

NOTICE OF INTENT
Department of Natural Resources
Office of Conservation

Monique M. Edwards
Commissioner

Pipeline Safety
(LAC 43:XIII:Chapters 35)

The Department of Natural Resources, Office of Conservation proposes to amend 43:XIII 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.

Title 43
NATURAL RESOURCES
Part XI. Office of Conservation—Pipeline Division
Subpart 4. Carbon Dioxide

§3501. Operation, Construction, Extension, Acquisition, Interconnection or Abandonment of Carbon Dioxide Transmission Facilities (Formerly §703)

A. – G.4. ...

H. Certificate of public convenience and necessity shall be issued on the application of any qualified person upon the above findings. The commissioner may attach to any such certificate, and to the exercise of the rights granted thereunder, such reasonable terms and conditions as the public interest may require. Any facility to which a certificate of public convenience and necessity is issued by the commissioner under R.S. 30:4(C)(17) and these rules and regulations shall possess the right of expropriation with authority to expropriate private property under the general expropriation laws of the state, including R.S. 19:2(10) and R.S. 19:2(12).

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:4(C)(17), R.S. 30:1104(A), and R.S. 30:1107.

HISTORICAL NOTE: Promulgated by the Department of Natural Resources, Office of Conservation, LR 12:115 (February 1986), repromulgated LR 49:303 (February 2023), amended LR 49:904 (May 2023).

Family Impact Statement

This Rule has no known impact on family formation, stability, and autonomy as described in R.S. 49:972.

Poverty Impact Statement

This Rule has no known impact on poverty as described in R.S. 49:973.

Small Business Analysis

This Rule has no known impact on small businesses as described in R.S. 49:965.6.

Provider Impact Statement

This Rule has no known impact on providers as described in HCR 170 of 2014.

Public Comments

All interested parties will be afforded the opportunity to submit data, views, or arguments, in writing. Persons commenting should reference “CO2 regulation update”. Such comments must be received no later than October 20, 2023, at 4:30pm, and should be sent to Michael Peikert, Office of Conservation, Pipeline Division, P.O. Box 94275, Baton Rouge, LA 70804-9275; hand delivered at 617 North Third Street, Room 931, Baton Rouge, LA 70802 or by email to michael.peikert@la.gov. No preamble was prepared.