

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 designate or
 6 establish an online hydraulic fracturing chemical
 7 registry; requiring service providers, vendors, and
 8 owners or operators of wells on which a hydraulic
 9 fracturing treatment is performed to disclose certain
 10 information; providing for applicability; authorizing
 11 the department to adopt rules; providing an effective
 12 date.

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

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

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

20 377.45 Hydraulic fracturing chemical registry.-

21 (1) As used in this section, the term "department" means
 22 the Department of Environmental Protection.

23 (2) (a) The department shall designate or establish an
 24 online hydraulic fracturing chemical registry for all wells on
 25 which hydraulic fracturing treatments are performed. The
 26 department may designate the Chemical Disclosure Registry, known

27 as FracFocus.org and developed by the Groundwater Protection
28 Council and the Interstate Oil and Gas Compact Commission, as
29 the state's official registry. If the department designates the
30 national hydraulic fracturing chemical registry website,
31 FracFocus.org, as the state's official registry, the department
32 shall provide a link to FracFocus.org through the department's
33 website.

34 (b) Any registry established by the department shall
35 include, at a minimum, the total volume of water used in the
36 hydraulic fracturing treatment and each chemical ingredient that
37 is subject to 29 C.F.R. s. 1910.1200(g)(2) for each well on
38 which hydraulic fracturing treatments are performed by a service
39 provider or vendor or by the well owner or operator if the owner
40 or operator provides such chemical ingredients. The department
41 may not, solely for purposes of this subsection, require
42 chemical ingredients to be identified by concentration or based
43 on the additive in which they are found.

44 (c) If the Chemical Disclosure Registry is unable to
45 accept and make publicly available any information specified in
46 this section, the service provider, vendor, or well owner or
47 operator shall submit the information to the department.

48 (3) A service provider, vendor, or well owner or operator
49 shall:

50 (a) Report information as required under subsection (2)
51 within 60 days after initiation of hydraulic fracturing
52 operations for each well on which a hydraulic fracturing

53 treatment is performed.

54 (b) Update the Chemical Disclosure Registry.

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

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

59 (a) Were not purposefully added to the hydraulic
 60 fracturing treatment.

61 (b) Occur incidentally or are otherwise unintentionally
 62 present in the treatment.

63 (5) The department may adopt rules to administer this
 64 section.

65 Section 3. This act shall take effect July 1, 2014.