

ASSEMBLY BILL

No. 982

Introduced by Assembly Member Williams
(Coauthor: Senator Wolk)

February 22, 2013

An act to add Sections 3017, 3203.1, and 3203.2 to the Public Resources Code, relating to oil and gas.

LEGISLATIVE COUNSEL'S DIGEST

AB 982, as introduced, Williams. Oil and gas: hydraulic fracturing.

Under existing law, the Division of Oil, Gas, and Geothermal Resources (DOGGR) in the Department of Conservation regulates the drilling, operation, maintenance, and abandonment of oil and gas wells in the state. The State Oil and Gas Supervisor (supervisor) supervises the drilling, operation, maintenance, and abandonment of wells and the operation, maintenance, and removal or abandonment of tanks and facilities related to oil and gas production within an oil and gas field regarding safety and environmental damage. Existing law requires an operator of a well, before commencing the work of drilling the well, to provide notice to, and obtain approval from, the supervisor or district deputy.

This bill would define “hydraulic fracturing.” The bill would also require any notice of intent to drill, rework, or deepen a well where hydraulic fracturing will occur to include a groundwater monitoring plan for review and approval by the supervisor and the appropriate regional water quality control board, which would contain specific information relating to groundwater, water quality, and the monitoring of wells and water quality. The bill would further require any notice of intent to provide specific information regarding the amount of water,

the source of the water, and the method of disposal of produced wastewater during hydraulic fracturing operations.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 3017 is added to the Public Resources
2 Code, to read:

3 3017. “Hydraulic fracturing” means the injection of fluids or
4 gases into an underground geologic formation with the intention
5 to cause or enhance fractures in the underground geologic
6 formation, in order to cause or enhance the production of oil or
7 gas from a well. Alternate terms include, but are not limited to,
8 “fracking,” “hydrofracking,” and “hydrofracturing.”

9 SEC. 2. Section 3203.1 is added to the Public Resources Code,
10 to read:

11 3203.1. (a) As part of any notice of intent to drill, rework, or
12 deepen a well where hydraulic fracturing will occur, the operator
13 shall provide a groundwater monitoring plan for review and
14 approval by the supervisor and the appropriate regional water
15 quality control board. The groundwater monitoring plan shall
16 include, at a minimum, all of the following information:

17 (1) The current water quality of the groundwater basin through
18 which the well will be drilled that is sufficient to characterize the
19 quality of the aquifer and identify the zone of influence of the
20 proposed well.

21 (2) Water quality data or a plan to obtain data regarding the
22 presence and concentration of the constituents to be used in, or
23 that can be influenced by, the drilling process.

24 (3) A plan that includes sites for monitoring wells, which will
25 allow the detection of contamination associated with well operation
26 during and after the period of its active use.

27 (4) An emergency monitoring plan that will be implemented in
28 the case of well casing failure or any other event which has the
29 potential to contaminate groundwater.

30 (b) Water quality monitoring data shall be submitted
31 electronically to the State Water Resource Control Board
32 geotracker database and any public data registry identified by the
33 division for disclosure of hydraulic fracturing data.

1 (c) This section shall not apply if the appropriate regional water
2 quality control board confirms that the proposed well will not
3 penetrate or will not be located within the zone of influence of an
4 aquifer that is designated for a beneficial use.

5 SEC. 3. Section 3203.2 is added to the Public Resources Code,
6 to read:

7 3203.2. Any notice of intent to drill, rework, or deepen a well
8 where hydraulic fracturing will occur, shall include all of the
9 following information:

10 (a) A description of the estimated quantity of water planned to
11 be used in the hydraulic fracturing process.

12 (b) The source or sources of the water to be used.

13 (c) A specific plan for disposing of wastewater produced by the
14 hydraulic fracturing process.