

Introduced by

Senators Rust, Wanzek

Representatives B. Anderson, D. Anderson, Longmuir, Mock

1 A BILL for an Act to create and enact a new section to chapter 38-08 of the North Dakota  
2 Century Code, relating to reclamation requirements for land disturbed by oil and gas activity.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1.** A new section to chapter 38-08 of the North Dakota Century Code is created  
5 and enacted as follows:

6 **Reclamation of land disturbed by oil and gas activity.**

7 1. Any land disturbed by construction of well sites, treating plants, saltwater handling  
8 facilities, access roads, underground gathering pipelines and associated facilities, and  
9 from remediation of leaks or spills within the jurisdiction of the commission shall be  
10 reclaimed as close as practicable to its original condition as it existed before the  
11 construction of the well site or other disturbance. The commission, with the consent of  
12 the appropriate government land manager or surface owner, may waive the  
13 requirement of reclamation of the site and access road after a well is plugged or  
14 treating plant or saltwater handling facility is decommissioned. The commission shall  
15 record documentation of the waiver with the recorder of the county in which the site or  
16 road is located.

17 2. This section may not be construed to require removal of a properly reclaimed reserve  
18 pit or a properly abandoned underground gathering pipeline.

19 3. A person may not bring a legal proceeding under this section, unless the person has  
20 exhausted all administrative remedies.