

The Legislature of the State of New Mexico

45th Legislature, 1st Session

LAWS 2001

CHAPTER 67

HOUSE BILL 533, as amended,

with emergency clause

Introduced by

REPRESENTATIVE THOMAS C. TAYLOR AND REPRESENTATIVE MIMI STEWART

REPRESENTATIVES DONALD L. WHITAKER, DONALD E. BRATTON, JOE M STELL,
SANDRA L. TOWNSEND, FRED LUNA, RAY BEGAYE,
PAULINE K. GUBBELS, JOHN A. SANCHEZ,
TED HOBBS, PATRICIA A. LUNDSTROM,
RHONDA S. KING AND DONA G. IRWIN



EMERGENCY CLAUSE

EXHIBIT *ocd*

6

CHAPTER 67

AN ACT

RELATING TO WASTE; PROVIDING FOR THE DISPOSAL OF CERTAIN
NONDOMESTIC OIL, GAS AND GEOTHERMAL WASTE AT SOLID WASTE
FACILITIES; DECLARING AN EMERGENCY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. A new section of the Solid Waste Act,
Section 74-9-43 NMSA 1978, is enacted to read:

"74-9-43. AUTHORITY TO ACCEPT NONDOMESTIC OIL, GAS AND
GEOTHERMAL WASTES.--

A. A solid waste facility may accept for disposal
nondomestic waste. For the purposes of this section,
"nondomestic waste" means waste associated with the
exploration, development, production, transportation, storage,
treatment or refinement of crude oil, natural gas, carbon
dioxide gas or geothermal energy, but does not include
drilling fluids, produced waters, petroleum liquids, petroleum
sludges or, except in the event of an emergency declared by
the director of the oil conservation division of the energy,
minerals and natural resources department, petroleum-
contaminated soils associated with the exploration,
development, production, transportation, storage, treatment or
refinement of crude oil or natural gas.

B. The solid waste facility may accept nondomestic
waste for disposal with the approval of the oil conservation

1 division of the energy, minerals and natural resources
2 department pursuant to its authority under the Oil and Gas Act
3 if the nondomestic waste otherwise meets the requirements of
4 the Solid Waste Act applicable to the solid waste facility.
5 Upon presentation for disposal, nondomestic waste shall be
6 regulated in the same manner as solid waste for purposes of
7 the Solid Waste Act.

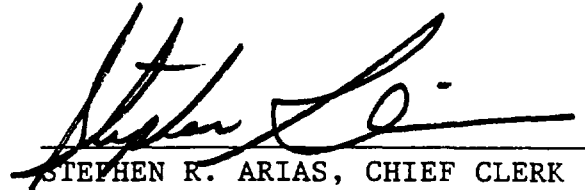
8 C. A solid waste facility operator proposing to
9 accept for disposal nondomestic waste shall comply with rules
10 adopted pursuant to the Solid Waste Act applicable to
11 manifesting, testing and inspection of solid waste and any
12 rules adopted pursuant to the Solid Waste Act applicable to
13 record keeping for solid waste."

14 Section 2. EMERGENCY.--It is necessary for the public
15 peace, health and safety that this act take effect
16 immediately.

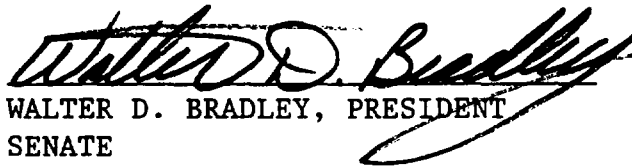
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BEN LUJAN, SPEAKER
HOUSE OF REPRESENTATIVES



STEPHEN R. ARIAS, CHIEF CLERK
HOUSE OF REPRESENTATIVES



WALTER D. BRADLEY, PRESIDENT
SENATE



MARGARET LARRAGOITE, CHIEF CLERK
SENATE

Approved by me this 16 day of March, 2001


GARY E. JOHNSON, GOVERNOR
STATE OF NEW MEXICO