

ASSEMBLY, No. 3313

STATE OF NEW JERSEY 214th LEGISLATURE

INTRODUCED OCTOBER 7, 2010

Sponsored by:

Assemblywoman CONNIE WAGNER

District 38 (Bergen)

Assemblyman REED GUSCIORA

District 15 (Mercer)

Assemblywoman VALERIE VAINIERI HUTTLE

District 37 (Bergen)

Assemblyman HERB CONAWAY, JR.

District 7 (Burlington and Camden)

Co-Sponsored by:

Assemblymen Caputo, Mainor, Prieto, Assemblywoman Rodriguez,

Assemblymen Connors, P. Barnes, III and Assemblywoman Voss

SYNOPSIS

Prohibits drilling technique of hydraulic fracturing.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 6/21/2011)

1 AN ACT concerning certain drilling techniques and supplementing
2 P.L.1985, c.432 (C.13:1M-1 et seq.).

3

4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

6

7 1. The Legislature finds and declares that the practice of the
8 drilling technique of hydraulic fracturing for natural gas exploration
9 and production has been found to use a variety of contaminating
10 chemicals and materials that can suddenly and in an uncontrolled
11 manner be introduced into the surface waters and ground water of
12 the State; that the companies engaging in the use of this drilling
13 technique have been less than forthcoming in revealing the
14 “cocktail” of chemicals and their volume that can be introduced into
15 these waters; that in June 2010, there occurred an incident of an
16 uncontrolled release of many gallons of contaminated water and
17 natural gas from a hydraulic fracturing drill site in Clearfield
18 County, Pennsylvania, and other such accidents are likely to occur;
19 and that other states, including New Jersey’s neighbor, New York,
20 are considering banning the drilling technique.

21 The Legislature therefore determines it is prudent and in the best
22 interest of the people of the State of New Jersey to prohibit
23 hydraulic fracturing in the State for the purpose of natural gas
24 exploration or production.

25

26 2. a. No person may use the drilling technique known as
27 hydraulic fracturing in the State for the purpose of natural gas
28 exploration or production.

29 b. As used in this act, “hydraulic fracturing” means the drilling
30 technique of expanding existing fractures or creating new fractures
31 in rock by injecting water, often with chemicals, sand, or other
32 substances, and often under pressure, into or underneath the surface
33 of the rock for purposes including, but not necessarily limited to,
34 well drilling and natural gas exploration and production. The term
35 “hydraulic fracturing” shall include “fracking,” “hydrofracking,”
36 “hydrofracturing,” and other colloquial terms for this drilling
37 technique.

38

39 3. This act shall take effect immediately.

40

41

42

STATEMENT

43

44 This bill prohibits hydraulic fracturing (“hydrofracking”) in the
45 State for the purpose of natural gas exploration or production. The
46 bill defines “hydraulic fracturing” as the drilling technique of
47 expanding existing fractures or creating new fractures in rock by
48 injecting water and chemicals, sand, or other substances under

1 pressure into or underneath the surface of the rock for the purpose
2 of well drilling or natural gas exploration. It includes “fracking,”
3 “hydrofracking,” “hydrofracturing,” and other colloquial terms for
4 this drilling technique.

5 Recently, drilling connected with natural gas exploration along
6 the Marcellus Shale formation in Pennsylvania caused concern and
7 a moratorium on such drilling in Pennsylvania and New York. The
8 Marcellus Shale formation reaches beneath the southern tier of New
9 York State, into Pennsylvania, Ohio, and West Virginia, and
10 touches the edge of northwestern New Jersey. It is one of the
11 largest untapped fossil fuel reserves in the Western Hemisphere and
12 there have been estimates for the area to yield as much as 20 times
13 the current nationwide output of natural gas, but the gas is not easy
14 to extract. On June 5, 2010, hydraulic fracturing in Clearfield
15 County, Pennsylvania caused an explosion and the release of many
16 gallons of contaminated water and uncontrolled natural gas from the
17 drill site.