

First Regular Session
Sixty-ninth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 13-0899.01 Jennifer Berman x3286

HOUSE BILL 13-1278

HOUSE SPONSORSHIP

Mitsch Bush,

SENATE SPONSORSHIP

(None),

House Committees
Transportation & Energy

Senate Committees

A BILL FOR AN ACT

101 CONCERNING THE REPORTING OF OIL SPILLS.

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)

The bill requires an oil and gas operator to report a spill of one barrel or more, or the equivalent of one barrel or more, of oil or exploration and production waste within 24 hours after the discovery of the spill. The operator is required to make the report to the oil and gas conservation commission; and to the entity with jurisdiction over emergency response within the local municipality, if the spill occurred within a municipality, or the local county if the spill did not occur within

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

a municipality; to the surface owner; and to the owners of land adjacent to the spill. The operator's report of the spill must include information concerning the constituent compounds involved in the spill. The bill authorizes the commission to promulgate rules to implement these requirements.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, **add** 34-60-130 as
3 follows:

4 **34-60-130. Reporting of spills - rules.** (1) IF ONE BARREL OR
5 MORE, OR THE EQUIVALENT OF ONE BARREL OR MORE, OF OIL OR
6 EXPLORATION AND PRODUCTION WASTE IS SPILLED, THE OPERATOR SHALL
7 REPORT THE SPILL, WITHIN TWENTY-FOUR HOURS AFTER THE DISCOVERY
8 OF THE SPILL, TO:

9 (a) THE COMMISSION;

10 (b) THE ENTITY WITH JURISDICTION OVER EMERGENCY RESPONSE
11 WITHIN THE LOCAL MUNICIPALITY, IF THE SPILL OCCURRED WITHIN A
12 MUNICIPALITY, OR THE LOCAL COUNTY IF THE SPILL DID NOT OCCUR
13 WITHIN A MUNICIPALITY;

14 (c) THE SURFACE OWNER; AND

15 (d) THE OWNERS OF LAND ADJACENT TO THE SPILL.

16 (2) THE SPILL REPORT MUST INCLUDE INFORMATION CONCERNING
17 THE CONSTITUENT COMPOUNDS INVOLVED IN THE SPILL.

18 (3) THE COMMISSION MAY PROMULGATE RULES TO IMPLEMENT
19 THIS SECTION.

20 **SECTION 2. Act subject to petition - effective date.** This act
21 takes effect at 12:01 a.m. on the day following the expiration of the
22 ninety-day period after final adjournment of the general assembly (August
23 7, 2013, if adjournment sine die is on May 8, 2013); except that, if a

1 referendum petition is filed pursuant to section 1 (3) of article V of the
2 state constitution against this act or an item, section, or part of this act
3 within such period, then the act, item, section, or part will not take effect
4 unless approved by the people at the general election to be held in
5 November 2014 and, in such case, will take effect on the date of the
6 official declaration of the vote thereon by the governor.