

**Sixty-fifth Legislative Assembly of North Dakota  
In Regular Session Commencing Tuesday, January 3, 2017**

SENATE BILL NO. 2333  
(Senators Rust, Wanzek)  
(Representatives B. Anderson, D. Anderson, Longmuir, Mock)

AN ACT to create and enact a new section to chapter 38-08 of the North Dakota Century Code, relating to reclamation requirements for land disturbed by oil and gas activity.

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

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

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

1. Any land disturbed by construction of well sites, treating plants, saltwater handling facilities, access roads, underground gathering pipelines and associated facilities, and from remediation of leaks or spills within the jurisdiction of the commission shall be reclaimed as close as practicable to its original condition as it existed before the construction of the well site or other disturbance. The commission, with the consent of the appropriate government land manager or surface owner, may waive the requirement of reclamation of the site and access road after a well is plugged or treating plant or saltwater handling facility is decommissioned. The commission shall record documentation of the waiver with the recorder of the county in which the site or road is located.
2. This section may not be construed to require removal of a properly reclaimed reserve pit or a properly abandoned underground gathering pipeline.
3. A person may not bring a legal proceeding under this section, unless the person has exhausted all administrative remedies.

\_\_\_\_\_  
President of the Senate

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Speaker of the House

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Secretary of the Senate

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Chief Clerk of the House

This certifies that the within bill originated in the Senate of the Sixty-fifth Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2333.

Senate Vote:    Yeas 46            Nays 0            Absent 1

House Vote:    Yeas 94            Nays 0            Absent 0

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Secretary of the Senate

Received by the Governor at \_\_\_\_\_ M. on \_\_\_\_\_, 2017.

Approved at \_\_\_\_\_ M. on \_\_\_\_\_, 2017.

\_\_\_\_\_  
Governor

Filed in this office this \_\_\_\_\_ day of \_\_\_\_\_, 2017,

at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Secretary of State