

By Senator Montford

3-00567A-19

2019314__

1 A bill to be entitled
2 An act relating to advanced well stimulation
3 treatment; amending s. 377.19, F.S.; conforming a
4 cross-reference; defining the terms "high-pressure
5 well stimulation" and "matrix acidization"; creating
6 s. 377.2405, F.S.; providing legislative findings;
7 prohibiting the performance of high-pressure well
8 stimulation treatments or matrix acidization;
9 clarifying that permits for drilling or operating a
10 well do not authorize the performance of high-pressure
11 well stimulation treatments or matrix acidization;
12 requiring the Department of Environmental Protection
13 to conduct a study on high-pressure well stimulation
14 and matrix acidization; providing requirements for the
15 study; requiring a report to the Governor and the
16 Legislature by a specified date; requiring the
17 department to prominently post the report on its
18 website; providing applicability; providing an
19 appropriation; providing an effective date.

20
21 Be It Enacted by the Legislature of the State of Florida:

22
23 Section 1. Present subsections (6) through (10) and (11)
24 through (32) of section 377.19, Florida Statutes, are
25 redesignated as subsections (7) through (11) and (13) through
26 (34), respectively, subsection (5) of that section is amended,
27 and new subsections (6) and (12) are added to that section, to
28 read:

29 377.19 Definitions.—As used in ss. 377.06, 377.07, and

3-00567A-19

2019314__

30 377.10-377.40, the term:

31 (5) "Gas" means all natural gas, including casinghead gas,
32 and all other hydrocarbons not defined as oil in subsection (17)
33 ~~(15)~~.

34 (6) "High-pressure well stimulation" means all stages of a
35 well intervention performed by injecting fluids into a rock
36 formation at a pressure that equals or exceeds the fracture
37 gradient of the rock formation in order to fracture the
38 formation to increase production or recovery from an oil or gas
39 well, such as in hydraulic fracturing or acid fracturing.

40 (12) "Matrix acidization" means all stages of a well
41 intervention performed by injecting fluids into a rock formation
42 at a pressure below the fracture gradient of the rock formation
43 in order to dissolve the formation and increase production or
44 recovery from an oil or gas well. The term does not include
45 techniques used for routine well cleanout work, routine well
46 maintenance, routine treatment for the purpose of removal of
47 formation damage due to drilling or production, or acidizing
48 techniques used to maintain or restore the natural permeability
49 of the formation near the wellbore.

50 Section 2. Section 377.2405, Florida Statutes, is created
51 to read:

52 377.2405 Advanced well stimulation treatments.-

53 (1) LEGISLATIVE FINDINGS.-The Legislature finds that the
54 integrity of Florida's aquifer is crucial for water supply and
55 for Florida's natural systems. As such, the Legislature finds
56 that high-pressure well stimulation and matrix acidization must
57 be prohibited in this state to protect the integrity of the
58 aquifer.

3-00567A-19

2019314__

59 (2) PROHIBITION.—The performance of high-pressure well
60 stimulation or matrix acidization is prohibited in this state. A
61 permit for drilling or operating a well does not authorize the
62 performance of high-pressure well stimulation or matrix
63 acidization.

64 (3) STUDY.—The Department of Environmental Protection shall
65 conduct a study on high-pressure well stimulation and matrix
66 acidization. The study must:

67 (a) Evaluate the underlying geologic features present in
68 each county where the department has approved or denied permits
69 for oil or gas wells, including the potential impact that high-
70 pressure well stimulation and wellbore construction may have on
71 the underlying geologic features in such counties.

72 (b) Evaluate the potential hazards and risks that high-
73 pressure well stimulation poses to surface water or groundwater
74 resources. The evaluation must consider all of the following:

75 1. The potential impacts of high-pressure well stimulation
76 and matrix acidization on drinking water resources, including
77 the main factors affecting the severity and frequency of the
78 impacts.

79 2. The potential for the use or reuse of recycled water in
80 well stimulation fluids while meeting appropriate water quality
81 standards.

82 3. The toxicity of chemicals frequently used in these
83 processes and an assessment of the rate of failure of wells for
84 high-pressure well stimulation and matrix acidization on a
85 national level.

86 (c) Review and evaluate the potential for groundwater
87 contamination from conducting high-pressure well stimulation or

3-00567A-19

2019314__

88 matrix acidization under or near wells that have been previously
89 plugged and abandoned.

90 (d) Identify a setback radius from previously plugged and
91 abandoned wells that could be impacted by high-pressure well
92 stimulation.

93 (e) Review and evaluate the ultimate disposition of high-
94 pressure well stimulation fluids after use in high-pressure well
95 stimulation processes.

96 (f) Review and evaluate any air or land pollution
97 associated with high-pressure well stimulation or matrix
98 acidization.

99 (4) REPORT.—The department shall submit a report on the
100 findings of the study required under subsection (3), and any
101 recommendations, to the Governor, the President of the Senate,
102 and the Speaker of the House of Representatives by June 30,
103 2021. The department shall prominently post the report on its
104 website.

105 (5) APPLICABILITY.—This section applies only to wells
106 regulated pursuant to chapter 377.

107 Section 3. For the 2019-2020 fiscal year, the sum of \$2
108 million in nonrecurring funds is appropriated from the General
109 Revenue Fund to the Department of Environmental Protection to
110 conduct a high-pressure well stimulation and matrix acidization
111 study pursuant to s. 377.2405, Florida Statutes.

112 Section 4. This act shall take effect upon becoming a law.