

CHAPTER 194

AN ACT concerning certain drilling techniques and supplementing P.L.1985, c.432 (C.13:1M-1 et seq.).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. The Legislature finds and declares that the process of hydraulic fracturing for natural gas exploration and production has been found to use and release a variety of chemicals and materials that, if introduced into the air, surface waters, or ground water of the State, raise concerns about potential contamination and pollution.

Hydraulic fracturing is not occurring and is unlikely to occur in New Jersey in the foreseeable future. Nevertheless, the Legislature determines that it is prudent and in the best interest of the people of the State of New Jersey to declare a moratorium on hydraulic fracturing in New Jersey in order to conduct an investigation into whether hydraulic fracturing could have or is likely to have an adverse impact on air and water quality in this State.

2. a. No person may use the drilling technique known as hydraulic fracturing in the State for the purpose of natural gas exploration or production for a period of 12 months from the effective date of this act.

b. The Department of Environmental Protection shall conduct an investigation into whether hydraulic fracturing could have or is likely to have an adverse impact on air and water quality in this State and report its findings to the Governor and the Legislature.

c. As used in this act, “hydraulic fracturing” means the drilling technique of expanding existing fractures or creating new fractures in rock by injecting water, often with chemicals, sand, or other substances, and often under pressure, into or underneath the surface of the rock for purposes including, but not necessarily limited to, well drilling and natural gas exploration and production. The term “hydraulic fracturing” shall include “fracking,” “hydrofracking,” “hydrofracturing,” and other colloquial terms for this drilling technique.

3. This act shall take effect immediately.

Approved January 27, 2012.