

STATE OF OKLAHOMA

2nd Session of the 47th Legislature (2000)

SENATE BILL 1204

By: Easley

AS INTRODUCED

An Act relating to environment and natural resources; amending 17 O.S. 1991, Section 503, which relates to Corporation Commission jurisdiction; clarifying agency jurisdiction over certain underground injection control wells; and 63 O.S. 1991, Section 1-902, as amended by Section 81, Chapter 145, O.S.L. 1993, and as renumbered by Section 359, Chapter 145, O.S.L. 1993 (27A O.S. Supp. 1999, Section 2-6-701), which relates to the Department of Environmental Quality jurisdiction; clarifying agency jurisdiction over certain underground injection control wells; and declaring an emergency.

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

SECTION 1. AMENDATORY 17 O.S. 1991, Section 503, is amended to read as follows:

Section 503. A. The Corporation Commission is hereby vested with jurisdiction over the drilling for and production ~~and disposal~~ of brine for commercial purposes, and those Class V injection wells used for the injection or disposal of mineral brines as defined in the federal Safe Drinking Water Act and 40 CFR Part 146. The Commission is hereby authorized to enact such rules and regulations as are reasonably necessary to effectuate the purposes of this act, including rules and regulations governing the drilling of production, injection or disposal wells and the injection of effluent into underground formations. The Commission shall also have jurisdiction to ~~enact regulations~~ promulgate rules to ensure that the drilling, casing and plugging of wells is done in such a manner as to prevent the escape of brine and effluent from one formation to another and to prevent the pollution of fresh water supplies throughout the state. The Commission shall also have

~~jurisdiction to regulate the return of brine or effluent to the same formation from which it was produced or to other formations in such a manner as is proper to prevent damage to the formation~~ Class V wells used to inject spent brine into the same formation from which it was withdrawn after extraction of halogens or their salts as defined in 40 CFR Part 146.

B. This act shall not apply to nor shall the Corporation Commission have jurisdiction over ~~the solution mining of brine from depths of less than three hundred (300) feet below the surface of the ground and being done pursuant to a mining permit issued by the Department of Mines~~ Class I, III, IV or V wells regulated by the Department of Environmental Quality pursuant to the federal Safe Drinking Water Act and 40 CFR Parts 144 through 148, inclusive and the Oklahoma Environmental Quality Act.

SECTION 2. AMENDATORY 63 O.S. 1991, Section 1-902, as amended by Section 81, Chapter 145, O.S.L. 1993, and as renumbered by Section 359, Chapter 145, O.S.L. 1993 (27A O.S. Supp. 1999, Section 2-6-701), is amended to read as follows:

Section 2-6-701. A. A permit issued by the Executive Director of the Department of Environmental Quality shall be required for ~~the underground injection of hazardous and nonhazardous liquids except for the injection purposes of brine recovery, saltwater disposal or secondary or tertiary oil recovery~~ Class I, III, IV and V injection wells pursuant to the federal Safe Drinking Water Act and 40 CFR Parts 144 through 148, inclusive, except Class V injections wells utilized in the remediation of groundwater associated with underground and above ground storage tanks regulated by the Corporation Commission and those wells used for the recovery, injection or disposal of mineral brines as defined in the Oklahoma Brine Development Act regulated by the Corporation Commission.

B. All water wells, monitoring wells, unused water test wells and water test holes used or capable of being used as sources of

domestic or public water supply shall be constructed, sealed or plugged as required by the Department in a manner to avoid pollution of water-bearing strata.

SECTION 3. 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.

47-2-2297

MJM

6/12/2015 1:38:52 AM