

State of South Dakota

EIGHTY-EIGHTH SESSION
LEGISLATIVE ASSEMBLY, 2013

400U0415

SENATE AGRICULTURE AND NATURAL RESOURCES

ENGROSSED NO. **SB 59** - 01/24/2013

Introduced by: The Committee on Agriculture and Natural Resources at the request of the
Department of Environment and Natural Resources

1 FOR AN ACT ENTITLED, An Act to prohibit the disposal of certain oil and gas field wastes.

2 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

3 Section 1. That chapter 34A-6 be amended by adding thereto a NEW SECTION to read as
4 follows:

5 No saltwater, crude oil, waste oil, or other oil or gas field liquid wastes may be stored in an
6 earthen pit or open receptacle unless the facility is directly associated with the development of
7 a specific well or producing property and receives liquid wastes only from that specific well or
8 producing property.

9 Section 2. That chapter 34A-6 be amended by adding thereto a NEW SECTION to read as
10 follows:

11 Radionuclides found in nature, such radium, thorium, and uranium, that have become
12 concentrated through human activities, and which have been generated during oil and gas
13 production activities with a total laboratory-measured radioactivity level of Radium-226 plus
14 Radium-228 greater than 5 picocuries/gram above the background radioactivity level, is



1 prohibited from being disposed of at any solid waste facility permitted under this chapter. The
2 background radioactivity level is measured at each individual permitted solid waste facility. All
3 radioactive levels shall be measured using methods and procedures approved by the Department
4 of Environment and Natural Resources.