



General Assembly

**Substitute Bill No. 6533**

January Session, 2013



**AN ACT CONCERNING HYDRAULIC FRACTURING WASTE.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

- 1 Section 1. (NEW) (*Effective July 1, 2013*) (a) As used in this section:
- 2 (1) "Discharge" means any emission, other than natural seepage,  
3 intentional or unintentional, and includes, but is not limited to,  
4 spilling, leaking, pumping, pouring, emitting, emptying or dumping;
- 5 (2) "Disposal" means the discharge, deposit, injection, dumping or  
6 placing of hydraulic fracturing waste into or on land or water so that  
7 such hydraulic fracturing waste, or any hazardous constituent of such  
8 hydraulic fracturing waste, enters the environment, is emitted into the  
9 air, or is discharged into any waters, including groundwaters;
- 10 (3) "Hydraulic fracturing" means the process of pumping any fluid  
11 into or under the surface of the ground in order to create fractures in  
12 rock for the purpose of the production or recovery of oil or gas;
- 13 (4) "Hydraulic fracturing waste" means any wastewater, wastewater  
14 solids, sludge, drill cuttings or other byproducts resulting from  
15 hydraulic fracturing;
- 16 (5) "Person" means person, as defined in section 16-1 of the general  
17 statutes;

18 (6) "Storage" means the holding of hydraulic fracturing waste for  
19 treatment or disposal; and

20 (7) "Treatment" means any method, technique or process designed  
21 to change the physical, chemical, or biological character or composition  
22 of any hydraulic fracturing waste so as to (A) neutralize such  
23 hydraulic fracturing waste, (B) recover material resources from such  
24 hydraulic fracturing waste, (C) render such hydraulic fracturing waste  
25 safer for transport or disposal, amenable for recovery or storage,  
26 convertible to another usable material or reduced in volume, or (D) for  
27 any hazardous constituent of such hydraulic fracturing waste, render  
28 nonhazardous.

29 (b) No person shall (1) engage in the treatment, discharge, disposal  
30 or storage of any hydraulic fracturing waste in the state, or (2) use  
31 hydraulic fracturing waste in the manufacture of any item, product or  
32 material or sell or offer for sale any item, product or material to which  
33 such hydraulic fracturing waste has been added, until July 1, 2014.

34 (c) On or before February 1, 2014, the Department of Energy and  
35 Environmental Protection shall report, in accordance with section 11-  
36 4a of the general statutes, to the joint standing committee of the  
37 General Assembly having cognizance of matters relating to energy  
38 regarding a comprehensive assessment of hydraulic fracturing waste,  
39 including, but not limited to (1) the environmental and socio-economic  
40 effects of hydraulic fracturing waste on water quality, public health,  
41 private property, public lands, livestock, wildlife, public roadways and  
42 seismic vulnerability, (2) the economic effects of hydraulic fracturing  
43 waste on job loss or creation in the state, and (3) recommendations for  
44 any legislative changes deemed necessary as a result of such  
45 assessment, including, but not limited to, whether the moratorium  
46 established under subsection (b) of this section should be extended.

47 (d) The Commissioner of Energy and Environmental Protection may  
48 adopt regulations, in accordance with chapter 54 of the general  
49 statutes, to enforce the provisions of subsection (b) of this section.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>July 1, 2013</i>	New section
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**ET**      *Joint Favorable Subst.*