

Insurance (LDOI) to review all complaints alleging a violation. LDOI will absorb workload requirements with existing staff and budget resources. LDOI has existing staff that currently handles discrimination complaints; therefore the department is not anticipating requiring additional personnel.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The proposed rules will not affect collections of state or local governmental revenues.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS (Summary)

The proposed rules promulgate procedures for investigation and enforcement of discrimination complaints. This will protect and enforce equal opportunity in the business of insurance. In the event the division of diversity and opportunity finds an apparent violation, the Commissioner of Insurance may require an insurer to cease and desist engaging in the discriminatory practices or may assess sanctions and penalties up to ten thousand dollars against the insurer. The failure of the insurer to timely respond to any complaint notified from the LDI, shall result in a fine of no more than \$250 for each complaint pursuant to R.S. 22:1995.

Furthermore, the proposed rules codify present statute granting protection from retaliation for employees who make reports of suspected violations of the Insurance Code in good faith.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed rules will not impact competition and employment in the state.

Denise Gardner
Deputy Commissioner
1708#031

Evan Brasseaux
Staff Director
Legislative Fiscal Office

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**Department of Natural Resources
Office of Conservation**

Orphaned Oilfield Sites

Office of Conservation records indicate that the oilfield sites listed in the table below have met the requirements as set forth by section 91 of Act 404, R.S. 30:80 et seq., and as such are being declared orphaned oilfield sites.

Operator	Field	District	Well Name	Well Number	Serial Number
Dardan Expl Inc- H Edison Ellis	Tepetate, North	L	vua, Charles F Fee Estate et al	001	205306
Belchie and Laskey	Wildcat-No La Shreveport Dist	S	T and P	007	2362
La Gulf Corpn	Red River- Bull Bayou	S	Albritton	002	26963
Monroe Well Service	Caddo Pine Island	S	Crystal swd	012	190449
Ashland Oil and Refining Co.	Larose	L	I R Price et al	001	82123
Dr. R. E. King	Caddo Pine Island	S	Collins B	A-1	38085
Tarver Oil Company	Red River- Bull Bayou	S	Gov Land	001	3157
E and P Co, LLC	Wildcat-No La Monroe Dist	M	I P Co swd	001	973461
E and P Co, LLC	Woolen Lake	M	I P Co	001	234713
E and P Co, LLC	Woolen Lake	M	I P Co	004	240259

Operator	Field	District	Well Name	Well Number	Serial Number
E and P Co, LLC	Woolen Lake	M	I P Co	005	242538
E and P Co, LLC	Woolen Lake	M	I P Co swd	002	974483
Doran and Braddock	Rifle Point, South	M	Art Sug; Learned-Peabody	001	121029
Carbon Consolidated, Inc.	Monroe	S	Goodwin	001	17552
Sam J Recile	Vinton	L	M Gray/E/	001	56995
Remuda Oil and Gas Corp.	Grogan	S	Samuels	001	166524

Richard P. Ieyoub
Commissioner

1708#023

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**Department of Public Safety and Corrections
Oil Spill Coordinator's Office**

**ID Valley Pipeline Oil Spill Mooringsport
Notice of Intent to Conduct Restoration Planning**

Action: Notice of Intent to Conduct Restoration Planning (NOI)

Agencies: Louisiana Oil Spill Coordinator's Office, Department of Public Safety and Corrections (LOSCO); Louisiana Coastal Protection and Restoration Authority (CPRA); Louisiana Department of Environmental Quality (LDEQ); Louisiana Department of Natural Resources (LDNR); and Louisiana Department of Wildlife and Fisheries (LDWF) (collectively, the "trustees").

Authorities: The Oil Pollution Act of 1990 (OPA) (33 U.S.C. §2701 et seq.) and the Louisiana Oil Spill Prevention and Response Act of 1991 (OSPRA) (La. Rev. Stat. 30:2451 et seq.) are the principal federal and state statutes, respectively, authorizing designated federal and state agencies and tribal officials to act on behalf of the public to (1) assess damages for injuries to natural resources and services resulting from a discharge of oil or the substantial threat of a discharge and (2) develop and implement a plan for the restoration, rehabilitation, replacement, or acquisition of the equivalent of the injured resources. OPA implementing regulations may be found at 15 CFR Part 990 and OSPRA regulations at *Louisiana Administrative Code* Title 43:XXXIX. By letter dated March 27, 2017, and pursuant to 33 U.S.C. §2706(b)(3), the governor of Louisiana designated the trustees to act on behalf of the public under OPA. Sunoco Pipeline L.P., as the operator of the pipeline and on behalf of Mid-Valley Pipeline, is the identified responsible party and is therefore liable according to 33 U.S.C. §2702 for any natural resource damages resulting from the incident.

