

1 ACTIVITIES ASSOCIATED WITH THE CONSTRUCTION OR OPERATION OF FACILITIES
2 FOR THE COLLECTION AND TRANSMISSION OF OIL AND GAS FROM OIL AND GAS
3 WELLS TO CONSUMERS; AND (D) THE TRANSPORTATION OF MATERIALS ASSOCIATED
4 WITH AN OIL AND GAS WELL SITE OR PRODUCTION WHETHER OR NOT THE OIL OR
5 GAS IS RE-INJECTED INTO THE SUBSURFACE OF THE EARTH, FROM A GEOLOGICAL
6 FORMATION AND THE TRANSPORTATION OF THAT OIL OR GAS TO ANOTHER LOCATION.

7 6. "PRODUCTION BRINE" OR "PRODUCED WATER" MEANS LIQUIDS CO-PRODUCED
8 DURING OIL AND GAS PRODUCTION.

9 7. "SOLID AND LIQUID WASTE" MEANS, BUT IS NOT LIMITED TO: PRODUCTION
10 BRINE, PRODUCED WATER, FLOWBACK FLUID, AND DRILL CUTTINGS FROM OIL AND
11 GAS PRODUCTION.

12 8. "TRANSPORT" SHALL MEAN THE MOVEMENT OF LIQUID AND SOLID WASTE ASSO-
13 CIATED WITH OIL AND GAS PRODUCTION FROM THE POINT OF GENERATION TO ANY
14 INTERMEDIATE POINTS AND FINALLY TO THE POINT OF ULTIMATE DISPOSAL. FOR
15 THE PURPOSES OF THIS TITLE, THE POINT OF GENERATION WITH REGARD TO
16 FACILITIES THAT ARE GENERATORS OF SUCH WASTE SHALL BE THE POINT AT WHICH
17 SUCH WASTE LEAVES THE GENERATOR'S FACILITY SITE.

18 S 23-2503. HIGH-VOLUME HYDRAULIC FRACTURING WASTE TRACKING PROGRAM.

19 1. THE COMMISSIONER SHALL ESTABLISH A PROGRAM FOR TRACKING THE GENER-
20 ATION, TRANSPORTATION AND RECEIPT OF LIQUID AND SOLID WASTE ASSOCIATED
21 WITH THE PRODUCTION OF NATURAL GAS WHERE HIGH-VOLUME HYDRAULIC FRACTUR-
22 ING IS UTILIZED.

23 2. SUCH PROGRAM SHALL:

24 A. PROVIDE FOR THE TRACKING OF THE TRANSPORTATION OF SUCH WASTE FROM
25 THE GENERATOR TO THE RECEIVING FACILITY;

26 B. INCLUDE A SYSTEM FOR PROVIDING THE GENERATOR WITH ASSURANCE THAT
27 THE MATERIALS WERE TREATED OR RECEIVED BY THE RECEIVING FACILITY;

28 C. USE A UNIFORM FORM OR FORMS FOR TRACKING;

29 D. REQUIRE THE GENERATOR TO DELIVER A COPY OF THE MANIFEST FORM TO THE
30 DEPARTMENT WHEN THE SHIPMENT LEAVES THEIR FACILITY SITE;

31 E. REQUIRE RECEIVING FACILITY TO DELIVER A COPY OF THE MANIFEST FORM
32 TO THE DEPARTMENT WHEN THE SHIPMENT ARRIVES AT THE RECEIVING FACILITY;

33 F. USE A COMPUTER SYSTEM TO MAINTAIN A RECORD OF DATA FROM THE MANI-
34 FESTS AND TRACK THE MOVEMENT OF LIQUID AND SOLID WASTE; AND

35 G. DISPLAY DATA RECORDS ON THE DEPARTMENT'S WEBSITE.

36 S 2. This act shall take effect immediately.