

HOUSE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Denise Provost and Peter V. Kocot

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 passage of the accompanying bill:

An Act to protect our drinking water from hydraulic fracturing.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Denise Provost</i>	<i>27th Middlesex</i>
<i>Peter V. Kocot</i>	<i>1st Hampshire</i>
<i>John W. Scibak</i>	<i>2nd Hampshire</i>
<i>Denise Andrews</i>	<i>2nd Franklin</i>
<i>David M. Rogers</i>	<i>24th Middlesex</i>
<i>Gailanne M. Cariddi</i>	<i>1st Berkshire</i>
<i>Frank I. Smizik</i>	<i>15th Norfolk</i>
<i>Tricia Farley-Bouvier</i>	<i>3rd Berkshire</i>
<i>Cory Atkins</i>	<i>14th Middlesex</i>
<i>Lori A. Ehrlich</i>	<i>8th Essex</i>
<i>Timothy J. Toomey, Jr.</i>	<i>26th Middlesex</i>
<i>Marjorie C. Decker</i>	<i>25th Middlesex</i>
<i>Ellen Story</i>	<i>3rd Hampshire</i>
<i>Kay Khan</i>	<i>11th Middlesex</i>

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In the Year Two Thousand Thirteen

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: SECTION 1) § 26A.
2 Definitions The following definitions are added: after line 27: “Fluid,” any material or
3 substance which flows or moves whether in semi-solid, liquid, sludge, gas, or any other form or
4 state. “Gas,” all natural gas, whether hydrocarbon or nonhydrocarbon, including hydrogen
5 sulfide, helium, carbon dioxide, nitrogen, hydrogen, casinghead gas, and all other fluid
6 hydrocarbons not defined as oil. “Hydraulic fracturing,” the process of pumping a fluid into or
7 under the surface of the ground in order to create fractures in rock for the purpose of the
8 production or recovery of oil or gas. “Oil,” crude petroleum, oil, and all hydrocarbons,
9 regardless of specific gravity, that are in the liquid phase in the reservoir and are produced at the
10 wellhead in liquid form. “Oil and gas,” both oil and gas, or either oil or gas, as the context may
11 require to give effect to the purposes of this chapter. in line 36 of the definition of “pollutant,”
12 after the phrase, “heated effluent,” add the phrase, “hydraulic fracturing fluid,” SECTION 2) in
13 § 27 add, after line 83, a new subsection: (14) enforce prohibitions on drilling, waste treatment
14 and disposal, and mining activities which have been enacted to protect the water quality and the
15 natural resources of the commonwealth SECTION 3) adds a new section 39A: Hydraulic
16 Fracturing for Oil or Gas Recovery: Prohibition (a) No person may engage in hydraulic
17 fracturing in the commonwealth. (b) No person may collect, store, treat, or dispose of
18 wastewater hydraulic fracturing fluid, wastewater solids, sludge, drill cuttings or other
19 byproducts from hydraulic fracturing within the commonwealth. SECTION 4) Section 42 is
20 amended by adding, in line 3, after the phrase “the commonwealth,” “or into an injection well
21 or into a treatment works in the commonwealth.”