Purpose: As required by 15 CFR §§990.41 and 990.42, the trustees have determined that impacts to natural resources and services resulting from the unauthorized discharge of oil from the Mid-Valley Pipeline near Mooringsport, Louisiana beginning on or about October 13, 2014 (hereinafter, the "incident") (La. NRDA case file # LA2014_1013_1210) warrant conducting a natural resource damage assessment (NRDA) that will include restoration

planning. In accordance with 15 CFR §990.44 and LAC 43:XXIX.123, the trustees are issuing this NOI to inform the public that they are proceeding to the restoration planning phase of the NRDA, during which trustees evaluate information on potential injuries and use that information to determine the need for, type of, and scale of restoration as described in subpart E of 15 CFR Part 990. The trustees will be opening an administrative record (AR) pursuant to 15 CFR §990.45 and LAC 43:XXIX.127. The AR will be available to the public and document the basis for the trustees' decisions pertaining to injury assessment and selection of restoration alternatives.

Summary of Incident: On or about October 13, 2014, Sunoco Pipeline L.P. located a leak from the 20-inch Mid-Valley Pipeline near Mooringsport, LA. This pipeline failure resulted in the release of more than 4,500 barrels of crude oil into the Miller Branch Creek, Tete Bayou, and connecting waterways and wetlands. Response actions continued for several months, and at the height of the response approximately 400 personnel were on-scene assisting with the clean-up of spilled oil. Sunoco Pipeline L.P. clean-up operations included, among others, hard and sorbent booming, use of skimmers, excavation, high pressure flushing, damming, various washing techniques, removal of oiled habitat, use of vacuum trucks, and habitat removal to create access roads. According to response documents, an estimated 2,746 barrels of crude oil were recovered by Sunoco Pipeline L.P. from the surface waters of Miller Branch and Tete Bayou. Additional crude oil was recovered with sorbent materials and in excavated soils. Natural resources within the area that provide services to the public were impacted by oil and response actions resulting in injuries and mortality to a variety of wildlife, including, but not limited to, amphibians, birds, fish, invertebrates, mammals and reptiles. Wildlife response personnel reported hundreds of dead animals and approximately 70 animals that were relocated or rehabilitated and released, including turtles, snakes, frogs, a wood duck and a bat. Forested, bayhead swamp, and aquatic/bayou habitat and the services that those resources provide, among others, were also adversely impacted as a result of the discharged oil and response activities.

The trustees began the pre-assessment/field investigation phase of the NRDA in accordance with 15 CFR §990.43 and LAC 43:XXIX.117 to determine if they had jurisdiction to pursue restoration under OPA and OSPRA, and, if so, whether it was appropriate to do so. During the pre-assessment phase, the trustees collected and analyzed, and are continuing to analyze, the following: (1) data reasonably expected to be necessary to make a determination of jurisdiction and/or a determination to conduct restoration planning, (2) ephemeral data, and (3) information needed to design or implement anticipated assessment activities as part of the restoration planning phase. Activities included, among other things, collection of dead fish and wildlife, collection of qualitative, quantitative and observational data about oiled habitats and wildlife, and sediment and oil sample collection and analysis.

Under the NRDA regulations applicable to OPA and OSPRA, the trustees prepare and issue a Notice of Intent to conduct restoration planning (NOI) if they determine conditions that confirm the jurisdiction of the trustees and the appropriateness of pursuing restoration of natural resources have been met. This NOI announces that the trustees have determined to proceed with restoration planning to fully evaluate, assess, quantify, and develop plans for restoring, rehabilitating, replacing, and/or acquiring the equivalent of injured natural resources and losses resulting from the incident. The restoration planning process will include collection of information that the trustees determine is appropriate for identifying and quantifying the injuries and losses of natural resources, including services, and to determine the need for, and the type and scale of restoration alternatives.

Determinations

Determination of Jurisdiction

The trustees have made the following findings pursuant to 15 CFR §990.41 and LAC 43:XXXIX.101:

1. the incident resulted in the discharge of oil into or upon navigable waters of the United States. Such occurrence constitutes an "incident" within the meaning of 15 CFR §930.30;
2. the incident was not authorized under a permit issued pursuant to federal, state, or local law; was not from a public vessel; and was not from an onshore facility subject to the Trans-Alaska Pipeline Authority Act, 43 U.S.C. §1651 et seq.;
3. natural resources under the trusteeship of the trustees have been injured as a result of the incident.

As a result of the foregoing determinations, the trustees have jurisdiction to pursue restoration under OPA.

Determination to Conduct Restoration Planning

The trustees have determined, pursuant to 15 CFR §990.42(a), that:

1. data collected pursuant to 15 CFR §990.43 demonstrate that injuries to natural resources have resulted from the incident, as described above;
2. the response actions did not adequately address the injuries resulting from the incident;
3. feasible primary and/or compensatory restoration actions exist to address injuries from the incident.

