

Web Posting

New Rule set on hydraulic fracturing operations in state

Excerpt from the Louisiana Register Vol. 36, No. 06 June 20, 2010

This document can be found at: <http://doa.louisiana.gov/osr/reg/1006/1006.pdf>
(pages 1264-1265)

RULE

Department of Natural Resources Office of Conservation

Pit Closure Techniques and Onsite Disposal of E&P Waste (LAC 43:XIX.313)

In accordance with the provisions of the Administrative Procedure Act (R.S. 49:950 et seq.) and Title 30 of the Louisiana Revised Statutes of 1950 (R.S. 30:4 et seq.), the Louisiana Office of Conservation hereby amends LAC 43:XIX Subpart 1 (Statewide Order No. 29-B) Chapter 3 (Pollution Control_Onsite Storage, Treatment and Disposal of Exploration and Production Waste (E&P Waste) Generated from the Drilling and Production of Oil and Gas Wells (Oilfield Pit Regulations)). The recent development of the Haynesville Shale in North Louisiana is made possible through the use of multi-stage hydraulic fracture stimulation technology. This technology requires the use of large quantities of fluids which are primarily composed of freshwater taken from either surface water reservoirs or groundwater aquifers. The intense development of the Haynesville Shale has placed additional strain on the already limited freshwater aquifer resources of the region. The intent of the amendment is to conserve these freshwater aquifer resources by expanding the limited use of Exploration and Production Waste as a substitute for the fluids required to perform fracture stimulation operations on the Haynesville Shale. The amendment uses sound waste minimization principles along with conservative waste management requirements to promote groundwater resource management and conservation while protecting public health and the environment. Specifically, the Rule has been amended to eliminate the one-time usage limitation on E&P Waste and change the landowner affidavit requirement to an operator affidavit requirement.

Title 43

NATURAL RESOURCES

Part XIX. Office of Conservation_General Operations

Subpart 1. Statewide Order No. 29-B

Chapter 3. Pollution Control_Onsite Storage, Treatment and Disposal of Exploration and Production Waste (E&P Waste) Generated from the Drilling and Production of Oil and Gas Wells (Oilfield Pit Regulations)

§313. Pit Closure Techniques and Onsite Disposal of E&P Waste

A. - J.1.b.ii. ...

c. The types and volumes of E&P Waste generated for temporary use along with the well name and well serial number of the receiving wellsite must be reported on Form ENG-16 (Oilfield Waste Disposition) for the originating well and/or Form UIC-28 (Exploration and Production Waste Shipping Control Ticket) and/or other appropriate forms specified by the commissioner depending on the waste types involved.

d. An affidavit must be provided by the operator which attests that the operator has authority to store and use E&P waste from an offsite location at the receiving wellsite. The affidavit must be in a format acceptable to the Commissioner and attached to Form ENG-16 (Oilfield Waste Disposition) for the originating well and/or Form UIC-28 (Exploration and Production Waste Shipping Control Ticket) and/or other appropriate forms specified by the commissioner depending on the waste types involved.

e. E&P Waste intended for temporary use must be stored at the receiving wellsite in an above ground storage tank or a lined production pit which conforms to the liner requirements and operational provisions of LAC 43:XIX.307.A.

2. The Commissioner of Conservation, the Secretary of the Department of Natural Resources, and the State of Louisiana shall be held harmless from and indemnified for any and all liabilities arising from temporary use of E&P Waste pursuant to this Subsection, and the operator of record and the surface owner shall execute agreements as the commissioner requires for this purpose.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:4 et seq.

HISTORICAL NOTE: Promulgated by the Department of Natural Resources, Office of Conservation, LR 26:2804 (December 2000), amended LR 33:1659 (August 2007), 35:2464 (November 2009), LR 36:1265 (June 2010).

James H. Welsh
Commissioner
1006#077

Web Posting

Proposed amendment to expand the limited use of E&P waste in hydraulic fracturing operations on the Haynesville Shale formation

The Notice of Intent for rules to expand the limited use of E&P waste in hydraulic fracturing operations on the Haynesville Shale formation was published in the March 20, 2010 edition of the Louisiana Register on pages 679-681. This document can be found at: <http://doa.louisiana.gov/osr/reg/1003/1003.pdf>

A public hearing has been scheduled for Tuesday, April 27, 2010 at 9 a.m. in the LaSalle Building, LaBelle Hearing Room, 617 N. Third Street, Baton Rouge, LA 70802. Interested persons are invited to attend and submit oral comments on the proposed amendments.

Also, all interested persons are invited to submit written comments on the proposed regulation. Persons commenting should reference "Proposed Amendment of LAC 43:XIX.313". Such comments must be received no later than Friday, April 9, 2010, at 4:30 p.m., and should be sent to Mr. Chris Sandoz, Office of Conservation, Engineering Division, P.O. Box 94275, Baton Rouge, LA 70804-9275; hand delivered to 617 North Third Street, Ninth Floor, Baton Rouge, LA 70802; by email to chris.sandoz@la.gov; or by fax to (225) 342-2584.

It is anticipated that the final rule will be promulgated on June 20, 2010.