

HB 743

2013

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 Division of Resource Management of the Department of
6 Environmental Protection to establish an online
7 hydraulic fracturing chemical registry; requiring
8 owners and operators of wells on which a hydraulic
9 fracturing treatment is performed to disclose certain
10 information; requiring certain service companies and
11 suppliers to disclose certain information; providing
12 exceptions; authorizing the division to adopt rules;
13 providing an effective 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)(a) The division shall establish and maintain an online
23 hydraulic fracturing chemical registry for all wells on which
24 hydraulic fracturing treatments are performed.

25 (b) The registry shall include, at a minimum, the total
26 volume of water used in the hydraulic fracturing treatment and
27 each chemical ingredient that is subject to 29 C.F.R. s.
28 1910.1200(g)(2), for each well on which hydraulic fracturing

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29 treatments are performed, as provided by a service company or
30 chemical supplier, or by the well owner or operator if the owner
31 or operator provides such chemical ingredients. The division may
32 not require chemical ingredients to be identified by
33 concentration or based on the additive in which they are found.

34 (c) The registry and the information provided pursuant to
35 this subsection must be accessible to the public through the
36 division's website.

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

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

49 (3) This section does not apply to ingredients that:

50 (a) Were not purposefully added to the hydraulic
51 fracturing treatment.

52 (b) Occur incidentally or are otherwise unintentionally
53 present in the treatment.

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

56 (4) The division may adopt rules to administer this

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57 | section.

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