

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 2347

By: McNiel

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6 AS INTRODUCED

7 An Act relating to environment and natural resources;
8 permitting certain off-site commercial hazardous
9 waste land disposal facilities to dispose of
10 naturally occurring radioactive material; limiting
11 application of provisions; requiring payment of a
12 disposal fee; requiring deposit of fee in certain
13 fund; directing the Environmental Quality Board to
14 promulgate rules; specifying content of rules;
15 providing for codification; and declaring an
16 emergency.

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

18 SECTION 1. NEW LAW A new section of law to be codified
19 in the Oklahoma Statutes as Section 2-7-108.1 of Title 27A, unless
20 there is created a duplication in numbering, reads as follows:

21 A. Any off-site commercial hazardous waste land disposal
22 facility permitted by the Department of Environmental Quality
23 pursuant to the provisions of the Oklahoma Hazardous Waste
24 Management Act may be permitted to manage and land dispose naturally
occurring radioactive material (NORM) waste generated through oil

1 and gas production and exploration activities. The provisions of
2 this section shall not permit:

3 1. Liquid NORM waste to be disposed of pursuant to this
4 section;

5 2. The facility to accept low-level radioactive waste as
6 defined in Article II of the Central Interstate Low-Level
7 Radioactive Waste Compact as set forth in Section 2-8-102 of Title
8 27A of the Oklahoma Statutes; and

9 3. The facility to accept special nuclear material, byproduct
10 material, or source material as defined in the federal Atomic Energy
11 Act of 1954, as amended, or any other type of radioactive material
12 not provided for in this section.

13 B. Any person or facility subject to regulation by the
14 Department and permitted to accept NORM waste shall pay a fee of
15 Nine Dollars (\$9.00) per ton for land disposal which shall be
16 deposited in the Hazardous Waste Fund created in Section 2-7-304 of
17 Title 27A of the Oklahoma Statutes.

18 C. The Environmental Quality Board shall promulgate rules
19 necessary to implement the provisions of this section for hazardous
20 waste facilities accepting NORM waste for land disposal, including
21 rules for permitting, design and construction, operation,
22 maintenance and monitoring of cells, closure and post-closure,
23 financial assurance and standards for the protection of human health
24 and the environment.

1 SECTION 2. 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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