

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 2498

By: Hardin

4
5 AS INTRODUCED

6 An Act relating to oil and gas; requiring certain
7 underground injection wells or land application sites
8 to be located a certain distance from an occupied
9 residence; determining how the distance is measured;
10 allowing certain agreements between an operator and a
11 residence owner; providing for application of the
12 law; defining term; providing for codification;
13 providing an effective date; and declaring an
14 emergency.

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 320.3 of Title 52, unless there
18 is created a duplication in numbering, reads as follows:

19 A. Except as otherwise provided for in this section, an
20 underground injection well, disposal well, or commercial disposal
21 well drilled or converted on or after the effective date of this act
22 which will be in operation for more than six (6) months or any land
23 application of deleterious substances to a site begun after the
24 effective date of this act shall not be located within two (2) miles

1 from an occupied residence or any definite stream, river or other
2 definite surface water source.

3 B. 1. The distance between an occupied residence or surface
4 water source and an underground injection well, disposal well, or
5 commercial disposal well shall be measured from the closest corner
6 of the walls of the occupied residence or the closest defined bed or
7 bank of the surface water to the wellbore of the well.

8 2. The distance between an occupied residence or surface water
9 source and a land application site shall be measured from the
10 closest corner of the walls of the occupied residence or the closest
11 defined bed or bank of the surface water to the closest boundary of
12 the land application site.

13 C. The provisions of this section shall not prohibit an
14 operator of an underground injection well, disposal well, or
15 commercial disposal well or land application site and the owner of
16 an occupied residence from agreeing in writing to setback provisions
17 with distances different from those set forth in this section.

18 D. The provisions of this section shall apply to any
19 underground injection well, disposal well, or commercial disposal
20 well drilled or converted on or after July 1, 2012, or land
21 application site begun on or after July 1, 2012, and to any well or
22 land application site for which an application was submitted to the
23 Corporation Commission before July 1, 2012, but for which a permit
24 is issued after July 1, 2012.

1 E. For purposes of the section, land application is the
2 application of deleterious substances or soils contaminated with
3 deleterious substances to the land for purposes of disposal or land
4 treatment, also known as soil farming.

5 SECTION 2. This act shall become effective July 1, 2012.

6 SECTION 3. It being immediately necessary for the preservation
7 of the public peace, health and safety, an emergency is hereby
8 declared to exist, by reason whereof this act shall take effect and
9 be in full force from and after its passage and approval.

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