Based upon the foregoing determinations, the trustees intend to proceed with restoration planning for this Incident.

Public Participation: The trustees invite the public to participate in restoration planning for this incident. Public participation in decision-making is encouraged and will be facilitated through a publically available AR (described above) and publication of public notices in the *Louisiana Register*. Opportunities to participate in the process will be provided by the trustees at important junctures throughout the planning process and will include requests for input on restoration alternatives and review of planning and settlement documents (e.g. the trustees will be soliciting restoration projects that aim to restore natural resources and/or services that have a nexus to the injured natural resources and/or lost services; the public will be invited to

review the draft damage assessment and restoration plan (draft DARP) and draft settlement agreement documents). Public participation is consistent with all state and federal laws and regulations that apply to the NRDA process, including section 1006 of the Oil Pollution Act (OPA), 33 U.S.C. §2706; the regulations for NRDA under OPA, 15 CFR Part 990; section 2480 of OSPRA, La. Rev. Stat. 30:2480; and the regulations for NRDA under OSPRA, *Louisiana Administrative Code* 43:XXIX.Chapter 1.

For Further Information: For more information or to view the AR please contact the Louisiana Oil Spill Coordinator's Office, P.O. Box 66614, Baton Rouge, LA 70896, (225) 925-6606, Attn: Gina Muhs Saizan.

Marty J. Chabert
Coordinator

1708#039

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Department of State Elections Division

Public Hearing—Substantive Changes
to Proposed Rule—Voting Technology

In accordance with the applicable provisions of the Administrative Procedure Act (R.S. 49:950 et seq.), R.S. 18:21, and R.S. 36:742, the Department of State published a Notice of Intent in the June 20, 2017 edition of the *Louisiana Register* (LR 43:1220-1222) to establish a Rule for voting technology in the State of Louisiana, including the conduct of private elections and for the production and sale of maps of precincts and election jurisdictions in Louisiana.

The department conducted a public hearing on this Notice of Intent on July 24, 2017 to solicit comments and testimony on the proposed Rule. The department did not receive any oral or written comments at the public hearing or written comments from the public through the July 25, 2017 deadline for written comments. After a thorough review and careful consideration by the staff of the Elections Division, the department is proposing to clarify the various types of private elections the department can conduct. In addition, the department has decided not to pursue going through the Rule process for LAC 31:I.Chapter 8 until the provisions of LAC 31:I.801 have been resolved. The department will conduct a public hearing on substantive changes to LAC 31:I.801, as set forth below. The fiscal and economic impact of the proposed revisions to LAC 31:I.801 of the Notice of Intent was sent to the Legislative Fiscal Office for review and evaluation and a decision was made that the substantive changes had no fiscal or economic impact. A public hearing will be held to receive comments and testimony on the proposed revisions to the Notice of Intent.

Title 31 ELECTIONS

Part I. Election Process

Chapter 8. Voting Technology

Subchapter A. Private Elections

§801. Type of Election

A. The following are the different types of private elections which may be conducted utilizing the department's staff:

1. primary school, middle school, and high school elections. Examples include: the Reader's Choice elections; student government officers' elections, and homecoming elections. This type of private election would be considered an educational election with the purpose of informing students interested in voter registration and voting and would be done on a gratuitous basis with no charge for services or expenses by the department;

2. public service organizations. Examples include: active military organizations, Louisiana State Legislature, Louisiana State Police. This type of private election would be considered a public service and would be done on a gratuitous basis with no charge for services or expenses by the department;

3. disability organization elections. An example would be an election for officers of a disability organization. This type of private election would be an outreach event and would be done on a gratuitous basis with no charge for services or expenses by the department;

4. private entity or organization elections. Examples include officers for a private entity or organization such as: a union or other association; higher education student government officers; and political party elections for convention delegates. Private elections would be conducted on a reimbursement basis for services and expenses as provided for herein.

AUTHORITY NOTE: Promulgated in accordance with R.S. 18:21 and R.S. 36:742.

HISTORICAL NOTE: Promulgated by the Department of State, Elections Division, LR 43:

Public Comments

Interested persons may submit written comments to Lani Durio, Attorney, Department of State, P.O. Box 94125, Baton Rouge, LA 70804-9125. She will be responsible for responding to inquiries regarding the proposed adoption of LAC 31:I.Chapter 8. The deadline for the Department of State to receive written comments is 4:30 p.m. on September 27, 2017 after the public hearing.

Public Hearing

A public hearing on these substantive changes to the proposed Rule is scheduled for Tuesday, September 26, 2017 at 11:00 a.m. in the auditorium, State Archives Building, 3851 Essen Lane, Baton Rouge, LA. At that time, all interested persons will be afforded an opportunity to submit data, views, or arguments either orally or in writing with regard to the substantive changes to §801.

Tom Schedler
Secretary of State

1708#054