

1 COMMITTEE: Agriculture and Energy
2 POLICY: State Primacy in the Regulation of Oil and Gas
3 Exploration and Production Wastes
4 TYPE OF POLICY: Existing
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6 Used oil and waste generated in oil and gas exploration and production are currently exempt
7 from classification as hazardous waste under the Resource Conservation and Recovery Act
8 (RCRA). NCSL supports continuation of this exemption.
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10 When the recycling or disposal of used oil and of oil and gas exploration and production
11 wastes is conducted in accordance with effective state regulations, they do not create a
12 significant health or environmental impact. Since oil and gas exploration and production occur
13 in several different states in distinct regions, regulation is best handled by the affected state
14 to accommodate site-specific conditions and environmental considerations.
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16 Loss of the RCRA exemption for oil field wastes would require the EPA to develop RCRA
17 hazardous waste regulations governing the disposal of oil and gas exploration and production
18 wastes, thereby duplicating the successful efforts of the producing states to ensure
19 environmentally sound disposal practices. Loss of the RCRA exemption for used oil would
20 sound the death knell for oil recycling efforts.
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22 Regulations governing the recycling or disposal of used oil or oil and gas exploration and
23 production wastes within the individual States must remain the individual State's right and
24 responsibility. The National Conference of State Legislatures believes that primary
25 responsibility for the regulation of used oil and of oil and gas exploration and production
26 wastes should not be preempted by federal legislation or regulation.
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