



INDUSTRIAL COMMISSION OF NORTH DAKOTA

Doug Burgum
Governor

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Attorney General

Doug Goehring
Agriculture Commissioner

For Immediate Release

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Industrial Commission Statement on Supreme Court Decision in Northwest Landowners Association vs. State of North Dakota

BISMARCK – The North Dakota Industrial Commission (Commission), consisting of Gov. Doug Burgum, Attorney General Drew Wrigley and Agriculture Commissioner Doug Goehring, issued the following joint statement today in response to the North Dakota Supreme Court’s decision in Northwest Landowners Association vs. State of North Dakota:

“The Industrial Commission has consistently advocated for landowner rights while supporting policies that encourage responsible growth of our oil and gas industry. Although the Supreme Court ruling struck down portions of Senate Bill 2344, the remaining portions of the bill that the court upheld are a victory for both landowners and industry. We appreciate the court’s acknowledgement that the Industrial Commission has administrative authority to regulate underground injection, and we remain committed to ensuring that underground saltwater injection wells are managed for the benefit of landowners as well as the oil and gas industry.”

A Class II injection well is a class of well categorized by the U.S. Environmental Protection Agency (EPA) for injection of fluids association with oil and gas production, primarily saltwater which is co-produced with oil and gas. The North Dakota Industrial Commission is responsible for permitting Class II injection wells in North Dakota. North Dakota currently has 880 permitted and active Class II injection wells.

Senate Bill 2344 was introduced in the 66th Legislative Assembly to address uncertainty regarding Class II injection well compensation. The operators of Class II wells had always compensated landowners who owned the surface locations of the wells. The legislature passed the bill, and it was signed into law on April 18th, 2019.

For further information contact the Department of Mineral Resources at 701-328-8020