HOUSE DOCKET, NO. 2597 FILED ON: 1/17/2013

HOUSE . . . . . No. 707

The Commonwealth of Massachusetts

PRESENTED BY:

Sean Garballey

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act to regulate hydraulic fracturing.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
Sean Garballey	*23rd Middlesex*	*1/17/2013*
Paul W. Mark	*2nd Berkshire*	*1/22/2013*
Denise Andrews	*2nd Franklin*	*1/29/2013*
Frank I. Smizik	*15th Norfolk*	*1/23/2013*
Ellen Story	*3rd Hampshire*	*1/31/2013*
Peter V. Kocot	*1st Hampshire*	*1/24/2013*
David M. Rogers	*24th Middlesex*	*1/25/2013*
Ruth B. Balser	*12th Middlesex*	*1/17/2013*
Linda Campbell	*15th Essex*	*1/17/2013*
Tom Sannicandro	*7th Middlesex*	*1/17/2013*
Lori A. Ehrlich	*8th Essex*	*1/17/2013*
Brian R. Mannal	*2nd Barnstable*	*1/17/2013*
James B. Eldridge	*Middlesex and Worcester*	*1/17/2013*
Tricia Farley-Bouvier	*3rd Berkshire*	*1/17/2013*
John W. Scibak	*2nd Hampshire*	*1/17/2013*
Michael J. Barrett	*Third Middlesex*	*1/17/2013*
Jason M. Lewis	*Fifth Middlesex*	*1/17/2013*
Chris Walsh	*6th Middlesex*	*1/17/2013*

Patricia D. Jehlen	*Second Middlesex*	*1/17/2013*
Gloria L. Fox	*7th Suffolk*	*1/17/2013*
Marjorie C. Decker	*25th Middlesex*	*1/17/2013*
Paul R. Heroux	*2nd Bristol*	*1/17/2013*
Kathleen O'Connor Ives	*First Essex*	*1/17/2013*
Timothy R. Madden	*Barnstable, Dukes and Nantucket*	*1/17/2013*
Cory Atkins	*14th Middlesex*	*1/17/2013*
Timothy J. Toomey, Jr.	*26th Middlesex*	*1/17/2013*
Carl M. Sciortino, Jr.	*34th Middlesex*	*1/17/2013*
Thomas P. Conroy	*13th Middlesex*	*1/17/2013*

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HOUSE . . . . . No. 707

By Mr. Garballey of Arlington, a petition (accompanied by bill, House, No. 707) of Sean Garballey and others for legislation to further regulate the use of hydraulic fracturing to stimulate the extraction of natural gas. Environment, Natural Resources and Agriculture.

The Commonwealth of Massachusetts

In the Year Two Thousand Thirteen

An Act to regulate hydraulic fracturing.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Section 43 of chapter 21 of the general laws is hereby amended by inserting the following paragraph (11):

(i)Definitions

"Hydraulic fracturing" shall mean a stimulation technique for the extraction of natural gas involving the pumping of hydraulic fracturing fluid, possibly with a proppant, into a shale formation to create fractures to increase formation permeability and productivity.

"Class II injection wells" shall mean wells used to inject fluids:

(a) which are brought to the surface in connection with oil or natural gas production and that may be commingled with wastewater from gas plants as an integral part of production operations, unless those waters are classified as hazardous waste at the time of injection;

(b) for enhanced recovery of oil or natural gas; and

(c) for storage of hydrocarbons that are liquid at standard temperature and pressure.

"Toxic chemicals" shall mean

(1) chemicals that the federal Environmental Protection Agency deems reportable pursuant to the Toxic Release Inventory program established under the federal Emergency Planning and Community Right-to-Know Act of 1986 and the federal Pollution Prevention Act of 1990, all as may be from time to time amended;

(2) chemicals known to cause or that can reasonably be anticipated to cause in humans (i) cancer or teratogenic effects, or (ii) serious or irreversible reproductive dysfunctions, neurological disorders, heritable genetic mutations, or other chronic health effects;

(3) chemicals known to cause or that can reasonably be anticipated to cause significant adverse acute human health effects at concentration levels that are reasonably likely to exist within or beyond drilling site boundaries as a result of repeated or frequently recurring fluid injections or releases.

(4) chemicals known to cause or can be reasonably anticipated to cause a significant adverse effect on the environment; and

(5) any other persistent, bioaccumulative, carginogenic, or toxic chemicals, including but not limited to methanol, ethylene glycol, diesel, naphthalene, xylene, hydrogen chloride (hydrochloric acid), toluene, ethylbenzene, diethanolamine, formaldehyde, sulfuric acid, thiourea, benzyl chloride, cumene, nitrilotriacetic acid, dimethyl formamide, phenol, benzene, di (2-ethylhexyl) phthalate, acrylamide, hydrogen fluoride (hydrofluoric acid), phthalic anhydride, acetaldehyde, acetophenone, copper, ethylene oxide, lead, propylene oxide, and p-xylene.

(ii) No person shall construct, install, operate, or maintain a Class II injection well in connection with hydraulic fracturing.

(iii) No person shall use toxic chemicals in connection with the extraction of natural gas.