

SENATE BILL REPORT

SB 6345

As of January 31, 2018

Title: An act relating to the use of hydraulic fracturing in the exploration for and production of oil and natural gas.

Brief Description: Concerning the use of hydraulic fracturing in the exploration for and production of oil and natural gas.

Sponsors: Senators Billig, Carlyle, Ranker, Van De Wege, Chase, Darneille, Hasegawa, Hunt, Keiser, Palumbo and Rolfes.

Brief History:

Committee Activity: Agriculture, Water, Natural Resources & Parks: 1/29/18.

Brief Summary of Bill

- Imposes a moratorium on hydraulic fracturing in the exploration for and production of oil and natural gas until December 31, 2028.
- Requires agencies to conduct a literature review of existing scientific research and submit a report with findings and recommendations to the Legislature.

SENATE COMMITTEE ON AGRICULTURE, WATER, NATURAL RESOURCES & PARKS

Staff: Angela Kleis (786-7469)

Background: Hydraulic fracturing is frequently used to enhance oil and gas production from underground rock formations. During hydraulic fracturing, hydraulic fracturing fluid is injected down an oil or gas production well and into the targeted rock formation under pressures great enough to fracture oil- and gas-bearing rock. The hydraulic fracturing fluid usually carries proppant, typically sand, into the newly-created fractures to prop the fractures open. After hydraulic fracturing, oil, gas, and other fluids flow through the fractures and up the production well to the surface.

According to the U.S. Environmental Protection Agency, hydraulically fractured oil and gas production wells may be located near or within drinking water resources. In these instances,

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there is a greater potential for activities in the hydraulic fracturing water cycle to impact those resources.

Summary of Bill: A moratorium is imposed on the use of hydraulic fracturing in the exploration for and production of oil and natural gas until December 31, 2028.

The Department of Natural Resources (DNR) must conduct a literature review of existing scientific research examining the use of hydraulic fracturing. In consultation with the Department of Ecology, federal agencies, and other interested parties, DNR must assess the potential use of hydraulic fracturing in the state and analyze hydraulic fracturing research regarding:

- potential impacts on public health and the environment;
- effects on groundwater and air quality; and
- current policies and regulations implemented by other states.

DNR must submit a report with its findings and recommendations to the Legislature by December 31, 2023.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: With known potential impacts, a moratorium with the study seems like a good approach to the problem. Other states are taking similar steps. There is no fracking occurring right now. This guarantees us that the default position will be no fracking until we can ensure that it is safe for our drinking water and other natural resources. We appreciate the preemptive legislation. Other states have collected data that shows the negative effects of the practice. The analysis will provide useful data. We offer the suggestion that the study could be completed in three years instead of five years.

CON: We would suggest that the study be expanded to include geothermal resource extraction, which is the newest area for hydraulic fracturing in the United States. Technology is not new. We would like to see the facts updated to reflect Washington's geology. The moratorium is premature before the study is complete.

Persons Testifying: PRO: Senator Andy Billig, Prime Sponsor; Neil Beaver, The Lands Council; Stephen Slaughter, Landslide Hazards Geologist, Department of Natural Resources.

CON: Jessica Spiegel, Western States Petroleum Association.

Persons Signed In To Testify But Not Testifying: No one.