

By the Committees on Community Affairs; and Environmental Preservation and Conservation; and Senator Clemens

578-04484-13

20131028c2

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.

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

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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) Solely for the purposes of this section, the department
28 shall require that a service provider, vendor, or well owner or
29 operator report to the Chemical Disclosure Registry, at a

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30 minimum, the total volume of water used in the hydraulic
31 fracturing treatment, each chemical ingredient that is subject
32 to 29 C.F.R. s. 1910.1200(g) (2), and the ingredient
33 concentration in the hydraulic fluid by mass for each well on
34 which hydraulic fracturing treatments are performed.

35 (c) If the Chemical Disclosure Registry is unable to accept
36 and make publicly available any information specified in this
37 section, the well owner or operator shall submit the information
38 to the department.

39 (3) A service provider, vendor, or well owner or operator
40 shall:

41 (a) Report information as required by the department with
42 respect to wells on which a hydraulic fracturing treatment is
43 performed.

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

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

48 (a) Were not purposefully added to the hydraulic fracturing
49 treatment.

50 (b) Occur incidentally or are otherwise unintentionally
51 present in the treatment.

52 (5) The department may adopt rules to administer this
53 section.

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