these plans to local governing authorities. Further requires at least one tabletop exercise with emergency response agencies prior to injection.

Proposed law retains present law and adds the following:

- (1) Emergency and remedial response plans must include actions the owner or operator must take to address movement of fluids that may endanger USDWs.
- (2) The plans must be reviewed at least once every five years and either amend the plan as necessary with the dept.'s approval or demonstrate to the dept. that no amendment is necessary.
- (3) Compliance with these plans is directly enforceable by the dept.

Proposed law provides that if a Class VI owner or operator obtains evidence that the injected CO2 stream or pressure front may endanger a USDW, they must do all of the following:

- (1) Immediately cease injection.
- (2) Take all steps reasonably necessary to identify and characterize any release.
- (3) Notify the department within twenty-four hours.
- (4) Implement the emergency and remedial response plan approved by the department.
- (5) Obtain dept. approval prior to resuming injection operations after remediation.

Proposed law prohibits the movement of any contaminant into a USDW that would violate federal or state safe drinking water laws and regulations or sanitary codes or that may adversely affect public health.

Proposed law authorizes the secretary to impose additional requirements on an owner or operator of a Class VI well and take emergency action if water quality monitoring indicates the movement of any contaminant into a USDW or public water system.

Proposed law requires Class VI owners and operators to have in place prior to injection a remediation plan for ground water contamination and provides that a public water system may request routine sampling and testing of the public water supply by a third party at the operator's expense.

Proposed law requires a storage operator to immediately implement the ground water remediation plan if monitoring indicates contamination from the storage facility and to provide an alternative supply of potable water until ground water testing by the dept. confirms that it is safe for public use.

Proposed law requires Class VI owners and operators to have testing and monitoring plans approved by the dept. that ensures operations are in compliance with permit conditions. Such plans are required to include CO2 stream analysis, continuous recording devices, corrosion monitoring, ground water quality monitoring, annual demonstrations of mechanical integrity, pressure fall-off testing, plume tracking, and any additional monitoring required by the dept.

Proposed law establishes requirements for mechanical integrity of Class VI wells and actions operators must take to ensure mechanical integrity and the absence of fluid movement, including annulus pressure testing and continuous monitoring of injection pressure, rate, and volume.

Proposed law provides that the dept. may require casing inspection logs for corrosion monitoring and other tests to evaluate mechanical integrity.

Present law requires certain quarterly reporting, reporting that must be done within 24 hours of specified events, the information these reports must contain, and to whom the reports must be made.

Proposed law retains present law.

Proposed law establishes record retention requirements for application data, injection fluid data,

monitoring data, well data, site care data, continuous recording data, and raw operating data.

Proposed law provides that failure to comply with reporting and recordkeeping requirements will subject operators to penalties provided under present law.

Proposed law establishes requirements for plugging and abandonment of Class VI wells, including requirements for well plugging plans, notice of intent to plug, and well closure reports.

Proposed law establishes requirements for post-injection site care and closure, including dept.-approved plans the owner or operator must have in place and implement upon cessation of injection operations. Further requires post-injection monitoring of the plume and pressure front for at least 50 years or an alternative timeline approved by the dept. and provides requirements for approval of an alternative timeline for post-injection monitoring requirements.

Proposed law establishes requirements for site closure, including notice to and approval from the dept., site closure reports, requirements for recordation of certain information in conveyance records, and financial surety requirements that must be met prior to site closure.

CO2 SEQUESTRATION PIPELINE SAFETY REQUIREMENTS

Proposed law prohibits the transportation of CO2 for sequestration through pipelines constructed of any material other than steel, unless an alternative is approved by the dept. and PHMSA, and prohibits CO2 transportation unless it is chemically compatible with all components of the pipeline and any other commodity that the CO2 may come into contact with.

Proposed law establishes requirements for an existing pipeline to qualify for conversion to a CO2 pipeline.

Proposed law establishes requirements for reporting accidents and safety-related conditions, including the following:

- (1) Accident reports for certain pipeline system failures that result in a release of CO2, reporting by phone within one hour for certain CO2 releases, and follow-up reporting required within 48 hours.
- (2) Conditions that require reporting, including certain corrosion, unintended movement and abnormal loading, material defects and damage, malfunctions and operating errors, leaks, and other conditions that may lead to imminent hazards.

