

# State of South Dakota

EIGHTY-EIGHTH SESSION  
LEGISLATIVE ASSEMBLY, 2013

400U0415

## SENATE BILL NO. 59

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 a  
6 pit, pond, tank, or dam facility for the purposes of treatment, storage, or disposal unless the  
7 facility is directly associated with the development of a specific well or producing property and  
8 receives liquid wastes only from that specific well or 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 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, is  
15 prohibited from being disposed of at any solid waste facility permitted under this chapter. The



- 1 background radioactivity level is measured at each individual permitted solid waste facility. All
- 2 radioactive levels shall be measured using methods and procedures approved by the Department
- 3 of Environment and Natural Resources.