

HOUSE No. 03051

The Commonwealth of Massachusetts

PRESENTED BY:

Lori A. Ehrlich

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act relative to natural gas leaks.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Lori A. Ehrlich</i>	<i>8th Essex</i>
<i>Stephen R. Canessa</i>	<i>12th Bristol</i>
<i>John W. Scibak</i>	<i>2nd Hampshire</i>
<i>Sarah K. Peake</i>	<i>4th Barnstable</i>
<i>David Paul Linsky</i>	<i>5th Middlesex</i>
<i>Joyce A. Spiliotis</i>	<i>12th Essex</i>
<i>Patricia A. Haddad</i>	<i>5th Bristol</i>
<i>Paul Mark</i>	<i>2nd Berkshire</i>
<i>Thomas M. Stanley</i>	<i>9th Middlesex</i>
<i>Frank I. Smizik</i>	<i>15th Norfolk</i>
<i>Thomas M. McGee</i>	<i>Third Essex and Middlesex</i>
<i>Sean Garballey</i>	<i>23rd Middlesex</i>
<i>Jennifer E. Benson</i>	<i>37th Middlesex</i>
<i>Cheryl A. Coakley-Rivera</i>	<i>10th Hampden</i>
<i>Theodore C. Speliotis</i>	<i>13th Essex</i>
<i>Stephen L. DiNatale</i>	<i>3rd Worcester</i>
<i>Cory Atkins</i>	<i>14th Middlesex</i>

<i>Jason M. Lewis</i>	<i>31st Middlesex</i>
<i>Martin J. Walsh</i>	<i>13th Suffolk</i>
<i>Carolyn C. Dykema</i>	<i>8th Middlesex</i>
<i>Michael D. Brady</i>	<i>9th Plymouth</i>
<i>Ellen Story</i>	<i>3rd Hampshire</i>
<i>Tackey Chan</i>	<i>2nd Norfolk</i>
<i>Ruth B. Balsler</i>	<i>12th Middlesex</i>
<i>Katherine M. Clark</i>	<i>Middlesex and Essex</i>
<i>Edward Coppinger</i>	<i>10th Suffolk</i>
<i>Alice Hanlon Peisch</i>	<i>14th Norfolk</i>
<i>Jonathan Hecht</i>	<i>29th Middlesex</i>
<i>Bruce E. Tarr</i>	<i>First Essex and Middlesex</i>
<i>Ann-Margaret Ferrante</i>	<i>5th Essex</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>
<i>Robert F. Fennell</i>	<i>10th Essex</i>
<i>Kay Khan</i>	<i>11th Middlesex</i>
<i>James M. Cantwell</i>	<i>4th Plymouth</i>
<i>Alice K. Wolf</i>	<i>25th Middlesex</i>
<i>Denise Provost</i>	<i>27th Middlesex</i>
<i>Louis L. Kafka</i>	<i>8th Norfolk</i>
<i>Kate Hogan</i>	<i>3rd Middlesex</i>
<i>William N. Brownsberger</i>	<i>24th Middlesex</i>

HOUSE No. 03051

By Ms. Ehrlich of Marblehead, a petition (accompanied by bill, House, No. 3051) of Provost and others for legislation to establish natural gas leak classification standards and requirements for operator clean up of natural gas leaks Joint Committee on Telecommunications, Utilities and Energy.

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act relative to natural gas leaks.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 164 of the General Laws, as appearing in the 2008 Official Edition, is hereby amended
2 by adding the following section:-

3 Section 144. (a) There shall be established a natural gas leak classification standard to determine
4 the degree or extent of the potential hazard resulting from gas leakage to persons, property or the
5 environment due to leaking methane as a greenhouse gas and to prescribe remedial actions.

6 (b) All reported gas leaks will be assessed a grade based on the following system:-

7 (1) Grade 1. Any leak recognized as an existing or probable hazard to persons or property, and
8 requires immediate repair of continuous action until the conditions are no longer hazardous.

9 Daily monitoring or surveillance shall not qualify as a “repair”, so called.

10 (2) Grade 2A. Any leak recognized as non-hazardous to persons or property, but justifies
11 schedule repair based on probable future hazard to persons or property. Repair is required within
12 6 months with monitoring every 2 weeks until repaired.

13 (3) Grade 2. Any leak recognized as non-hazardous to persons or property, any Grade 3 leak that
14 could migrate under frost or other conditions in the judgment of the operating personnel at the
15 site of the leak. Repair is required within 1 year with monitoring every 6 months.

16 (4) Grade 3. Any leak recognized as non-hazardous at the time of detection or monitoring and
17 may be expected to remain non-hazardous. Repair shall be required within 36 months. The leak
18 shall be re-surveyed during “mid-frost season”, so-called. The leak shall be re-evaluated during
19 the next required leak survey or annually, whichever is less, and shall include a tree damage
20 survey of any tree on public or private property within a 40 feet circumference of the leak.

21 (c) Operators shall repair grade 1 leaks identified prior to December 31, 2010 on or before March
22 1, 2012. Operators shall repair grade 2 leaks identified prior to December 31, 2010 on or before
23 March 1, 2015. For all leaks identified after December 31, 2010, operators shall comply with the
24 requirements of this section.

25 (d) It shall be the duty of each operator to promptly respond to any notification of a gas leak or
26 gas odor or any notification of damage to facilities by excavators or other outside sources to
27 protect persons, property, and limit the amount of greenhouse gas expelled to the atmosphere.

28 (e) Any suspected damage to trees due to any gas leak from a utility owned pipeline, should be
29 reported to the company responsible for inspection by a qualified arborist. Repairs, damages and
30 replacement will be subject to the department’s rules and regulations.

31 (f) All buildings or structures within a determined underground gas leak migration area shall be
32 checked for traces of natural gas. If a positive reading is detected, company personnel shall take
33 appropriate action to protect persons and property, as well as grading the gas leak according to
34 this section.

35 (g) The department shall promulgate rules and regulations necessary to carry out the provisions
36 of this section. The rules and regulations shall require that companies subject to the
37 commissioner's supervision who are responsible for the maintenance and repair of natural gas
38 lines shall report annually to the commissioner the grades of any leaks detected as part of any
39 mandated compliance surveys.