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State of Louisiana
DEPARTMENT OF NATURAL RESOURCES
OFFICE OF CONSERVATION

STEPHEN CHUSTZ
SECRETARY

JAMES H. WELSH
COMMISSIONER OF CONSERVATION

April 9, 2015

Senator John A. Alario, Jr., President
Senator Gerald Long, Natural Resource Committee Chairman
Representative Chuck Kleckley, Speaker
Representative Gordon E. Dove, Sr., Natural Resources and Environment Committee Chairman

Via Statutorily Prescribed E-mail

Re: Post Hearing Report of Proposed Amendment to
Office of Conservation Rules and Regulations
LAC 43:XIX. 507 (Statewide Order No. 29-B)

Dear Oversight Authorities:

The Commissioner of Conservation proposes to amend LAC 43:XIX.507 in accordance with the provisions of the Administrative Procedure Act R.S. 49:950 et seq., and pursuant to the power delegated under the laws of the state of Louisiana. The current regulations pertaining to commercial facilities and transfer stations require a setback of 500 feet from a residential, commercial, or public building, church, school or hospital. The proposed rule change adds an additional setback area associated with new commercial facilities and transfer stations in that they may not be located within 1,250 feet from a school, hospital or public park. Existing facilities and transfer stations will be exempt from the 1,250 foot rule. The facilities and stations handle the off-site storage, treatment and/or disposal of exploration and production waste generated from drilling and production of oil and gas wells.

In accordance with La R.S. 49:968.B and C. the Commissioner forwarded a report (dated January 8, 2015) of proposed amendments to the appropriate legislative committees, presiding officers of the House and Senate, and other state offices.

A public hearing held February 26, 2015, under Docket Number ENV 2014-12, afforded interested parties an opportunity to comment on the proposed rule amendments. The public comment period was held open until 4:30 PM March 5, 2015. Pursuant to La R.S. 49:968.D(1)(b), the Commissioner of Conservation submits the following summary report of the public hearing.

I. La R.S. 49:968.D(1)(b)(i) – A summary of public hearing testimony:

The agency introduced the proposed rule and filed the state exhibits into the record. Although several members of the public attended the hearing, no comments were received during the hearing. Further, no comments were received during the public comment period.

II. La R.S. 49:968.D(1)(b)(ii) – A summary of all comments received, a copy of the agency's responses, and a statement of the agency's action resulting from comments received:

No comments were received.

III. La R.S. 49:968.D(1)(b)(iii) – A revision of the proposed rule since submitting the report of La R.S. 49:968.B, or a statement that no changes were made:

No changes were made since submitting the previous report.

IV. La R.S. 49:968.D(1)(b)(iv) – A concise statement of the principal reasons for and against adoption of any amendments or changes suggested:

No changes, amendments or comments were received since submitting the previous report.

The Office of Conservation expects to publish the final rule in the Louisiana Register as soon as permissible under the Administrative Procedures Act. Please inform us of your decision on whether or not you intend to hold a hearing as permitted by La R.S. 49:968.D(2)(a).

Please contact me at 225-342-7889 if there are any questions or if any clarification of the above is needed.

Yours very truly,



John W. Adams
Attorney, Office of Conservation

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