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CHAPTER 36 OF THE ACTS OF 2013

An Act to Ban the Importation of Hydraulic Fracturing Wastewater

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(The table of contents is not part of the statute)

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Short title

1 This Act may be cited as the *Importation of Hydraulic Fracturing Wastewater Prohibition Act.* 2013, c. 36, s. 1.

Interpretation

2 In this Act,

(a) "hydraulic fracturing" means the transmission of a carrier fluid to apply pressure and transport proppants to an underground geologic formation to create or enhance subsurface fractures and facilitate the release of any petroleum or natural gas, but does not include fracturing for the production of wells for potable water;

(b) "hydraulic fracturing wastewater" means any water used in or produced from hydraulic fracturing or other geologic formation stimulation, and includes produced or formation water resulting from wells that have been hydraulically fractured;

(c) "produced or formation water" means water produced as a byproduct from petroleum or natural gas production wells during the extraction of petroleum or natural gas and includes, without limiting the generality of the foregoing, brine, salts, metals and petroleum compounds. 2013, c. 36, s. 2.

Act prevails

3 Where there is a conflict between this Act and any other enactment, this Act prevails. 2013, c. 36, s. 3.

Offence

4 No person shall

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(a) import into the Province hydraulic fracturing wastewater from outside the Province; or

(b) transport hydraulic fracturing was tewater into the Province. 2013, c. 36, s. 4.

Penalty

5 (1) A person who contravenes this Act or the regulations is guilty of an offence and liable on summary conviction to a fine of not more than \$10,000.

(2) Where an offence under this Act is committed or continued on more than one day, the person who committed the offence is liable to be convicted for a separate offence for each day on which the offence is committed. 2013, c. 36, s. 5.

Regulations

6 (1) The Governor in Council may make regulations respecting any matter or thing the Governor in Council considers necessary or advisable to effectively carry out the intent and purpose of this Act.

(2) The exercise by the Governor in Council of the authority contained in subsection (1) is a regulation within the meaning of the *Regulations Act*. 2013, c. 36, s. 6.

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