SENATE . . . . . No. 2309

The Commonwealth of Massachusetts

In the One Hundred and Eighty-Ninth General Court
(2015-2016)

SENATE, Thursday, June 2, 2016

The committee on Ways and Means, to whom was referred the Senate Bill relative to a moratorium on hydraulic fracturing (Senate, No. 457),-- reports, recommending that the same ought to pass with an amendment substituting a new draft with the same title (Senate, No. 2309).

For the committee,
Karen E. Spilka

SENATE . . . . . No. 2309

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In the One Hundred and Eighty-Ninth General Court
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An Act relative to a moratorium on 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 26A of chapter 21 of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by inserting after the word "effluent", in line 67, the following words:- , hydraulic fracturing fluid.

SECTION 2. Section 27 of said chapter 21, as so appearing, is hereby amended by adding the following clause:-

(14) Enforce restrictions on drilling, waste treatment and disposal and mining activities which have been enacted to protect the water quality and the natural resources of the commonwealth.

SECTION 3. Section 42 of said chapter 21, as so appearing, is hereby amended by inserting after the word "commonwealth", in line 3, the following words:- ,or into an injection well or into a treatment works in the commonwealth.

SECTION 4. (a) As used in this section, the following words shall have the following meanings unless the context clearly requires otherwise:-

14 “Fluid”, any material or substance which flows or moves whether in semi-solid, liquid,
15 sludge, gas or any other form or state.

16 “Gas”, all natural gas, whether hydrocarbon or nonhydrocarbon, including hydrogen
17 sulfide, helium, carbon dioxide, nitrogen, hydrogen, casinghead gas and all other fluid
18 hydrocarbons not defined as oil.

19 “Hydraulic fracturing”, the process of pumping a fluid into or under the surface of the
20 ground in order to create fractures in rock to produce or recover oil or gas.

21 “Oil”, crude petroleum, oil and all hydrocarbons, regardless of specific gravity, that are in
22 the liquid phase in the reservoir and are produced at the wellhead in liquid form.

23 “Oil and gas”, oil and gas collectively, or either oil or gas, as the context may require to
24 give effect to the purposes of this chapter.

25 (b) For the period from January 1, 2017 to December 31, 2026, inclusive, a person shall
26 not engage in hydraulic fracturing.

27 (c) For the period from January 1, 2017 to December 31, 2026, inclusive, a person shall
28 not collect, store, treat or dispose of wastewater hydraulic fracturing fluid, wastewater solids,
29 drill cuttings or other byproducts from hydraulic fracturing.