

# State of South Dakota

EIGHTY-EIGHTH SESSION  
LEGISLATIVE ASSEMBLY, 2013

400U0415

HOUSE AGRICULTURE AND NATURAL RESOURCES

ENGROSSED NO. **SB 59** - 02/26/2013

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 as 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, are



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