

The Commonwealth of Massachusetts

PRESENTED BY:

Carmine Lawrence Gentile

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 relative to a moratorium on hydraulic fracturing.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
Carmine Lawrence Gentile	13th Middlesex	1/21/2021

By Mr. Gentile of Sudbury, a petition (accompanied by bill, House, No. 927) of Carmine Lawrence Gentile for legislation relative to a moratorium on hydraulic fracturing. Environment, Natural Resources and Agriculture.

[SIMILAR MATTER FILED IN PREVIOUS SESSION SEE HOUSE, NO. 789 OF 2019-2020.]

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Second General Court (2021-2022)

An Act relative to a moratorium on 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 26A of chapter 21 of the General Laws, as appearing in the 2014
- 2 Official Edition, is hereby amended by adding, after the definition of "Effluent limitation," the
- 3 following definition:-
- 4 "Fluid," means any material or substance which flows or moves whether in semi-solid,

5 liquid, sludge, gas, or any other form or state.

- 6 SECTION 2. Said section 26A of said chapter 21, as so appearing, is hereby further
- 7 amended by adding, after the definition of "FWPCA," the following definitions:-

8	"Gas," means all natural gas, whether hydrocarbon or nonhydrocarbon, including
9	hydrogen sulfide, helium, carbon dioxide, nitrogen, hydrogen, casinghead gas, and all other fluid
10	hydrocarbons not defined as oil.
11	"Hydraulic fracturing," means the process of pumping a fluid into or under the surface of
12	the ground in order to create fractures in rock for the purpose of the production or recovery of oil
13	or gas.
14	"Oil," means crude petroleum, oil, and all hydrocarbons, regardless of specific gravity,
15	that are in the liquid phase in the reservoir and are produced at the wellhead in liquid form.
16	"Oil and gas," means oil and gas collectively, or either oil or gas, as the context may
17	require to give effect to the purposes of this chapter.
18	SECTION 3. Said section 26A of said chapter 21, as so appearing, is hereby further
19	amended by inserting in the definition of "Pollutant" after the word "effluent," in line 36, the
20	following words:-
21	"hydraulic fracturing fluid,"
22	SECTION 4. Section 27 of said chapter 21, as so appearing, is hereby amended by
23	inserting, after clause 13, in line 83, the following new clause:-
24	(14) Enforce prohibitions on drilling, waste treatment and disposal, and mining activities
25	which have been enacted to protect the water quality and the natural resources of the
26	commonwealth.
27	SECTION 5. Chapter 21 of the General Laws is hereby amended by inserting after
28	section 39 the following section:-

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29	Section 39A. (a) For the period beginning January 1, 2022 through December 31, 2030,
30	no person may engage in hydraulic fracturing in the commonwealth.
31	(b) For the period beginning January 1, 2022 through December 31, 2030, no person may
32	collect, store, treat, or dispose of wastewater hydraulic fracturing fluid, wastewater solids, drill
33	cuttings or other byproducts from hydraulic fracturing within the commonwealth.
34	SECTION 6. Section 42 of said chapter 21, as so appearing, is hereby amended by
35	inserting after the word "commonwealth," in line 3, the following words:-
36	"or into an injection well or into a treatment works in the commonwealth."