

THE HOUSE OF REPRESENTATIVES  
Thursday, May 27, 2010

House Concurrent  
Resolution No. 1071

HCR 1071

HOUSE CONCURRENT RESOLUTION NO. 1071 - By: BENGE of the House and  
COFFEE of the Senate.

A Concurrent Resolution supporting and commending the members of the  
Oklahoma Aggregates Association for implementing a voluntary monitoring  
and reporting program for active mining operations over the Arbuckle Simpson  
Aquifer; and directing distribution.

1 WHEREAS, a portion of the Arbuckle Simpson Aquifer, at the request of Oklahoma,  
2 has been designated as a sole-source aquifer by the Environmental Protection Agency  
3 and is a unique, abundant, clean drinking water source for south central Oklahoma; and

4 WHEREAS, the Arbuckle Simpson Aquifer has over 9 million acre-feet of clean  
5 drinkable water and recharges at an average normal rate of between 4.7 inches and 5.58  
6 inches or 128,000 and 158,000 acre-feet per year, and supplies water to the cities of  
7 Sulphur, Ada, Roff and Mill Creek and to four rural water districts; and

8 WHEREAS, the State of Oklahoma has great interest in protecting and conserving  
9 this unique and outstanding natural resource; and

10 WHEREAS, the aggregates industry employs approximately 630 Oklahomans in  
11 the area over the Arbuckle Simpson Aquifer with an annual total payroll of  
12 approximately \$40 million, and additionally makes payments to other Oklahoma  
13 businesses for consumables, services and other operational expenses of approximately  
14 \$66 million annually for a direct total economic impact of over \$108 million a year; and

1           WHEREAS, since 1972 Oklahoma law has exempted the usage or disposal of water  
2 trapped in producing mines from being regulated by the Oklahoma Water Resources  
3 Board, and this law was upheld by the Oklahoma court system; and

4           WHEREAS, the mining industry, specifically members of the Oklahoma Aggregates  
5 Association operating over the Arbuckle Simpson Aquifer, is volunteering to implement a  
6 monitoring and reporting process to assist in preserving the water in the Arbuckle  
7 Simpson Aquifer; and

8           WHEREAS, that monitoring and reporting process will report the total pit-water  
9 withdrawals from the producing mine, including scientifically calculated estimates of the  
10 percentage of those withdrawals that are groundwater, storm water, and surface water,  
11 the consumptive use of pit water at the mine, the infiltration or recharge of pit water,  
12 and the discharge of pit water from the mine site; and

13           WHEREAS, the producing mine members of the Oklahoma Aggregates Association  
14 understand the importance of water to the overall well-being of the citizens of the State  
15 of Oklahoma and embrace a sincere desire to assist in preserving the water in this sole-  
16 source aquifer; and

17           WHEREAS, in a good-faith effort to the Oklahoma Legislature and the citizens of  
18 Oklahoma, the operators of producing mines over the Arbuckle Simpson Aquifer, which  
19 operate within the groundwater table and encounter groundwater in the producing mine,  
20 have agreed to implement a voluntary pit-water monitoring program at each of the  
21 producing mine operations over the Arbuckle Simpson Aquifer which is to be  
22 implemented no later than January 1, 2011, and continue for a period of not less than

1 three years and not more than five years, with designated timely reporting to the  
2 Oklahoma Department of Mines, the Oklahoma Water Resources Board, and the  
3 Oklahoma Legislature; and

4 WHEREAS, the Oklahoma Geological Survey, or if necessary another similar  
5 entity, will independently review and verify on a scientific basis that the monitoring  
6 techniques and procedures are followed; and

7 WHEREAS, in addition to the monitoring and reporting program, the participating  
8 mining operators will develop and implement site-specific Voluntary Water  
9 Conservation Programs.

10 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF  
11 REPRESENTATIVES OF THE 2ND SESSION OF THE 52ND OKLAHOMA  
12 LEGISLATURE, THE SENATE CONCURRING THEREIN:

13 THAT the Oklahoma Legislature supports the voluntary efforts of and commends  
14 the participating members of the Oklahoma Aggregates Association for their  
15 commitment to water conservation in the State of Oklahoma by voluntarily  
16 implementing a water monitoring program for active mining operations over the  
17 Arbuckle Simpson Aquifer in order to help preserve the groundwater sources of this  
18 state.

19 THAT copies of this resolution be distributed to the Oklahoma Aggregates  
20 Association.

21 DIRECT TO CALENDAR.