



Please co-sponsor

An Act establishing a moratorium on new gas system expansion

[S.2135](#) Senator Adam Gomez

[H.3237](#) Representatives Bud L. Williams and Adrienne Pusateri Ramos

THE PURPOSE OF THIS ACT:

This Act places a moratorium, a halt if you will, until at least 2026, on large, new gas infrastructure projects which, if undertaken, will adversely affect the climate, the State's clean energy transition, ratepayers and the health and safety of MA residents.

WHAT WILL IT ACHIEVE?

This act will allow us time to create a transition plan off gas, in line with Governor Healey's pronouncement as Attorney General that "we must transition away from fossil fuels and change the way gas utilities do business in our state."¹ It will also enable Massachusetts to curb emissions, including methane, the main component of natural gas, which escapes into the atmosphere as it flows through the gas system and is combusted in our homes and businesses. During the 20 years after its release, methane is 80 times more powerful than carbon dioxide in trapping heat in the Earth's atmosphere, making it the second most important greenhouse gas in global warming.²

WHAT ARE THE BENEFITS OF THIS ACT?

For the climate: Successive reports of the UN Intergovernmental Panel on Climate Change emphasize that there is no time to waste if we want to avoid the worst impacts of climate change. Because of methane's out-sized effect on global warming, curbing methane emissions now would offer important short-term relief as the State embarks on the longer transition away from fossil fuels.³

For State climate goals: Continuing to expand gas infrastructure contradicts Massachusetts' 2050 Decarbonization Roadmap, which calls for the State to achieve net zero greenhouse gas emissions by 2050. As the November 2022 report of the MA Clean Heat Commission states: "Investments that would support new or increased natural gas infrastructure or capacity should instead be deployed to advance measures that help support the net zero future."⁴

For ratepayers: Ratepayers pay for new gas infrastructure via higher charges on their gas bills. Since the payment for new infrastructure is spread out over many years, these extra charges will

¹ "AG Healey Calls on the Department of Public Utilities to Investigate the Future of Natural Gas Utilities in Massachusetts". Available at <https://www.mass.gov/news/ag-healey-calls-on-the-department-of-public-utilities-to-investigate-the-future-of-natural-gas-utilities-in-massachusetts>

² "Control methane to slow global warming – fast." *Nature*, vol. 596, p. 461. <https://www.nature.com/articles/d41586-021-02287-y>

³ *Ibid.*

⁴ MA Commission Clean Heat report, accessible here: <https://www.mass.gov/info-details/learn-about-the-commission-on-clean-heat>

continue long after the infrastructure has been abandoned in the transition to cleaner energy. Meanwhile, as more consumers stop using gas, the burden on remaining ratepayers will increase. In November 2022, the price of natural gas delivered to MA homes was already 21% higher than 12 months earlier.⁵

For environmental justice communities:

- New gas infrastructure is often sited in EJ communities, which are already disproportionately affected by pollution and climate change. Current controversial examples include the Eversource Springfield-Longmeadow expansion project intended for “system redundancy.”
- Low-income households are more likely to be left footing the bill for new gas infrastructure because they face more obstacles in switching their homes away from gas than those who can afford to flee the gas system.
- Nationally, BIPOC are already exposed to twice the PM2.5 pollution from gas appliances as white people.⁶

For public health: Gas stoves are responsible for an estimated 15.4% of childhood asthma in Massachusetts, higher than the 12.7% national average.⁷ ⁸ In addition, benzene, a dangerous carcinogen, has been found in 95% of the natural gas in homes in the greater Boston metropolitan area.⁹

For public safety: In recent years, countless excavating mishaps, gas leaks, and over-pressurized gas mains have caused tragic losses of life and property in Massachusetts, including:

- In 2018, the Columbia Gas disaster in the Merrimack Valley killed one person, damaged 40 homes, and forced 30,000 people to evacuate.¹⁰
- In 2012, the Springfield explosion injured 18 people, including 10 firefighters and police officers, and damaged 42 buildings in Springfield.¹¹

WHAT DOES THIS BILL DO?

- Prohibits the Energy Facilities Siting Board (EFSB) from approving construction permits for new “combustible fuel facilities,” except those required for the safety of the public, until 2026 at earliest.
- Prohibits EFSB from authorizing environmental impact statements for new “combustible fuel facilities,” except those required for the safety of the public, until 2026 at earliest.

