

First Regular Session  
Sixty-ninth General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 13-0124.01 Thomas Morris x4218

HOUSE BILL 13-1018

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HOUSE SPONSORSHIP

Coram,

SENATE SPONSORSHIP

(None),

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House Committees

Health, Insurance & Environment

Senate Committees

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A BILL FOR AN ACT

101 CONCERNING THE BENEFICIAL USE OF PRODUCED WATER FOR DUST  
102 SUPPRESSION.

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Bill Summary

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)*

The bill gives the solid and hazardous waste commission exclusive jurisdiction to regulate the beneficial use of groundwater produced during oil and gas operations for dust suppression on unpaved roads in rural areas. The commission must adopt rules to establish standards for such use. The standards must prevent the discharge of pollutants into state

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
*Capital letters indicate new material to be added to existing statute.*  
*Dashes through the words indicate deletions from existing statute.*

waters, minimize the public's exposure to naturally occurring radioactive material contained in produced water, and establish a maximum concentration of naturally occurring radioactive material in produced water used for dust suppression at a level that does not exceed the federal environmental protection agency's standard for soil application.

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1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, 30-20-109, **add** (1.5)

3 (a) (III), (1.5) (a) (IV), (1.5) (a) (V), and (1.5) (f) as follows:

4 **30-20-109. Commission to promulgate rules - definitions.**

5 (1.5) (a) As used in this subsection (1.5):

6 (III) "NATURALLY OCCURRING RADIOACTIVE MATERIAL" HAS THE  
7 MEANING ESTABLISHED IN SECTION 25-11-101 (2.7), C.R.S.

8 (IV) "OIL AND GAS OPERATIONS" HAS THE MEANING ESTABLISHED  
9 IN SECTION 34-60-103 (6.5), C.R.S.

10 (V) "PRODUCED WATER" MEANS THE PORTION OF EXPLORATION  
11 AND PRODUCTION WASTE THAT IS BROUGHT TO THE SURFACE DURING OIL  
12 AND GAS OPERATIONS AND THAT CONSISTS OF GROUNDWATER, INCLUDING  
13 NATURALLY OCCURRING RADIOACTIVE MATERIAL AND ANY CONSTITUENTS  
14 ADDED BY THE OPERATOR, AS THAT TERM IS DEFINED IN SECTION  
15 34-60-103 (6.8), C.R.S.

16 (f) THE SOLID AND HAZARDOUS WASTE COMMISSION HAS  
17 EXCLUSIVE JURISDICTION TO REGULATE THE BENEFICIAL USE OF PRODUCED  
18 WATER FOR DUST SUPPRESSION ON UNPAVED ROADS IN RURAL AREAS;  
19 EXCEPT THAT NOTHING IN THIS PARAGRAPH (f) GIVES THE COMMISSION  
20 AUTHORITY TO REGULATE OIL AND GAS OPERATIONS. THE COMMISSION  
21 SHALL PROMULGATE RULES TO ESTABLISH STANDARDS FOR SUCH USE. THE  
22 COMMISSION SHALL SET THE STANDARDS:

23 (I) TO PREVENT THE DISCHARGE OF POLLUTANTS INTO STATE

1 WATERS, AS THOSE TERMS ARE DEFINED IN SECTION 25-7-103, C.R.S.;

2 (II) TO MINIMIZE THE PUBLIC'S EXPOSURE TO NATURALLY  
3 OCCURRING RADIOACTIVE MATERIAL CONTAINED IN PRODUCED WATER;

4 AND

5 (III) FOR THE MAXIMUM CONCENTRATION OF NATURALLY  
6 OCCURRING RADIOACTIVE MATERIAL IN PRODUCED WATER USED FOR DUST  
7 SUPPRESSION AT A LEVEL THAT DOES NOT EXCEED THE FEDERAL  
8 ENVIRONMENTAL PROTECTION AGENCY'S STANDARD FOR SOIL  
9 APPLICATION.

10 **SECTION 2. Safety clause.** The general assembly hereby finds,  
11 determines, and declares that this act is necessary for the immediate  
12 preservation of the public peace, health, and safety.