AN ACT

RELATING TO WASTE; PROVIDING FOR THE DISPOSAL OF CERTAIN
NONDOMESTIC OIL, GAS AND GEOTHERMAL WASTE AT SOLID WASTE
FACILITIES; DECLARING AN EMERGENCY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1.   A new section of the Solid Waste Act,
Section 74-9-43 NMSA 1978, is enacted to read:

"74-9-43.   AUTHORITY TO ACCEPT NONDOMESTIC OIL, GAS AND
GEOTHERMAL WASTES.--

A.   A solid waste facility may accept for disposal
nondomestic waste. For the purposes of this section,
"nondomestic waste" means waste associated with the
exploration, development, production, transportation,
storage, treatment or refinement of crude oil, natural gas,
carbon dioxide gas or geothermal energy, but does not include
drilling fluids, produced waters, petroleum liquids,
petroleum sludges or, except in the event of an emergency
declared by the director of the oil conservation division of
the energy, minerals and natural resources department,
petroleum-contaminated soils associated with the exploration,
development, production, transportation, storage, treatment
or refinement of crude oil or natural gas.

B.   The solid waste facility may accept
nondomestic waste for disposal with the approval of the oil

conservation division of the energy, minerals and natural resources department pursuant to its authority under the Oil and Gas Act if the nondomestic waste otherwise meets the requirements of the Solid Waste Act applicable to the solid waste facility. Upon presentation for disposal, nondomestic waste shall be regulated in the same manner as solid waste for purposes of the Solid Waste Act.

      C. A solid waste facility operator proposing to accept for disposal nondomestic waste shall comply with rules adopted pursuant to the Solid Waste Act applicable to manifesting, testing and inspection of solid waste and any rules adopted pursuant to the Solid Waste Act applicable to record keeping for solid waste."

    Section 2. EMERGENCY.--It is necessary for the public peace, health and safety that this act take effect immediately. _____