

1 STATE OF OKLAHOMA

2 2nd Session of the 53rd Legislature (2012)

3 COMMITTEE SUBSTITUTE

4 FOR

5 HOUSE BILL NO. 2496

By: Hardin

6 COMMITTEE SUBSTITUTE

7 [ oil and gas - commercial injection or disposal well  
8 or land application site - additional fee on  
9 deleterious substances from another state -  
10 Corporation Commission - effective date -  
11 emergency ]

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

16 SECTION 1. NEW LAW A new section of law to be codified  
17 in the Oklahoma Statutes as Section 158 of Title 52, unless there is  
18 created a duplication in numbering, reads as follows:

19 A. In order to protect public health and preserve the  
20 expectation of future disposal capabilities of areas local to  
21 commercial injection or disposal well sites and land application  
22 sites, the operator of a commercial injection or disposal well or  
23 the operator of a service that applies deleterious substances to  
24 land sites shall collect an additional fee on any deleterious

1 substance which originated in another state and is disposed of in  
2 the injection or disposal well or the land site.

3 B. The additional fee shall be assessed on each gallon of  
4 liquid deleterious substance or each cubic yard of solid deleterious  
5 substance which originated in another state and is disposed of in a  
6 commercial injection or disposal well or on a land application site  
7 located in the state. The fee shall be calculated by adding an  
8 additional ten percent (10%) to the fee assessed to other similar  
9 deleterious substance which originated in-state and is disposed of  
10 at the well or the site. If in-state deleterious substances are not  
11 disposed of at the well or land application site, the fee shall be  
12 calculated by adding an additional ten percent (10%) on to the fee  
13 that was being assessed to out-of-state deleterious substances prior  
14 to implementation of the additional fee.

15 C. 1. The additional fee assessed as provided for in this  
16 section shall be paid to the Corporation Commission on a quarterly  
17 basis within one (1) month following the close of each quarter, for  
18 each gallon of liquid deleterious substance or each cubic yard of  
19 solid deleterious substance disposed of during the preceding  
20 quarter.

21 2. The Commission shall distribute the fee to the:

22 a. board of county commissioners in the county in which  
23 the disposal well or land application site from which  
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1 the fee is paid is located for purposes of road repair  
2 and construction, and

3 b. Department of Transportation for purposes of road  
4 repair and construction in the county in which the  
5 disposal well or land application site from which the  
6 fee is paid is located.

7 3. The Commission may retain not more than five percent (5%) of  
8 the fees collected for administration.

9 D. The Corporation Commission shall establish reporting and  
10 payment procedures, including forms and applications, which shall be  
11 submitted with the payment of the fee as provided for in this  
12 section.

13 E. For purposes of this section:

14 1. "Land application" means the application of deleterious  
15 substances or soils contaminated by deleterious substances to the  
16 land for purposes of disposal or land treatment, also known as soil  
17 farming; and

18 2. "Deleterious substances" means any chemical, salt water, oil  
19 field brine, waste oil, waste emulsified oil, basic sediment, mud or  
20 injurious substance produced or used in the drilling, development,  
21 production, transportation, refining, and processing of oil, gas or  
22 brine mining.

23 SECTION 2. This act shall become effective July 1, 2012.  
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1       SECTION 3. It being immediately necessary for the preservation  
2 of the public peace, health and safety, an emergency is hereby  
3 declared to exist, by reason whereof this act shall take effect and  
4 be in full force from and after its passage and approval.

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