2015 Regular Session

HOUSE BILL NO. 784

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BY REPRESENTATIVE DOVE

2 To amend and reenact R.S. 30:21(B)(1) and 136.1(D) and to enact R.S. 30:4(P), relative to 3 fees collected by the commissioner of conservation; to provide for fees for activities 4 regulated by the office of conservation; to provide for application, compliance, and 5 fees; to authorize the commissioner of conservation to develop and implement an 6 expedited permitting processing program; to provide for notice of an expedited 7 permit; and to provide for related matters. 8 Be it enacted by the Legislature of Louisiana: 9 Section 1. R.S. 30:21(B)(1) and 136.1(D) are hereby amended and reenacted and 10 R.S. 30:4(P) is hereby enacted to read as follows: 11 §4. Jurisdiction, duties, and powers of the assistant secretary; rules and regulations 12 13 P. The commissioner is authorized to develop and implement a program to 14 expedite the processing of permits, modifications, licenses, registrations, or variances 15 for permit applicants who may request such services. In addition to the fees charged 16 pursuant to this Subtitle, a fee for an expedited permit shall be charged to each 17 applicant equal to the cost of every overtime hour, or portion thereof, an employee 18 or contractor works processing the expedited permit and an amount not exceeding 19 twenty percent for administrative costs. The overtime rate shall not exceed the 20 maximum per hour overtime salary, calculated at one and one half times the hourly 21 wage and including associated related benefits, of a civil service employee of the 22 office of conservation. The commissioner shall adopt rules and regulations in 23 accordance with the Administrative Procedure Act to implement the provisions of

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this Subsection. Such rules shall require a public notice be given when an expedite	<u>ed</u>
permit is requested.	

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§21. Fees and charges of the commissioner of conservation; revisions; exceptions; collections; Oil and Gas Regulatory Fund; creation; amounts; requirements

B.(1)(a) There shall be an annual fee payable to the office of conservation, in a form and schedule prescribed by the office of conservation, by oil and gas operators on capable oil wells and capable gas wells based on a tiered system to establish parity on a dollar amount between the wells. The tiered system shall be established annually by rule on capable oil and capable gas production, including nonexempt wells reporting zero production during the annual base period, such that the amount generated does not exceed two three million four six hundred fifty seventy-five thousand dollars for each fiscal year beginning with Fiscal Year 2002-2003 2015-2016. Incapable oil, stripper oil, incapable gas well gas, and incapable oil well gas shall be exempt from the fee. For the purposes of this Subsection, "capable oil" means crude oil and condensate not classified as incapable oil or stripper oil by the Department of Revenue. "Capable gas" means natural and casing head gas not classified as incapable gas well gas or incapable oil well gas by the Department of Revenue.

- (b) There shall be an annual fee payable to the office of conservation, in a form and schedule prescribed by the office of conservation, on Class I wells in an amount not to exceed four hundred thousand one million dollars for Fiscal Year 2000-2001 2015-2016 and thereafter.
- (c) There shall be an annual regulatory fee payable to the office of conservation, in a form and schedule prescribed by the office of conservation, on Class II wells, Class III wells, storage wells, Type A facilities, and Type B facilities in an amount not to exceed eight two million one hundred seventy-five eighty-seven thousand five hundred dollars for Fiscal Year 2000-2001 2015-2016 and thereafter. No fee shall be imposed on a Class II well of an operator who is also an operator of

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a stripper crude oil well or incapable gas well certified pursuant to R.S. 47:633 by the severance tax division of the Department of Revenue and located in the same field as such Class II well.

(d) There shall be an application fee payable to the office of conservation, in a form and schedule prescribed by the office of conservation, by industries under the jurisdiction of the office of conservation. The commissioner may, in accordance with the Administrative Procedure Act, increase any application In addition to any other fee that is on the schedule on July 1, 2002 2015, to an amount not in excess of eight and one-half percent above the amount charged for the fee on July 1, 2002. the commissioner may collect the following fees:

11 (i) Application for alternate unit well, exception \$ 504 12 to 29-E, exception to 29-B, severance tax relief, 13 downhole combinations, well product 14 reclassification, selective completion, pilot 15 projects, waiver of production test, or critical 16 date order 17 (ii) Application for work permit - minerals \$ 75 18 (iii) Application to amend permit to drill - minerals \$ 50 19 (lease unit well, stripper, incapable, other) 20 (iv) Operator registration \$ 105 21 (v) Annual compliance review fee - class III \$2,000 22 solution mining cavern (vi) Annual compliance review fee - class II 23 \$2,000 24 hydrocarbon storage and exploration and 25 production waste cavern 26 (vii) Class II carbon dioxide enhanced \$5,000 27 recovery project 28 (viii) Community saltwater disposal system initial \$ 125 29 notification

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\$ 125

(ix) Application for work permit - injection or other

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1		(x) Work permit to plug and abandon a well utilized	<u>\$ 500</u>
2		for naturally occurring radioactive waste disposal	
3		(xi) Requests to modify well permit	\$ 300
4		(xii) Class V permit waiver or exemption request	\$ 250
5		(xiii) Witnessed verification of mechanical	\$ 250
6		integrity tests	
7		(xiv) Transfer stations regulatory fee for exploration	\$2,500
8		and production waste	
9		(xv) Request to transport exploration and	\$ 150
10		production waste to commercial facilities	
11		or transfer stations	
12		(xvi) Authorization for after-hours disposal	<u>\$ 150</u>
13		of exploration and production waste	
14		(xvii) Exploration and production waste	\$ 300
15		determination	
16		(xviii) Commercial facility transfer station application	<u>\$1,500</u>
17		(xix) Commercial facility application exclusive	\$3,000
18		of an associated well	
19		(xx) Commercial facility annual closure plan and	\$ 300
20		cost estimate review	
21		(xxi) Commercial facility reuse material applications	\$ 300
22		(xxii) Reuse material applications not associated with	\$ 400
23		a commercial facility	
24		* * *	
25	§136.1	. Proceeds from mineral royalties, leases, and bonuses;	payment into the
26		Bond Security and Redemption Fund; payment into the Lou	uisiana Investment
27		Fund for Enhancement (L.I.F.E.)	
28		* * *	
29		D. After deposit to the Bond Security and Redemption	Fund as required
30	under	the provisions of Article VII, Section 9(B) of the Constitu	tion of Louisiana,

an additional fifteen dollars per acre shall be collected from the mineral lessees and deposited into the Louisiana Wildlife and Fisheries Conservation Fund, and an additional five fifteen dollars per acre shall be collected from the mineral lessees and deposited into the Oil and Gas Regulatory Fund created by R.S. 30:21. The funds deposited under the provisions of this Subsection shall be used to supplement funds available to the recipient agencies and shall not be used to supplant other funds available to those recipient agencies.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED:

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