

CHAPTER 42

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**GOVERNMENT - COUNTY**

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SENATE BILL 95-017

BY SENATORS Ament and Tebedo;  
also REPRESENTATIVE Anderson.

**AN ACT**

**CONCERNING THE GRANTING OF EXCLUSIVE JURISDICTION TO THE COLORADO OIL AND GAS  
CONSERVATION COMMISSION TO MANAGE OIL AND GAS WASTES.**

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

**SECTION 1. Legislative declaration.** (1) The general assembly hereby finds that it has granted the Colorado oil and gas conservation commission, in article 60 of title 34, Colorado Revised Statutes, comprehensive and plenary jurisdiction over the generation, transportation, storage, treatment, and disposal of exploration and production wastes, except as to those commercial facilities that accept such wastes, and any construction, site preparation, or reclamation activities associated with oil and gas operations. Therefore, a conforming amendment to the solid wastes disposal sites and facilities laws in article 20 of title 30, Colorado Revised Statutes, is necessary to specify that the commission's jurisdiction is exclusive as to noncommercial exploration and production waste facilities.

(2) This act shall not be construed to affect existing local government land use authority.

**SECTION 2.** 30-20-101 (6), Colorado Revised Statutes, 1986 Repl. Vol., is amended to read:

**30-20-101. Definitions.** As used in this part 1, unless the context otherwise requires:

(6) (a) "Solid waste" means any garbage, refuse, sludge from a waste treatment plant, water supply treatment plant, or air pollution control facility, and other discarded material, including solid, liquid, semisolid, or contained gaseous material resulting from industrial or commercial operations or from community activities.

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*Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

(b) "Solid waste" does not include:

(I) Any solid or dissolved materials in domestic sewage; ~~or~~

(II) Agricultural wastes; ~~or~~

(III) Solid or dissolved materials in irrigation return flows; ~~or~~

(IV) Industrial discharges which are point sources subject to permits under the provisions of the "Colorado Water Quality Control Act", article 8 of title 25, C.R.S.;  
~~or~~

(V) Materials handled at facilities licensed pursuant to the provisions on radiation control in article 11 of title 25, C.R.S.; OR

(VI) EXPLORATION AND PRODUCTION WASTES, AS DEFINED IN SECTION 34-60-103 (4.5), C.R.S., EXCEPT AS SUCH WASTES MAY BE DEPOSITED AT A COMMERCIAL SOLID WASTE FACILITY.

**SECTION 3. Safety clause.** The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: March 31, 1995