

1 STATE OF OKLAHOMA

2 2nd Session of the 52nd Legislature (2010)

3 HOUSE CONCURRENT  
4 RESOLUTION 1071

By: Bengé of the House

and

5 Coffee of the Senate  
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8 AS INTRODUCED

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

14  
15 WHEREAS, a portion of the Arbuckle Simpson Aquifer, at the  
16 request of Oklahoma, has been designated as a sole-source aquifer by  
17 the Environmental Protection Agency and is a unique, abundant, clean  
18 drinking water source for south central Oklahoma; and

19 WHEREAS, the Arbuckle Simpson Aquifer has over 9 million acre-  
20 feet of clean drinkable water and recharges at an average normal  
21 rate of between 4.7 inches and 5.58 inches or 128,000 and 158,000  
22 acre-feet per year, and supplies water to the cities of Sulphur,  
23 Ada, Roff and Mill Creek and to four rural water districts; and  
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1       WHEREAS, the State of Oklahoma has great interest in protecting  
2 and conserving this unique and outstanding natural resource; and

3       WHEREAS, the aggregates industry employs approximately 630  
4 Oklahomans in the area over the Arbuckle Simpson Aquifer with an  
5 annual total payroll of approximately \$40 million, and additionally  
6 makes payments to other Oklahoma businesses for consumables,  
7 services and other operational expenses of approximately \$66 million  
8 annually for a direct total economic impact of over \$108 million a  
9 year; and

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

14       WHEREAS, the mining industry, specifically members of the  
15 Oklahoma Aggregates Association operating over the Arbuckle Simpson  
16 Aquifer, is volunteering to implement a monitoring and reporting  
17 process to assist in preserving the water in the Arbuckle Simpson  
18 Aquifer; and

19       WHEREAS, that monitoring and reporting process will report the  
20 total pit-water withdrawals from the producing mine, including  
21 scientifically calculated estimates of the percentage of those  
22 withdrawals that are groundwater, storm water, and surface water,  
23 the consumptive use of pit water at the mine, the infiltration or

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1 recharge of pit water, and the discharge of pit water from the mine  
2 site; and

3 WHEREAS, the producing mine members of the Oklahoma Aggregates  
4 Association understand the importance of water to the overall well-  
5 being of the citizens of the State of Oklahoma and embrace a sincere  
6 desire to assist in preserving the water in this sole-source  
7 aquifer; and

8 WHEREAS, in a good-faith effort to the Oklahoma Legislature and  
9 the citizens of Oklahoma, the operators of producing mines over the  
10 Arbuckle Simpson Aquifer, which operate within the groundwater table  
11 and encounter groundwater in the producing mine, have agreed to  
12 implement a voluntary pit-water monitoring program at each of the  
13 producing mine operations over the Arbuckle Simpson Aquifer which is  
14 to be implemented no later than January 1, 2011, and continue for a  
15 period of not less than three years and not more than five years,  
16 with designated timely reporting to the Oklahoma Department of  
17 Mines, the Oklahoma Water Resources Board, and the Oklahoma  
18 Legislature; and

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

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

4       NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES  
5 OF THE 2ND SESSION OF THE 52ND OKLAHOMA LEGISLATURE, THE SENATE  
6 CONCURRING THEREIN:

7       THAT the Oklahoma Legislature supports the voluntary efforts of  
8 and commends the participating members of the Oklahoma Aggregates  
9 Association for their commitment to water conservation in the State  
10 of Oklahoma by voluntarily implementing a water monitoring program  
11 for active mining operations over the Arbuckle Simpson Aquifer in  
12 order to help preserve the groundwater sources of this state.

13       THAT copies of this resolution be distributed to the Oklahoma  
14 Aggregates Association.

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