

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 companies and suppliers to disclose certain
 11 information; providing exceptions; authorizing the
 12 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.
30 1910.1200(g)(2), for each well on which hydraulic fracturing
31 treatments are performed, as provided by a service company or
32 chemical supplier, or by the well owner or operator if the owner
33 or operator provides such chemical ingredients. The department
34 may not require chemical ingredients to be identified by
35 concentration or based on the additive in which they are found.

36 (c) The registry and the information provided pursuant to
37 this subsection must be accessible to the public through the
38 department's website, including an Internet link to FracFocus,
39 the national hydraulic fracturing chemical registry website.

40 (3) (a) The owner or operator of a well on which a
41 hydraulic fracturing treatment is performed shall report
42 information as required by the department. The well owner or
43 operator must notify the department of any chemical ingredients
44 not previously reported that are intentionally included and used
45 for the purpose of creating a hydraulic fracturing treatment for
46 the well.

47 (b) A service company that performs a hydraulic fracturing
48 treatment on a well or a supplier of an additive used in a
49 hydraulic fracturing treatment on a well must disclose the
50 chemical ingredients used to perform the treatment to the owner
51 or operator of the well pursuant to this section.

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

53 (a) Were not purposefully added to the hydraulic
54 fracturing treatment.

55 (b) Occur incidentally or are otherwise unintentionally
56 present in the treatment.

CS/HB 743

2013

57 | (c) Are not disclosed to the well owner or operator by a
58 | service company or supplier.

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

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