

AMENDED IN ASSEMBLY MAY 5, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1490**

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**Introduced by Assembly Member Rendon**

February 27, 2015

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An act to add Sections 3162 and 3163 to the Public Resources Code, relating to oil and gas.

LEGISLATIVE COUNSEL'S DIGEST

AB 1490, as amended, Rendon. Oil and gas: well stimulation treatments: seismic activities.

Existing law requires the State Oil and Gas Supervisor to regulate oil and gas wells and tanks and facilities attendant to oil and gas production. Existing law requires the Division of Oil, Gas, and Geothermal Resources to adopt regulations governing the use of well stimulation treatments, including hydraulic fracturing. Under existing regulations, after the occurrence of an earthquake of magnitude 2.7 or higher, a well operator is prohibited from performing hydraulic fracturing on a well within a specified radius until the division completes certain evaluations and is satisfied that hydraulic fracturing within that radius does not create a heightened risk of seismic activity. Under existing law, a violation of requirements relating to oil and gas wells is a crime.

This bill would prohibit a well operator from conducting a well stimulation treatment following the occurrence of an earthquake of magnitude ~~2.0~~ 2.5 or higher on a well that is within a radius of ~~an unspecified distance~~ 10 miles from the epicenter of the earthquake until the division completes a certain evaluation and is satisfied that the well stimulation treatment does not create a heightened risk of seismic activity. The bill would also prohibit wastewater disposal wells and all

well stimulation treatments within 10 miles of a recently active fault, as defined. Because a violation of these prohibitions would be a crime, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

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

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

1 SECTION 1. Section 3162 is added to the Public Resources  
2 Code, to read:

3 3162. A well operator shall not conduct a well stimulation  
4 treatment following an occurrence of an earthquake of magnitude  
5 ~~2.0~~ 2.5 or higher, as determined by the United States Geological  
6 Survey, on a well that is within a radius of        10 miles from the  
7 epicenter of the earthquake, as determined by the United States  
8 Geological Survey, until the division completes an evaluation on  
9 whether there is a causal connection between the well stimulation  
10 treatment and the earthquake and is satisfied that the well  
11 stimulation treatment does not create a heightened risk of seismic  
12 activity.

13 SEC. 2. Section 3163 is added to the Public Resources Code,  
14 to read:

15 3163. (a) Notwithstanding Sections 3160 and 3161, or any  
16 other law, wastewater disposal wells and all well stimulation  
17 treatments, including hydraulic fracturing, within 10 miles of a  
18 recently active fault are prohibited in this state.

19 (b) For purposes of this section, “recently active fault” means  
20 a fault that has been active in the past 200 years.

21 SEC. 3. No reimbursement is required by this act pursuant to  
22 Section 6 of Article XIII B of the California Constitution because  
23 the only costs that may be incurred by a local agency or school  
24 district will be incurred because this act creates a new crime or  
25 infraction, eliminates a crime or infraction, or changes the penalty  
26 for a crime or infraction, within the meaning of Section 17556 of  
27 the Government Code, or changes the definition of a crime within

1 the meaning of Section 6 of Article XIII B of the California  
2 Constitution.

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