Proposed law establishes requirements for the design and construction of CO2 sequestration pipelines. Design requirements address materials used for system components and accounting for temperature and pressure variations, internal and external pressure and loads, fracture propagation, suitability of pipe fittings, sensing devices, control systems with fail-safes, and backup power sources.

Proposed law prohibits operators from relieving CO2 in confined spaces where hazardous levels may

accumulate.

Proposed law requires that installation of pipe and pipeline systems be inspected for compliance with proposed law and provides for who may perform such inspections.

Proposed law establishes criteria for pipeline location, pressure testing, and shut-off valves.

Proposed law provides integrity management requirements for pipeline system repairs that take into account the nature and location of the condition to be repaired.

Proposed law requires operators to maintain current maps and records of its pipelines including their location, crossings, maximum operating pressure, and characteristics of the pipes. Further requires that operators maintain daily operating records and records of repairs and inspections and provides retention periods for such records.

Proposed law requires operators to have communications systems in place for monitoring operational data, notices of emergency conditions, control center communication with the scene of abnormal operations and emergencies, and communicating with emergency responders and public officials during emergencies.

Proposed law establishes requirements for line markers and signs and provides specific criteria for same.

Proposed law requires regularly planned inspection of pipelines and inspections following natural disasters.

Proposed law requires that operators maintain firefighting equipment at pump stations and protect pump stations from unauthorized entry.

Proposed law provides that operators of any buried pipeline must have a program in place to prevent damage from excavation.

Proposed law requires operators to prepare and follow a procedural manual for operations, maintenance, and emergencies.

Proposed law provides that the procedural manual must include the following for maintenance and normal operations:

- (1) Accident and failure preparation, mitigation, and response.
- (2) Post-failure and accident procedures and lessons learned.
- (3) Startup and shutdown procedures.
- (4) Detection of abnormal operating conditions.

- (5) Periodic review of operations and the manual to ensure effectiveness of procedures.
- (6) Protecting personnel from hazards.
- (7) Control room management procedures.

Proposed law provides that the procedural manual must also include procedures for abnormal operations, including the following:

- (1) Abnormal condition response, investigation, and correction.
- (2) Correction of normal operating procedures based on information obtained during abnormal operations.
- (3) Notification procedures.
- (4) Review of personnel responses to abnormal conditions.

Proposed law provides that the procedural manual must also include procedures for emergency operations, including the following:

- (1) Notification and communication procedures.
- (2) Emergency liaisons.
- (3) Responses to emergency notifications.
- (4) The provision of necessary personnel, equipment, and supplies.
- (5) Emergency operating procedures.
- (6) Written rupture identification procedures.
- (7) Control of released CO₂.
- (8) Minimization of public exposure.
- (9) Post-accident review of procedures.
- (10) Control room procedures.
- (11) Reporting of safety-related conditions.

Proposed law establishes requirements for operators to provide emergency response training programs for emergency response personnel on the procedures and characteristics specific to CO₂

releases and requirements for periodic review and modification of this programming.

Proposed law requires operators to develop and implement a written continuing public education program that includes provisions to educate the public, governmental organizations, and people that do excavation work on procedures and possible hazards associated with CO2 releases.

Proposed law establishes additional requirements for safe operation of CO2 pipelines in high-consequence areas, including a written integrity management plan.

Proposed law establishes requirements for pipeline personnel qualifications, training, evaluation, and recordkeeping.

Proposed law authorizes the secretary and department personnel to enter pipeline premises for inspection and examination of records; authorizes the secretary to require testing and the production of additional information to ensure compliance with applicable laws and regulations; and provides for the documentation of violations, the issuance of letters of noncompliance, and enforcement actions.

(Amends R.S. 30:1104(C)(intro. para.) and (E) and 1104.2(I); Adds R.S. 30:1103(17)-(46) and 1121-1121.51; Repeals R.S. 30:1107.1, 1107.2, 1113, and 1114)