

HOUSE No. 461

The Commonwealth of Massachusetts

PRESENTED BY:

Denise Provost

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.

PETITION OF:

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

Kay Khan

11th Middlesex

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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

**In the One Hundred and Ninetieth General Court
(2017-2018)**

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.”