

1 **SENATE FLOOR VERSION**

2 May 22, 2013

3 SENATE CONCURRENT  
4 RESOLUTION NO. 31

By: Standridge and Branan of  
the Senate

5 and

6 Trebilcock of the House

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8  
9 A Concurrent Resolution urging the Department of the  
10 Interior to withdraw the U.S. Bureau of Land  
11 Management's proposed rule to regulate hydraulic  
12 fracturing on federal and Tribal lands, and to defer  
to the states on how best to address any health,  
environmental or safety issues arising from hydraulic  
fracturing and related operations on these lands.

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14  
15 WHEREAS, Oklahoma has maintained primary authority over, and  
16 regulation of oil and natural gas production since prior to  
17 statehood, including a completion technique known as hydraulic  
18 fracturing; and

19 WHEREAS, the other 49 states have also maintained similar  
20 province over any production within their borders; and

21 WHEREAS, hydraulic fracturing is currently, and has been for  
22 decades, a common operation used in exploration and production by  
23 the oil and gas industry in all the member states of the Interstate  
24

1 Oil and Gas Compact Commission without groundwater contamination;  
2 and

3 WHEREAS, approximately 35,000 wells are hydraulically fractured  
4 annually in the United States and close to one million wells have  
5 been hydraulically fractured in the United States since the  
6 inception of the technique, with no known case of groundwater  
7 contamination; and

8 WHEREAS, the U.S. Bureau of Land Management is conducting a  
9 rulemaking that would force an unnecessary, one-size-fits-all  
10 regulatory regime on top of carefully crafted, individualized  
11 programs designed by the states; and

12 WHEREAS, the U.S. Bureau of Land Management is unable to point  
13 to any incidents, examples, or data justifying the rule; and

14 WHEREAS, this inability to point to any incidents, examples or  
15 data is in apparent violation of legal and procedural requirements  
16 designed to ensure that costs and other adverse effects are fully  
17 and carefully weighed against benefits; and

18 WHEREAS, the proposal is arbitrary and capricious in nature,  
19 evidenced by the lack of justification, erroneous cost estimates,  
20 clearly overstated and unfounded benefits; and

21 WHEREAS, the states will suffer from this rule, both by  
22 increased costs to their citizens, and by the loss of substantial  
23 royalty revenues as exploration and production companies divert  
24 investment to state and private land in lieu of federal land; and

1       WHEREAS, in recognizing the importance of protecting our  
2 nation's underground water resources, the member states of the  
3 Interstate Oil and Gas Compact Commission have adopted comprehensive  
4 laws and regulations governing oil and gas exploration and  
5 production, and employ highly trained personnel to effectively  
6 enforce them. Disclosure tools, such as the website  
7 [www.fracfocus.org](http://www.fracfocus.org), play an important role in this effort; and

8       WHEREAS, domestic production of oil and natural gas will ensure  
9 that the United States continues on the path to energy independence;  
10 and

11       WHEREAS, hydraulic fracturing plays a major role in the  
12 development of virtually all unconventional oil and gas resources  
13 and should not be limited in the absence of any evidence that  
14 hydraulic fracturing has resulted in groundwater contamination.

15       NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE 1ST SESSION  
16 OF THE 54TH OKLAHOMA LEGISLATURE, THE HOUSE OF REPRESENTATIVES  
17 CONCURRING THEREIN:

18       THAT the Oklahoma Legislature hereby declares the Oklahoma  
19 Corporation Commission is the appropriate authority to regulate all  
20 oil and gas exploration and production activities in the State of  
21 Oklahoma.

22       THAT a federal one-size-fits-all regulatory approach ignores the  
23 local and regional differences among oil and natural gas operations  
24 that make state regulations more adaptive and effective.

1            THAT the Department of the Interior withdraw the U.S. Bureau of  
2 Land Management's proposed rule to regulate hydraulic fracturing on  
3 federal and Tribal lands, and defer to the states on how best to  
4 address any health, environmental or safety issues arising from  
5 hydraulic fracturing and related operations on these lands.

6            THAT a copy of this resolution be distributed to the President  
7 of the United States, the President of the United States Senate, the  
8 Speaker of the United States House of Representatives, the Secretary  
9 of the Interior and to each member of the Oklahoma Congressional  
10 Delegation.

11 COMMITTEE REPORT BY: COMMITTEE ON ENERGY  
12 May 22, 2013 - DO PASS  
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