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## Commission Opposes Hazardous Label for Oil Field Waste

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Senate Subcommittee on Environmental Protection hearings began Wednesday on the question of reclassifying oil field wastes. Thus far oil field wastes have been exempt from stricter disposal requirements as hazardous materials under the Resource Conservation and Recovery Act. It is up for reauthorization.

Oklahoma and other producing states, such as Texas, are opposing any measure to create a federal regulatory structure for currently exempt oil field wastes. [W. **Timothy Dowd**]'s group has worked with the U.S. Environmental Protection Agency to develop a uniform set of guidelines for state regulatory agencies.

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By Ronda Fears Journal Record Staff Reporter Reclassifying oil field wastes as hazardous would "essentially shut down" oil wells in Oklahoma and half the gas wells statewide, according to Oklahoma Corporation Commission comments forwarded Wednesday to a congressional subcommittee debating the issue.

Moreover, regulation of oil field wastes is best left at the state level, testified W. **Timothy Dowd**, executive director of the **Interstate Oil** and Gas Compact Commission based in Oklahoma City, which has 29 oil and gas producing states as members.

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Oklahoma and other producing states, such as Texas, are opposing any measure to create a federal regulatory structure for currently exempt oil field wastes. Dowd's group has worked with the U.S. Environmental Protection Agency to develop a uniform set of guidelines for state regulatory agencies.

"States do not see the need for a duplicative federal regulatory program or a federally mandated program without proper funding for implementation," Dowd told lawmakers.

"For the past 30 years, the environmental regulations adopted by the states . . . have been continuously strengthened and improved. The states are committed to the principle of wise resource development with due regard for the environment." Oklahoma's regulatory agency pointed out in its statement that the Sooner State, one of the more mature producing states, has consistently been on the forefront of oil and gas regulation, beginning in 1939.

"The Oklahoma Corporation Commission began protection of Oklahoma's environment 30 years before the creation of the EPA," the statement said.

However, there is a strong environmentalist push to remove the oil field waste exemption because the waste is toxic and a health hazard. A big participant at that end of the spectrum is the National Audubon Society.

EPA, though, has recommended extending the exemption. A 1987 study by EPA estimated the cost of disposing oil field wastes under hazardous material rules could be \$1 billion to \$6 billion annually for the oil and gas industry and consumers.

Environmentalists assert the cost estimate is exaggerated.

The Oklahoma commission asserts, "There is little, if any, evidence to support that the excluded oil and gas wastes are creating a health hazard." The wastes are saltwater, mostly, and drilling fluids.

Categorizing those as hazardous "would have a devastating economic impact on Oklahoma's oil and gas production" due to the state's feature of oil and gas wells being predominantly stripper, or low volume, wells.

Seventy to 75 percent of Oklahoma's oil production is estimated to come from stripper wells that produce 10 barrels or less a day. The statewide average for oil production is three barrels a day.

About 3 million barrels of saltwater is produced in Oklahoma each day, the commission statement said.

To dispose of the water under hazardous material regulations would mean old wells would have to be plugged and replaced with new ones, Oklahoma regulators state.

"Replacement cost would render stripper well operations uneconomical," the Oklahoma statement said.

"Should this occur, a great concern arises as to how any state, or the nation for that matter, can cause the plugging of all the idle wells that will exist.

"Small operator bankruptcies will be the order of the day. It is difficult to understand how the shutdown of stripper wells in this nation can be in its best interest.

"Twice as many crude oil tankers will have to ply our coastal waters and inlets, which will significantly increase the environmental threat." However, the regulators admit the current system is not perfect.

"Enforcement and timely cleanup of spills, leaks, pipe breaks, etc., is a problem with certain operators or when no responsible party can be located; the hearing and fine levying process is often slower than desired," the commission acknowledges.

But, new rules are constantly being introduced at the state level, 17 of which relating to the oil and gas industry are due consideration in 1992 by Oklahoma regulators.

Oklahoma regulators have come under fire in recent months about the enforcement of anti-pollution regulations.

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