

STATE OF OKLAHOMA

2nd Session of the 46th Legislature (1998)

CONFERENCE COMMITTEE SUBSTITUTE

FOR ENGROSSED

SENATE BILL NO. 1200

By: Weedn of the Senate

and

Mass, Begley, Beutler,
Bonny, Covey, Langmacher,
Miller, Pope (Clay) of
the House

CONFERENCE COMMITTEE SUBSTITUTE

An Act relating to oil and gas; creating the Seismic Exploration Regulation Act; providing short title; defining term; directing the Corporation Commission to promulgate rules governing seismographic exploration; requiring seismographic operators to register with the Commission; requiring a permit for each seismic exploration; requiring Commission to promulgate rules requiring applicants to post surety guarantee, notify surface owners and tenants and be permitted for each seismic exploration operation; stating requirements of notice; requiring Commission to implement certain complaint system; providing penalty for violations; prohibiting seismic test hole blasting within certain distance from habitable dwellings, buildings or water wells without permission; providing for codification; and declaring an emergency.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 318.21 of Title 52, unless there is created a duplication in numbering, reads as follows:

This act shall be known and may be cited as the "Seismic Exploration Regulation Act". For purposes of this act only, "seismic exploration" means the drilling of seismograph test holes and use of surface energy sources such as weight drop equipment, thumpers, hydropulses or vibrators.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 318.22 of Title 52, unless there is created a duplication in numbering, reads as follows:

A. The Corporation Commission is hereby directed and authorized to promulgate rules governing the operations of seismographic exploration for the purpose of protecting the interests and property of the citizens of this state.

B. Any person, firm, corporation or entity desiring to commence any seismographic exploration in this state shall, prior to any such activity, be duly registered with the Corporation Commission and shall be required to apply for a permit for each separate seismic exploration.

C. Rules promulgated by the Commission governing all seismic exploration operations shall include, but not be limited to, requirements for:

1. Applicants to post a form of financial surety guarantee, the form and amount to be determined by the Commission which shall remain in effect until release is authorized by the Commission;

2. Applicants to notify all surface owners of property where seismic exploration will occur at least fifteen (15) days prior to commencement of seismic exploration. If the applicant has obtained specific written permission and has given actual notice of intent to conduct seismic exploration any time before fifteen (15) days prior to conducting seismic exploration, such action shall be considered sufficient notification for the purposes of this section. Notification by U.S. mail shall be sufficient for the purposes of this section, provided the notice is postmarked at least fifteen (15) days prior to commencement of any seismic exploration; and

3. Applicants to be permitted for each seismic exploration operation.

D. The notice required in subsection C of this section shall be sent by U.S. mail, include a copy of the oil or gas lease or seismic permit authorizing the use of the surface for seismic exploration and contain the following information:

1. Name of the company conducting seismic exploration;

2. Anticipated date of seismic exploration; and

3. Any other pertinent information the Commission deems appropriate and relevant for the protection of surface owners.

E. The Commission is further directed to promulgate rules to implement a system to register complaints against any person, firm or corporation conducting seismic exploration. The Commission may determine if and when a complaint has been adequately resolved.

F. Any person, firm, corporation or entity which conducts any seismic exploration without a permit by the Commission, or in any other manner violates the rules of the Commission governing such exploration shall be subject to a penalty of One Thousand Dollars (\$1,000.00) per violation per day by the Commission, in addition to any other legal remedy provided by law.

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 318.23 of Title 52, unless there is created a duplication in numbering, reads as follows:

It shall be unlawful for any person, firm, corporation or entity to conduct any seismic test hole blasting within two hundred (200) feet of any habitable dwelling, building or water well without written permission from the owner of the property.

SECTION 4. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

46-2-3105

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