



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 designate or establish an
25 online hydraulic fracturing chemical registry for all wells on
26 which hydraulic fracturing treatments are performed. The
27 department may designate the Chemical Disclosure Registry, known
28 as fracfocus.org and developed by the Groundwater Protection



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29 Council and the Interstate Oil and Gas Compact Commission, as
30 the state's official registry. The department shall provide a
31 link to the national hydraulic fracturing chemical registry
32 website, FracFocus.org, through the department's website.

33 (b) Solely for the purposes of this section, the
34 department shall require that a service provider, vendor, or
35 well owner or operator report to the Chemical Disclosure
36 Registry, at a minimum, the total volume of water used in the
37 hydraulic fracturing treatment, each chemical ingredient that is
38 subject to 29 C.F.R. s. 1910.1200(g)(2), and the ingredient
39 concentration in the hydraulic fluid by mass for each well on
40 which hydraulic fracturing treatments are performed.

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

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

47 (a) Report the information required under subsection (2)
48 to the department and the Chemical Disclosure Registry within 60
49 days after the initiation of hydraulic fracturing operations for
50 each well on which hydraulic fracturing treatments are
51 performed.

52 (b) Update the Chemical Disclosure Registry.

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

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



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57 (a) Were not purposefully added to the hydraulic
58 fracturing treatment.

59 (b) Occur incidentally or are otherwise unintentionally
60 present in the treatment.

61 (5) The department may adopt rules to administer this
62 section.

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