

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED (Y/N)
 ADOPTED AS AMENDED (Y/N)
 ADOPTED W/O OBJECTION (Y/N)
 FAILED TO ADOPT (Y/N)
 WITHDRAWN (Y/N)
 OTHER

1 Committee/Subcommittee hearing bill: Agriculture & Natural
 2 Resources Appropriations Subcommittee
 3 Representative Rodrigues, R. offered the following:

Amendment (with title amendment)

6 Remove everything after the enacting clause and insert:

7 Section 1. This act may be cited as the "Fracturing
 8 Chemical Usage Disclosure Act."

9 Section 2. Section 377.45, Florida Statutes, is created to
 10 read:

11 377.45 Hydraulic fracturing chemical registry.-

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

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

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

20 1910.1200(g) (2), for each well on which hydraulic fracturing

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21 treatments are performed, as provided by a service company or
22 chemical supplier, or by the well owner or operator if the owner
23 or operator provides such chemical ingredients. The department
24 may not require chemical ingredients to be identified by
25 concentration or based on the additive in which they are found.

26 (c) The registry and the information provided pursuant to
27 this subsection must be accessible to the public through the
28 department's website, including an internet link to FracFocus,
29 the national hydraulic fracturing chemical registry website.

30 (3) (a) The owner or operator of a well on which a
31 hydraulic fracturing treatment is performed shall report
32 information as required by the department. The well owner or
33 operator must notify the department of any chemical ingredients
34 not previously reported that are intentionally included and used
35 for the purpose of creating a hydraulic fracturing treatment for
36 the well.

37 (b) A service company that performs a hydraulic fracturing
38 treatment on a well or a supplier of an additive used in a
39 hydraulic fracturing treatment on a well must disclose the
40 chemical ingredients used to perform the treatment to the owner
41 or operator of the well pursuant to this section.

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

43 (a) Were not purposefully added to the hydraulic
44 fracturing treatment.

45 (b) Occur incidentally or are otherwise unintentionally
46 present in the treatment.

47 (c) Are not disclosed to the well owner or operator by a
48 service company or supplier.

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49 (5) The department may adopt rules to administer this
50 section.

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

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53 **T I T L E A M E N D M E N T**

54 Remove everything before the enacting clause and insert:

55 A bill to be entitled

56 An act relating to the Fracturing Chemical Usage
57 Disclosure Act; creating such act and providing a
58 short title; creating s. 377.45, F.S.; directing the
59 Department of Environmental Protection to establish an
60 online hydraulic fracturing chemical registry;
61 requiring owners and operators of wells on which a
62 hydraulic fracturing treatment is performed to
63 disclose certain information; requiring certain
64 service companies and suppliers to disclose certain
65 information; providing exceptions; authorizing the
66 department to adopt rules; providing an effective
67 date.