

114TH CONGRESS
1ST SESSION

H. R. 1951

To prohibit the use of hydraulic fracturing or acid well stimulation treatment in the Pacific Outer Continental Shelf Region until the Secretary of the Interior prepares an environmental impact statement and conducts a study with respect to such practices, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 22, 2015

Mrs. CAPPS introduced the following bill; which was referred to the Committee on Natural Resources

A BILL

To prohibit the use of hydraulic fracturing or acid well stimulation treatment in the Pacific Outer Continental Shelf Region until the Secretary of the Interior prepares an environmental impact statement and conducts a study with respect to such practices, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Offshore Fracking
5 Transparency and Review Act of 2015”.

1 **SEC. 2. MORATORIUM ON OFFSHORE FRACTURING AND**
2 **ACID WELL STIMULATION TREATMENT.**

3 Notwithstanding the terms of any lease or permit
4 issued before the date of the enactment of this Act, no
5 person may engage in hydraulic fracturing or acid well
6 stimulation treatment in the Pacific Outer Continental
7 Shelf Region until the Secretary of the Interior has pub-
8 lished a report under section 3 and issued a final environ-
9 mental impact statement under section 4.

10 **SEC. 3. STUDY OF CONDUCT AND IMPACTS OF HYDRAULIC**
11 **FRACTURING AND ACID WELL STIMULATION**
12 **IN THE PACIFIC OCS REGION.**

13 (a) IN GENERAL.—To ensure the relevant agencies’
14 data incorporate the latest science and practices of the oil
15 and gas industry, the Secretary of the Interior shall con-
16 duct a study of the conduct and impacts of hydraulic frac-
17 turing and acid well stimulation treatments in the Pacific
18 Outer Continental Shelf Region.

19 (b) INCLUDED TOPICS.—The study shall include, but
20 shall not be limited to—

21 (1) preparation of a descriptive inventory of all
22 chemicals used in offshore oil and gas development
23 and production activities in the Pacific Outer Conti-
24 nental Shelf Region, including chemicals used in hy-
25 draulic fracturing and acid well stimulation treat-
26 ments;

1 (2) the volumes of chemicals used and disposed
2 of in such activities;

3 (3) the risks of a spill of such chemicals;

4 (4) an analysis of the methods by which such
5 chemicals enter the environment during hydraulic
6 fracturing and acid well stimulation treatments;

7 (5) a quantification, to the extent possible, of
8 the amount of such chemicals that enter the environ-
9 ment during hydraulic fracturing and acid well stim-
10 ulation treatments; and

11 (6) any other related matters the Secretary de-
12 termines necessary.

13 (c) REPORT.—Not later than 18 months after the
14 date of the enactment of this Act, the Secretary shall sub-
15 mit to Congress and publish a report on the study con-
16 ducted under this section.

17 **SEC. 4. ENVIRONMENTAL IMPACT STATEMENT.**

18 Not later than 18 months after the issuance of the
19 report under section 3, the Secretary of the Interior shall,
20 in coordination with the Environmental Protection Agency
21 and in consultation with appropriate State agencies, issue
22 an environmental impact statement under section 102 of
23 the National Environmental Policy Act of 1969 (42 U.S.C.
24 4332) regarding the impacts on the marine environment
25 and public health of offshore hydraulic fracturing and acid

1 well stimulation treatments conducted in the Pacific Outer
2 Continental Shelf Region.

3 **SEC. 5. PUBLIC NOTICE.**

4 The Secretary shall notify all relevant State and local
5 regulatory agencies and publish a notice in the Federal
6 Register—

7 (1) within 30 days after receiving any applica-
8 tion for a permit that would allow the conduct of
9 offshore hydraulic fracturing or an acid well stimula-
10 tion treatment in the Pacific Outer Continental
11 Shelf Region; and

12 (2) within 30 days after the conduct of offshore
13 hydraulic fracturing or acid well stimulation treat-
14 ment in such region under a permit or other author-
15 ization issued by the Secretary.

16 **SEC. 6. COMPILATION AND DISCLOSURE OF ACTIVITIES.**

17 (a) IN GENERAL.—The Secretary of the Interior shall
18 compile and maintain a list of all offshore hydraulic frac-
19 turing and acid well stimulation treatments that have
20 taken place, or that take place after the enactment of this
21 Act, in the Pacific Outer Continental Shelf Region.

22 (b) INCLUDED INFORMATION.—For each instance of
23 offshore hydraulic fracturing or an acid well stimulation
24 treatment, the Secretary shall include on the list—

1 (1) the date the offshore hydraulic fracturing or
2 acid well stimulation treatment was conducted;

3 (2) the location where the offshore hydraulic
4 fracturing or acid well stimulation treatment was
5 conducted;

6 (3) the chemicals used, including identification
7 of the chemical constituents of mixtures, Chemical
8 Abstracts Service numbers for each chemical and
9 constituent, material safety data sheets if available,
10 and the amount of each chemical used;

11 (4) the total volume of fluid used in the hydrau-
12 lic fracturing or acid well stimulation treatment;

13 (5) the volume of wastewater generated during
14 the hydraulic fracturing or acid well stimulation
15 treatment and the manner in which it was disposed
16 of; and

17 (6) the intended purpose and results of the off-
18 shore hydraulic fracturing or acid well stimulation
19 treatments.

20 (c) UNAVAILABLE INFORMATION.—If any informa-
21 tion listed in subsection (b) is not available for a given
22 instance of offshore hydraulic fracturing or acid well stim-
23 ulation treatment, the Secretary shall note the absence of
24 the information and provide an explanation of why the in-
25 formation is not available.

1 (d) PUBLIC AVAILABILITY.—The Secretary shall
2 make the list created under subsection (b) available to the
3 public, including by publishing it on the Internet site of
4 the Department of the Interior.

5 **SEC. 7. DEFINITIONS.**

6 In this Act:

7 (1) HYDRAULIC FRACTURING.—The term “hy-
8 draulic fracturing” means an operation conducted in
9 an individual wellbore designed to increase the flow
10 of hydrocarbons from a rock formation to the
11 wellbore through modifying the permeability of res-
12 ervoir rock by fracturing it, except that such term
13 does not include enhanced secondary recovery, in-
14 cluding water flooding, tertiary recovery, and other
15 types of well stimulation operations.

16 (2) ACID WELL STIMULATION TREATMENT.—
17 The term “acid well stimulation treatment”—

18 (A) means a well stimulation treatment
19 that uses, in whole or in part, the application
20 of one or more acids to the well or underground
21 geologic formation; and

22 (B) includes—

23 (i) such stimulation treatment at any
24 applied pressure or in combination with

1 hydraulic fracturing treatments or other
2 well stimulation treatments;

3 (ii) acid treatments conducted at pres-
4 sures lower than the applied pressure nec-
5 essary to fracture the underground geo-
6 logic formation (commonly referred to as
7 acid matrix stimulation treatments); and

8 (iii) acid fracturing treatments.

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