⁵ Massachusetts Price of Natural Gas Delivered to Residential Consumers (Dollars per Thousand Cubic Feet) U.S. Energy Information Administration, <https://www.eia.gov/dnav/ng/hist/n3010ma3m.htm>

⁶ Tessum, C. W. et al. (2021). PM 2.5 pollutants disproportionately and systemically affect people of color in the United States. *Science Advances*, 7(18). <https://doi.org/10.1126/sciadv.abf4491>

⁷ Gruenwald, T et al. (2023). Population Attributable Fraction of Gas Stoves and Childhood Asthma in the United States. *Int. J. Environmental Research and Public Health*. 20(1). <https://doi.org/10.3390/ijerph20010075>

⁸ <https://www.bu.edu/articles/2023/should-we-break-up-with-gas-stoves>

⁹ Drew R. Michanowicz, D. R., et al. (2022). Home is Where the Pipeline Ends: Characterization of Volatile Organic Compounds Present in Natural Gas at the Point of the Residential End User. *Environmental Science & Technology*, 56(14). <https://doi.org/10.1021/acs.est.1c08298>

¹⁰ <https://www.wbur.org/tag/gas-explosions-lawrence-andover-north-andover>

¹¹ https://www.masslive.com/news/2012/11/downtown_springfield_building.html

- Prohibits gas service expansion into towns without pre-existing gas service until 2026 at earliest.

ADDITIONAL QUESTIONS

- **What are other states doing?** New York has already declared that there is no future for gas. In 2022, New York State's Climate Action Council approved a scoping plan similar to, but more detailed than, the Massachusetts Clean Energy and Climate Plan, which lists actions needed to reach New York's GHG reduction targets of 40% by 2030 and 85% by 2050. The plan states that new gas infrastructure permits are "inconsistent" with its climate goals and recommends that the state deny future permits.¹²
- **Could my constituents still hook up to the pipes in their streets?** Yes! This act would not prevent anyone from hooking up to existing street mains.
- **What about people without gas?** This act only applies to new pipelines greater than 1 mile and with pressure higher than 100psi. (Most street pipes are around 60psi). People in towns without gas who want to leave home heating oil can make the economical, healthy, and now federally discounted transition to clean electric heating.
- **What if the infrastructure could be used for hydrogen, which the utilities say could replace gas in the future?** While we don't believe that hydrogen, even green hydrogen, is a viable solution to home heating¹³, pipes that are built to carry natural gas would not be able to carry 100% hydrogen and likely not more than 5%¹⁴. Because hydrogen molecules are smaller than gas, they degrade pipes meant for carrying gas. Hydrogen is also a far more volatile and dangerous substance than fossil gas.

¹² New York State Climate Action Council. 2022. "New York State Climate Action Council Scoping Plan." climate.ny.gov/ScopingPlan, page 357.

¹³ https://drive.google.com/file/d/1VRcGaVRRFow3ESa87GcTqMRZXNu0uLCF/view?usp=share_link

¹⁴ <https://www.cpuc.ca.gov/news-and-updates/all-news/cpuc-issues-independent-study-on-injecting-hydrogen-into-natural-gas-systems>

SECTION BY SECTION

Section 1 adds a definition of a combustible fuel facility.

SECTION 1: Section 1 of the General Laws, as appearing in the 2022 Official Edition, is amended by inserting the following definition: -

“Combustible fuel facilities”, infrastructure involving the processing, storage, transmission, or distribution of combustible fuel sources, including but not limited to oil, natural gas, renewable natural gas, and hydrogen.

Section 2 prohibits EFSB from granting approval of construction to combustible fuel facilities, except that which is required for the safety of the public.

SECTION 2: Section 69J of said chapter 164, as so appearing, is hereby further amended by inserting, at the end thereof the following: -

No new combustible fuel facility shall be approved, and no expansion of an existing combustible fuel facility shall be approved unless required for the safety of the public, until 2026 at the earliest.

Section 3 prohibits EFSB from granting certificates to petitions for environmental impact and public interest to new combustible fuel facilities, except that which is required for the safety of the public.

SECTION 3: Section 69K of said chapter 164, as so appearing, is hereby amended by inserting, at the end thereof the following: -

No new combustible fuel facility shall be granted a petition for a certificate, and no expansion of an existing combustible fuel facility shall be granted a petition for a certificate unless required for the safety of the public until 2026 at the earliest.

Section 4 removes the DPU's power to approve a gas company's expansion anywhere in the Commonwealth beyond the town named in its agreement of association or charter.

SECTION 4: Section 30 of said chapter 164, as so appearing, is amended by striking out, in line 1 the words “a gas or” and inserting in place thereof the following word: -”an”.

Section 5 prohibits gas service expansion into towns without pre-existing gas service.

SECTION 5: Said chapter 164, as so appearing, is hereby further amended by inserting after section 86 the following section:-

Section 86A. A town where no gas company exists in active operation, or where no person owns or operates the manufacture and sale of gas, no gas company, nor any other person, shall dig up and open the streets, lanes, and highways of such town in order to construct a combustible fuel facility.