DIGEST

HB 516 Original   2024 Regular Session   Mack

Abstract: Establishes requirements for carbon dioxide sequestration regarding emergency preparedness, recordation of maps, local notice, siting restrictions, local zoning, ground water monitoring, and reporting.

Present law provides for the recordation of a notice of geologic storage agreement and includes specific requirements for recording such notices.

Proposed law retains present law.

Proposed law requires Class VI permit applicants and owners and operators of permitted facilities to record maps of the area of review in any parish included in the area of review and the maps must identify the following features:

(1)   Plumes.
(2)   Injection wells.
(3)   Monitoring wells.
(4)   Producing wells.
(5)   Abandoned and orphan wells.
(6)   Plugged wells and dry holes.
(7)   Known and suspected faults.
(8)   Water wells.
(9)   Surface bodies of water.
(10)   Natural springs.
(11)   Aquifers.
(12)   Structures intended for human occupancy.
(13)   Roads.
(14)   State and parish boundaries.

Proposed law further provides that recorded maps need only include information that's public record, that the maps must be updated at least every five years and for changes in circumstances, and that the party recording the map must notify appropriate local governing authorities within 30 days of recording.

Proposed law prohibits the commissioner of conservation from permitting a storage facility within two miles of any municipalities, residential property, schools, and health care facilities. Further requires that Class VI wells and storage facilities comply with local land use planning and zoning

ordinances.

Proposed law declares that Class VI wells and storage facilities are industrial uses unless local zoning ordinances provide otherwise.

Proposed law requires storage facilities to have emergency response plans in place and that those plans be approved by the parish office of homeland security and emergency preparedness. Further establishes minimum requirements, including provisions for:

(1)   Risk scenarios and associated emergency response actions.
(2)   Assets, resources, equipment, training, infrastructure improvements, and any other provisions necessary for effective emergency response and how those needs will be met.
(3)   Procedures for communicating with and coordinating responses with appropriate governmental agencies, officials, and first responders.
(4)   Procedures for use of the community notification system and evacuation and shelter-in-place plans.
(5)   Continuing training programs for operating and maintenance personnel regarding potential hazards, risk scenarios, identification of carbon dioxide release, and response actions.
(6)   Continuing outreach and educational programming for the public and governmental agencies and officials to learn about the community notification system, evacuation and shelter-in-place plans, identification of carbon dioxide release, and how reporting emergencies.

Proposed law requires that storage facilities also have in place community notification systems to warn people of an imminent threat involving the storage facility and requires monthly testing of the system.

Proposed law requires that storage facilities' testing and monitoring plans include annual testing of samples from the same wells used for baseline sampling during the Class VI permitting process and comparison of the results to the baseline data for changes that may indicate an underground carbon dioxide leak. Specifies that the test results and comparison must be reported to the office of conservation and they are declared to be public records.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Amends R.S. 30:1112; Adds R.S. 30:1107.2, 1113, and 1114)