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**SENATE BILL 6345**

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**State of Washington 65th Legislature 2018 Regular Session**

**By** Senators Billig, Carlyle, Ranker, Van De Wege, Chase, Darneille, Hasegawa, Hunt, Keiser, Palumbo, and Rolfes

AN ACT Relating to the use of hydraulic fracturing in the exploration for and production of oil and natural gas; adding a new section to chapter 78.52 RCW; and creating a new section.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

NEW SECTION. **Sec.**  The legislature finds that hydraulic fracturing of underground formations for the removal of oil and gas deposits is a relatively new technology whose long-term impacts upon human health and environmental quality are largely unknown. This technology requires large quantities of fracking fluids containing chemicals that are exempt from public disclosure and which may contaminate groundwater and surface waters used as drinking water supplies. Each well in which hydraulic fracturing is employed requires more than one million gallons of water per year, with the average well using from three to eight million gallons of water over its lifetime. In many areas of the state, the existing groundwater supplies and surface water sources are fully appropriated, and such large new demands would threaten existing uses for agriculture, industrial, and municipal purposes.

The legislature further finds that as much as ninety percent of the fracking fluids must be disposed of following use in the fracking well, with most of this fluid subsequently returned following limited treatment back into underground injection wells. Very little is known at this time regarding the impact that these disposed fluids may have upon groundwater aquifers and the potential adverse human health impacts from such exposure.

Other adverse environmental impacts have also been identified in hydraulic fracturing. Large quantities of methane are released in this process, which is both a toxic pollutant as well as a very potent greenhouse gas. Hydraulic fracturing is also suspected to be the source of increased seismicity in some regions with numerous wells.

For these reasons, the legislature intends that the state take a precautionary approach to the employment of hydraulic fracturing by first requiring a review of the studies and experience regarding use of this technology in other states. Following completion of this review, the legislature will have the opportunity to direct that sufficient regulatory standards be in place prior to the termination of the moratorium established in this legislation.

NEW SECTION. **Sec.**  A new section is added to chapter 78.52 RCW to read as follows:

(1) Until December 31, 2028, a moratorium is imposed on the use of hydraulic fracturing in the exploration for and production of oil and natural gas.

(2)(a) The department must conduct a literature review of existing scientific research examining the use of hydraulic fracturing in the exploration for and production of oil and natural gas. In consultation with the department of ecology, federal agencies, and other interested parties, the department must assess the potential use of hydraulic fracturing in the state and analyze hydraulic fracturing research regarding:

(i) Potential impacts on public health and the environment;

(ii) Effects on groundwater and air quality; and

(iii) Current policies and regulations implemented by other states.

(b) By December 31, 2023, the department must submit a report to the legislature including the results of the literature review and recommendations on permitting the use hydraulic fracturing in the exploration for and production of oil and natural gas.

(3) For the purposes of this section, "hydraulic fracturing" means the process of pumping a fluid into or under the surface of the ground in order to create fractures in rock for the purpose of the production or recovery of oil or natural gas.

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