

First Regular Session  
Sixty-ninth General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 13-0952.01 Thomas Morris x4218

HOUSE BILL 13-1316

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HOUSE SPONSORSHIP

Hullinghorst and Salazar, Young

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 COLORADO OIL AND GAS CONSERVATION  
102 COMMISSION'S ADOPTION OF UNIFORM STATEWIDE  
103 GROUNDWATER SAMPLING RULES.

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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 Colorado oil and gas conservation commission recently adopted rules that require oil and gas operators to conduct groundwater sampling but specify less rigorous standards for particular areas of the state. The bill requires the commission to adopt uniform statewide

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.*

groundwater sampling rules that obligate operators to sample groundwater sources at specified intervals before and after drilling of a well.

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

2 **SECTION 1.** In Colorado Revised Statutes, 34-60-106, **amend**  
3 (2) (d) as follows:

4 **34-60-106. Additional powers of commission - rules.** (2) The  
5 commission has the authority to regulate:

6 (d) (I) Oil and gas operations so as to prevent and mitigate  
7 significant adverse environmental impacts on any air, water, soil, or  
8 biological resource resulting from oil and gas operations to the extent  
9 necessary to protect public health, safety, and welfare, including  
10 protection of the environment and wildlife resources, taking into  
11 consideration cost-effectiveness and technical feasibility.

12 (II) THE COMMISSION SHALL ADOPT UNIFORM STATEWIDE WATER  
13 QUALITY SAMPLING RULES THAT REQUIRE OPERATORS TO:

14 (A) SAMPLE ALL AVAILABLE GROUNDWATER SOURCES, UP TO A  
15 MAXIMUM OF FOUR GROUNDWATER WELLS, THAT ARE LOCATED WITHIN  
16 ONE-HALF MILE OF A PROPOSED NEW OIL AND GAS WELL OR NEW  
17 DEDICATED INJECTION WELL WITHIN TWELVE MONTHS BEFORE DRILLING  
18 THE PROPOSED WELL OR THE FIRST WELL OF A PROPOSED MULTI-WELL SITE;

19 (B) COLLECT ONE ADDITIONAL SAMPLE OF EACH SUCH  
20 GROUNDWATER SOURCE BETWEEN SIX AND TWELVE MONTHS AFTER  
21 COMPLETION OF DRILLING OF THE WELL OR OF THE LAST WELL OF A  
22 PROPOSED MULTI-WELL SITE; AND

23 (C) COLLECT ONE ADDITIONAL SAMPLE OF EACH SUCH  
24 GROUNDWATER SOURCE BETWEEN FIVE AND SIX YEARS AFTER

1 COMPLETION OF DRILLING OF THE WELL OR OF THE LAST WELL OF A  
2 PROPOSED MULTI-WELL SITE.

3 (III) THE COMMISSION MAY ALLOW THE USE OF EXISTING WATER  
4 QUALITY DATA IF THE DATA MEETS THE COMMISSION'S TECHNICAL  
5 SPECIFICATIONS AND WAS OBTAINED WITHIN EIGHTEEN MONTHS BEFORE  
6 THE DATE THE RULES WOULD OTHERWISE REQUIRE AN OPERATOR TO  
7 COLLECT GROUNDWATER SAMPLES.

8 **SECTION 2. Act subject to petition - effective date -**  
9 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following  
10 the expiration of the ninety-day period after final adjournment of the  
11 general assembly (August 7, 2013, if adjournment sine die is on May 8,  
12 2013); except that, if a referendum petition is filed pursuant to section 1  
13 (3) of article V of the state constitution against this act or an item, section,  
14 or part of this act within such period, then the act, item, section, or part  
15 will not take effect unless approved by the people at the general election  
16 to be held in November 2014 and, in such case, will take effect on the  
17 date of the official declaration of the vote thereon by the governor.

18 (2) This act applies to conduct occurring on or after the applicable  
19 effective date of this act.