

Analysis and Recommendations Pursuant to Executive Order JML 24-13

Office of Enforcement



Overview

- Create an Office of Enforcement to streamline and achieve consistency in the enforcement programs of the Department.
 - Office will include the inspection programs implemented by various divisions, including the District Offices.
 - Office will also include a division to address all compliance issues.
- Determine where programs have significant overlap and are able to be combined to achieve better efficiency.
- Review the authority of and programs implemented by the Louisiana Oil Spill Coordinator's Office (LOSCO) to determine whether those programs are best placed within the Office.



Current Status

- Inspection and enforcement is implemented primarily by the Office of Conservation through its various divisions. The Office of Coastal Management also has a program for determining compliance with its permitting requirements.
- The Office of Mineral Resources as steward of the State's mineral rights has no enforcement arm and no programs from that Office will be recommended to be placed within the Office of Enforcement.
- LOSCO has the ability to negotiate settlements for natural resource damages under the Oil Pollution Act, but this function is not an enforcement action in the traditional sense and it is recommended that LOSCO and its programs be considered for other areas of the Department. This report will not delve into exactly where that may be most suitable.



Issues Presented

- Identifying our State and Federal Programs
- Can inspection and enforcement be streamlined?
- Will placing these programs under one Office who's priority is inspection and enforcement be beneficial?
- Are there innovative ways to implement these programs?
- Can the districts be utilized more efficiently?



Identifying Programs

- State Programs
 - Drilling & Production Facility Inspection Program
 - Coastal Management Program
- Federal Programs
 - DOT Pipeline Safety
 - Gas Pipeline Safety
 - Hazardous Liquid Pipeline Safety
 - Underground Natural Gas Storage Safety
 - Damage Prevention
 - Surface Mining
 - UIC – Solution Mining, Storage, and Waste Disposal
 - Abandoned Mine Lands



Can Inspection and Enforcement be Streamlined?

There are three areas that have been identified for streamlining

- Placing the Injection and Mining (I&M) field agents under the District Offices
 - Better cooperation
 - Costs savings by limiting distances need to drive to conduct inspections
 - May allow for savings through natural attrition if efficiencies are realized and work is able to be completed with fewer agents
- Finding a way to combine the DOT UNGS program with the State's storage well program (both permitting and inspections)
- Automating compliance notices



One Office to Address Enforcement

- Currently, with the exception of the Pipeline Division, the inspection and enforcement programs are implemented by a division that is also responsible for permitting.
- Divisions within Conservation do not necessarily communicate regularly about compliance issues and rarely if ever communicate with the Office of Coastal Management. Better communication and coordination could be realized from housing these programs under one Office who's primary responsibility is inspection and enforcement.



Innovative Ways to Implement Programs and Incentivize Compliance

- Drone Technology
 - Currently utilized in Texas to conduct inspections of surface mining operations. Could it be utilized here?
 - OCM owns and operates their own drones for inspections
 - Can drones be utilized for other types of inspections?
- Incentivize Compliance
 - Some state pipeline programs have allowed operators to purchase new technologies or accelerate maintenance programs in lieu of fines
 - Could operators be given a reduction in their OSR fees if they plugged orphan wells?

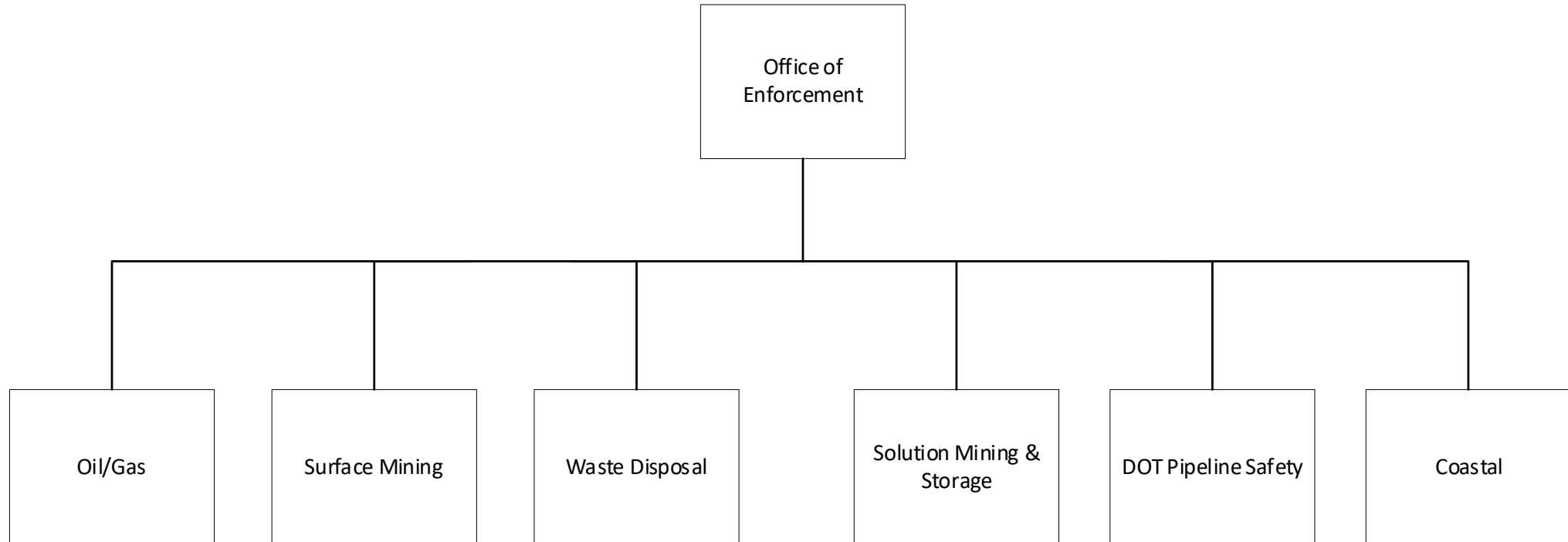


Can the District Offices be Utilized More Efficiently?

- Currently oversee 35 field agents who inspect drilling and production facilities
- Agents can be utilized to inspect water wells construction
- Injection well field agents could be combined with the Districts
- Staff engineers in the District could perform inspections of storage wells currently done by Baton Rouge Office
- Other types of inspections (pipeline, surface mining, coastal) may not be a good fit due to different types of expertise or federal training requirements



Proposed Office Structure



Necessary Changes

- Enforcement Programs will need to be moved out of their current Offices and into the Office of Enforcement
- An Assistant Secretary will need to be appointed to run the Office
- Certain statutory authorities need to be reviewed for possible amendments



Further Research Necessary

- Review statutes for necessary changes
- Develop a complete organization chart
- Where does LOSCO fit in the Department?
- How to allocate funding for inspection programs that have no dedicated “inspection fee”
- Are there opportunities for federal funds that we aren’t currently taking advantage of?



Questions?

