

DRC: Stronger oil rules needed

New state oil and gas rules considered by the State Industrial Commission today should be stronger, especially on reserve pits, topsoil replacement and protection against saltwater spills, to protect farmers and ranchers in oil and gas country, Dakota Resource Council (DRC) leaders said today.

"Saltwater spills may be the most serious immediate threat to farmers and ranchers today," said Donald Nelson, Keene, chair of the DRC Oil and Gas Task Force.

"Requiring flow monitors on saltwater disposal pipelines would be a simple and effective way to keep leaks from becoming disasters," said Nelson.

Nelson pointed out that two disastrous saltwater leaks since 2006 have led to water and soil contamination that may never be cleaned up completely.

Clean-up efforts from water and soil contamination caused by leak near Charbonneau Creek in McKenzie County in 2006 are ongoing. More than 30 million gallons of contaminated water have been removed, but the contamination persists.

A 2011 saltwater spill also contaminated 28 acres of farmland in Bottineau County.

"The spill is likely to prevent agricultural activities on those acres for generations to come," said Nelson. "I don't think there's a way to clean it up."

Both spills were from saltwater lines without the flow monitors that the Oil and Gas Division now selectively urges, and the lack of monitoring in both cases allowed contamination to persist for some time.

"We can't afford to sacrifice agricultural production for the convenience of the oil and gas industry," said Nelson.

DRC leaders also urged stronger action on reserve pits and topsoil replacement.

"Over 40 reserve pits overflowed in last spring's thaw," said Dorothy Ventsch, New Town.

"We applaud the reduction in reserve pits and the requirement to disclose fracking fluids," said Ventsch. "Fracking on this scale is relatively new, and long-term results are not fully known by state agencies charged with protecting North Dakota's residents and environment.

"We don't agree with the exemption for wells sunk less than 5,000 feet below the surface, however," she added.

"Overflowing pits from wells of any depth can cause saltwater and erosion damage, even if the pits do not contain fracking fluids," noted Ventsch. "These pits should be eliminated."

Nelson also said that the eight-inch limit on topsoil replacement during site reclamation was inadequate.

"Topsoil depth varies, and we have topsoil on some parts of our land that is considerably deeper than eight inches," said Nelson. "If topsoil is not fully replaced on reclaimed sites, it will reduce agricultural productivity, which will be the lifeblood of our community long after the current boom has ended."

Nelson added that DRC supports the new rules' increase bonds for oil and gas wells, but believes the increase should be larger.