HOUSE . . . . No. 461

The Commonwealth of Massachusetts

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PRESENTED BY:

Denise Provost

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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 protect our drinking water from hydraulic fracturing.

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PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
Denise Provost	*27th Middlesex*	*1/17/2017*
Chris Walsh	*6th Middlesex*	
José F. Tosado	*9th Hampden*	
Carmine L. Gentile	*13th Middlesex*	
Lori A. Ehrlich	*8th Essex*	
Peter V. Kocot	*1st Hampshire*	*2/2/2017*
Sean Garballey	*23rd Middlesex*	*1/28/2017*
David M. Rogers	*24th Middlesex*	*2/3/2017*
James B. Eldridge	*Middlesex and Worcester*	*2/1/2017*
Michelle M. DuBois	*10th Plymouth*	*1/31/2017*
Mary S. Keefe	*15th Worcester*	*1/31/2017*
Barbara A. L'Italien	*Second Essex and Middlesex*	*2/2/2017*
Gailanne M. Cariddi	*1st Berkshire*	*2/2/2017*
Tricia Farley-Bouvier	*3rd Berkshire*	*2/2/2017*
Patricia D. Jehlen	*Second Middlesex*	*2/3/2017*
Solomon Goldstein-Rose	*3rd Hampshire*	
Mike Connolly	*26th Middlesex*	
Paul R. Heroux	*2nd Bristol*	

HOUSE . . . . No. 461

By Ms. Provost of Somerville, a petition (accompanied by bill, House, No. 461) of Denise Provost and others for legislation to protect drinking water from hydraulic fracturing. Environment, Natural Resources and Agriculture.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. *740* OF 2015-2016.]

The Commonwealth of Massachusetts

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In the One Hundred and Ninetieth General Court
(2017-2018)
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An Act to protect our drinking water from 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:

1   Chapter 21 of the General Laws, 2008 edition, is hereby amended:

2   SECTION 1) § 26A. Definitions

3   The following definitions are added:

4   after line 27:

5   "Fluid," any material or substance which flows or moves whether in semi-solid, liquid,

6   sludge, gas, or any other form or state.

7   "Gas," all natural gas, whether hydrocarbon or nonhydrocarbon, including hydrogen

8   sulfide, helium, carbon dioxide, nitrogen, hydrogen, casinghead gas, and all other fluid

9   hydrocarbons not defined as oil.

10   "Hydraulic fracturing," the process of pumping a fluid into or under the surface of the

11   ground in order to create fractures in rock for the purpose of the production or recovery of oil or

12   gas.

13   "Oil," crude petroleum, oil, and all hydrocarbons, regardless of specific gravity, that are

14   in the liquid phase in the reservoir and are produced at the wellhead in liquid form.

15   "Oil and gas," both oil and gas, or either oil or gas, as the context may require to give

16   effect to the purposes of this chapter.

17   in line 36 of the definition of "pollutant," after the phrase, "heated effluent," add the

18   phrase, "hydraulic fracturing fluid,"

19   SECTION 2) in § 27 add, after line 83, a new subsection:

20   (14) enforce prohibitions on drilling, waste treatment and disposal, and mining activities

21   which have been enacted to protect the water quality and the natural resources of the

22   commonwealth

23   SECTION 3) adds a new section 39A:

24   Hydraulic Fracturing for Oil or Gas Recovery: Prohibition

25   (a) No person may engage in hydraulic fracturing in the commonwealth.

26   (b) No person may collect, store, treat, or dispose of wastewater hydraulic fracturing

27   fluid, wastewater solids, sludge, drill

28   cuttings or other byproducts from hydraulic fracturing within the commonwealth.

29   SECTION 4) Section 42 is amended by adding, in line 3, after the phrase "the

30   commonwealth,"

31   "or into an injection well or into a treatment works in the commonwealth."