

AMENDED IN ASSEMBLY JUNE 28, 2011

AMENDED IN SENATE MAY 25, 2011

AMENDED IN SENATE MAY 11, 2011

SENATE BILL

No. 682

Introduced by Senator ~~Calderon~~ *Rubio*

February 18, 2011

~~An act to add Section 39619.9 to the Health and Safety Code, relating to electricity generation. An act to add Sections 3011 and 3016 to the Public Resources Code, relating to public resources.~~

LEGISLATIVE COUNSEL'S DIGEST

SB 682, as amended, ~~Calderon~~ *Rubio*. ~~Electricity generation: emissions. Public resources: oil and gas: underground injection of gas.~~

Existing law establishes the Division of Oil, Gas, and Geothermal Resources in the Department of Conservation and provides the division with the authority to regulate oil and gas well and production facilities.

The Hazardous Waste Control Law authorizes the Department of Toxic Substances Control to regulate the disposal of hazardous and extremely hazardous waste.

This bill would authorize the division to permit the underground injection of a gas, including constituents stripped from gas, that is produced in a downhole in connection with exploration, development, or production operations for the purposes of disposal. The bill would exempt gases that are hazardous or extremely hazardous waste and injected underground pursuant to the above provision and that meet 3 conditions from regulation under the Hazardous Waste Control Law. The bill would define the term "fluid" for purposes of oil and gas conservation provisions.

~~The California Global Warming Solutions Act of 2006 designates the State Air Resources Board as the state agency charged with monitoring and regulating sources of emissions of greenhouse gases.~~

~~This bill would require the state board, if the state board develops an assessment of the extent and magnitude of potential greenhouse gas emission reductions associated with using waste or stranded gas for electricity generation, to provide a copy of the assessment to the Senate Committee on Energy, Utilities and Communications, the Senate Committee on Environmental Quality, the Assembly Committee on Natural Resources, and the Assembly Committee on Utilities and Commerce.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 3011 is added to the Public Resources
2 Code, to read:
3 3011. “Fluid” means any material or substance that flows or
4 moves whether in a semisolid, liquid, sludge, gas, or any other
5 form or state.
6 SEC. 2. Section 3016 is added to the Public Resources Code,
7 to read:
8 3016. (a) The division shall have the authority to permit the
9 underground injection of a gas, as defined in Section 3004,
10 including the constituents stripped from gas and produced from
11 a downhole in connection with exploration, development, or
12 production operations for the purposes of disposal.
13 (b) A gas, including a constituent stripped from gas, is exempt
14 from regulations as hazardous or extremely hazardous waste
15 pursuant to Chapter 6.5 (commencing with Section 25100) of
16 Division 20 of the Health and Safety Code, if it satisfies all of the
17 following:
18 (1) Is produced from a downhole in connection with exploration,
19 development, or production operations.
20 (2) Is separated from the production stream as a part of the
21 primary field operations.
22 (3) Is managed in a closed-loop system to prevent all of the
23 following:
24 (A) Mixing with nonproduction wastes.

- 1 (B) *Exposure to the surface environment.*
- 2 (C) *Transport beyond the primary field operations.*
- 3 (4) *Is reinjected underground pursuant to subdivision (a).*
- 4 (c) *For the purposes of this section, “primary field operations”*
- 5 *includes activities occurring before the point where the gas is*
- 6 *transferred from an individual field facility or a centrally located*
- 7 *facility to a carrier or pipeline for transport to market.*

8 SECTION 1.— Section 39619.9 is added to the Health and Safety
9 Code, to read:

10 39619.9. ~~If the state board develops an assessment of the extent~~
11 ~~and magnitude of potential greenhouse gas emission reductions~~
12 ~~associated with using waste or stranded gas for electricity~~
13 ~~generation, the state board shall provide a copy of the assessment~~
14 ~~to the Senate Committee on Energy, Utilities and Communications,~~
15 ~~the Senate Committee on Environmental Quality, the Assembly~~
16 ~~Committee on Natural Resources, and the Assembly Committee~~
17 ~~on Utilities and Commerce.~~