

HOUSE No. 785

The Commonwealth of Massachusetts

PRESENTED BY:

Sean Garballey

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 regulate hydraulic fracturing.

PETITION OF:

NAME:

Sean Garballey

DISTRICT/ADDRESS:

23rd Middlesex

HOUSE No. 785

By Mr. Garballey of Arlington, a petition (accompanied by bill, House, No. 785) of Sean Garballey for legislation to regulate hydraulic fracturing. Environment, Natural Resources and Agriculture.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-First General Court
(2019-2020)**

An Act to regulate 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 SECTION 1. Section 43 of chapter 21 of the general laws is hereby amended by inserting
2 the following paragraph (11):

3 (i) Definitions

4 “Hydraulic fracturing” shall mean a stimulation technique for the extraction of natural
5 gas involving the pumping of hydraulic fracturing fluid, possibly with a proppant, into a shale
6 formation to create fractures to increase formation permeability and productivity.

7 “Class II injection wells” shall mean wells used to inject fluids:

8 (a) which are brought to the surface in connection with oil or natural gas production and
9 that may be commingled with wastewater from gas plants as an integral part of production
10 operations, unless those waters are classified as hazardous waste at the time of injection;

11 (b) for enhanced recovery of oil or natural gas; and

12 (c) for storage of hydrocarbons that are liquid at standard temperature and pressure.

13 “Toxic chemicals” shall mean

14 (1) chemicals that the federal Environmental Protection Agency deems reportable
15 pursuant to the Toxic Release Inventory program established under the federal Emergency
16 Planning and Community Right-to-Know Act of 1986 and the federal Pollution Prevention Act
17 of 1990, all as may be from time to time amended;

18 (2) chemicals known to cause or that can reasonably be anticipated to cause in humans
19 (i) cancer or teratogenic effects, or (ii) serious or irreversible reproductive dysfunctions,
20 neurological disorders, heritable genetic mutations, or other chronic health effects;

21 (3) chemicals known to cause or that can reasonably be anticipated to cause significant
22 adverse acute human health effects at concentration levels that are reasonably likely to exist
23 within or beyond drilling site boundaries as a result of repeated or frequently recurring fluid
24 injections or releases.

25 (4) chemicals known to cause or can be reasonably anticipated to cause a significant
26 adverse effect on the environment; and

27 (5) any other persistent, bioaccumulative, carcinogenic, or toxic chemicals, including but
28 not limited to methanol, ethylene glycol, diesel, naphthalene, xylene, hydrogen chloride
29 (hydrochloric acid), toluene, ethylbenzene, diethanolamine, formaldehyde, sulfuric acid,
30 thiourea, benzyl chloride, cumene, nitrilotriacetic acid, dimethyl formamide, phenol, benzene, di
31 (2-ethylhexyl) phthalate, acrylamide, hydrogen fluoride (hydrofluoric acid), phthalic anhydride,
32 acetaldehyde, acetophenone, copper, ethylene oxide, lead, propylene oxide, and p-xylene.

33 (ii) No person shall construct, install, operate, or maintain a Class II injection well in
34 connection with hydraulic fracturing.

35 (iii) No person shall use toxic chemicals in connection with the extraction of natural gas.