

State of South Dakota

NINETY-THIRD SESSION
LEGISLATIVE ASSEMBLY, 2018

682Z0854

SENATE BILL NO. 188

Introduced by: Senators Frerichs, Heinert, Kennedy, Killer, and Nelson and Representatives Bartling, May, and Schoenfish

1 FOR AN ACT ENTITLED, An Act to require certain groundwater observation wells in the
2 event of an oil spill.

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

4 Section 1. That chapter 34A-18 be amended by adding a NEW SECTION to read:

5 In the event of an oil spill, a crude oil pipeline operator shall install groundwater observation
6 wells. Groundwater observation wells shall be installed at the site of the oil spill and ten miles
7 from the site of the spill. The department shall monitor and test any groundwater observation
8 well, installed pursuant to this section, for contamination. The department shall monitor and test
9 the wells at the time of the spill and sixty days after the spill. The department shall make the
10 results of any contamination testing available to the public on the department's website. The oil
11 pipeline operator shall pay for the installation of the groundwater observation wells and the cost
12 of testing in the event of an oil spill. The department may promulgate rules, pursuant to chapter
13 1-26, to establish:

14 (1) The minimum requirements for a groundwater observation well;

15 (2) The number of ground water observation wells, in addition to the number of wells



1 required by this section, that shall be placed in the event of an oil spill; and

2 (3) The location of any ground water observation well, in addition to the location of

3 wells required by this section, that is placed in the event of an oil spill.