

By the Committee on Environmental Preservation and Conservation;
and Senator Clemens

592-04033-13

20131028c1

1 A bill to be entitled
2 An act relating to the Fracturing Chemical Usage
3 Disclosure Act; creating such act and providing a
4 short title; creating s. 377.45, F.S.; directing the
5 Department of Environmental Protection to establish an
6 online hydraulic fracturing chemical registry;
7 requiring owners and operators of wells on which a
8 hydraulic fracturing treatment is performed to
9 disclose certain information; requiring certain
10 service providers and vendors to disclose certain
11 information; providing for applicability; authorizing
12 the department to adopt rules; providing an effective
13 date.

14
15 Be It Enacted by the Legislature of the State of Florida:

16
17 Section 1. This act may be cited as the "Fracturing
18 Chemical Usage Disclosure Act."

19 Section 2. Section 377.45, Florida Statutes, is created to
20 read:

21 377.45 Hydraulic fracturing chemical registry.-

22 (1) For the purposes of this section, "department" means
23 the Department of Environmental Protection.

24 (2) (a) The department shall establish and maintain an
25 online hydraulic fracturing chemical registry for all wells on
26 which hydraulic fracturing treatments are performed.

27 (b) The registry shall include, at a minimum, the total
28 volume of water used in the hydraulic fracturing treatment and
29 each chemical ingredient that is subject to 29 C.F.R. s.

592-04033-13

20131028c1

30 1910.1200(g)(2) for each well on which hydraulic fracturing
31 treatments are performed by a service provider or vendor or by
32 the well owner or operator if the owner or operator provides
33 such chemical ingredients. Solely for the purposes of this
34 subsection, the department may not require chemical ingredients
35 to be identified by concentration or based on the additive in
36 which they are found.

37 (c) The department shall provide a link through the
38 department's website to FracFocus.org, the national hydraulic
39 fracturing chemical registry website operated by the Ground
40 Water Protection Council and the Interstate Oil and Gas Compact
41 Commission.

42 (d) If the Chemical Disclosure Registry is unable to accept
43 and make publicly available any information specified in this
44 section, the well owner or operator shall submit the information
45 to the department.

46 (3) A service provider, vendor, or well owner or operator
47 shall:

48 (a) Report information as required by the department with
49 respect to wells on which a hydraulic fracturing treatment is
50 performed.

51 (b) Notify the department of any chemical ingredients not
52 previously reported that are intentionally included and used for
53 the purpose of hydraulically fracturing a well.

54 (4) This section does not apply to ingredients that:

55 (a) Were not purposefully added to the hydraulic fracturing
56 treatment.

57 (b) Occur incidentally or are otherwise unintentionally
58 present in the treatment.

592-04033-13

20131028c1

59 (5) The department may adopt rules to administer this
60 section.

61 Section 3. This act shall take effect July 1, 2013.