

HOUSE No. 3051

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 adoption of the accompanying bill:

An Act relative to natural gas leaks.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Lori A. Ehrlich</i>	<i>8th Essex</i>	<i>1/21/2011</i>
<i>Stephen R. Canessa</i>	<i>12th Bristol</i>	<i>2/3/2011</i>
<i>John W. Scibak</i>	<i>2nd Hampshire</i>	<i>2/3/2011</i>
<i>Sarah K. Peake</i>	<i>4th Barnstable</i>	<i>2/1/2011</i>
<i>David Paul Linsky</i>	<i>5th Middlesex</i>	<i>2/1/2011</i>
<i>Joyce A. Spiliotis</i>	<i>12th Essex</i>	<i>2/2/2011</i>
<i>Patricia A. Haddad</i>	<i>5th Bristol</i>	<i>2/2/2011</i>
<i>Paul W. Mark</i>	<i>2nd Berkshire</i>	<i>2/2/2011</i>
<i>Thomas M. Stanley</i>	<i>9th Middlesex</i>	<i>2/3/2011</i>
<i>Frank I. Smizik</i>	<i>15th Norfolk</i>	<i>2/3/2011</i>
<i>Thomas M. McGee</i>	<i>Third Essex</i>	<i>2/3/2011</i>
<i>Sean Garballey</i>	<i>23rd Middlesex</i>	<i>1/22/2011</i>
<i>Jennifer E. Benson</i>	<i>37th Middlesex</i>	<i>1/24/2011</i>
<i>Cheryl A. Coakley-Rivera</i>	<i>10th Hampden</i>	<i>1/24/2011</i>
<i>Theodore C. Speliotis</i>	<i>13th Essex</i>	<i>1/26/2011</i>
<i>Stephen L. DiNatale</i>	<i>3rd Worcester</i>	<i>1/25/2011</i>
<i>Cory Atkins</i>	<i>14th Middlesex</i>	<i>1/28/2011</i>
<i>Jason M. Lewis</i>	<i>31st Middlesex</i>	<i>1/28/2011</i>

<i>Martin J. Walsh</i>	<i>13th Suffolk</i>	<i>2/3/2011</i>
<i>Carolyn C. Dykema</i>	<i>8th Middlesex</i>	<i>2/3/2011</i>
<i>Michael D. Brady</i>	<i>9th Plymouth</i>	<i>2/3/2011</i>
<i>Ellen Story</i>	<i>3rd Hampshire</i>	<i>2/3/2011</i>
<i>Tackey Chan</i>	<i>2nd Norfolk</i>	<i>2/3/2011</i>
<i>Ruth B. Balsler</i>	<i>12th Middlesex</i>	<i>2/4/2011</i>
<i>Katherine M. Clark</i>	<i>Fifth Middlesex</i>	<i>2/4/2011</i>
<i>Edward F. Coppinger</i>	<i>10th Suffolk</i>	<i>2/4/2011</i>
<i>Alice Hanlon Peisch</i>	<i>14th Norfolk</i>	<i>2/4/2011</i>
<i>Jonathan Hecht</i>	<i>29th Middlesex</i>	<i>2/4/2011</i>
<i>Bruce E. Tarr</i>		<i>2/4/2011</i>
<i>Ann-Margaret Ferrante</i>	<i>5th Essex</i>	<i>2/4/2011</i>
<i>James B. Eldridge</i>		<i>2/4/2011</i>
<i>Robert F. Fennell</i>	<i>10th Essex</i>	<i>2/4/2011</i>
<i>Kay Khan</i>	<i>11th Middlesex</i>	<i>2/4/2011</i>
<i>James M. Cantwell</i>	<i>4th Plymouth</i>	<i>2/4/2011</i>
<i>Alice K. Wolf</i>	<i>25th Middlesex</i>	<i>2/4/2011</i>
<i>Denise Provost</i>	<i>27th Middlesex</i>	<i>2/4/2011</i>
<i>Louis L. Kafka</i>	<i>8th Norfolk</i>	<i>2/4/2011</i>
<i>Kate Hogan</i>	<i>3rd Middlesex</i>	<i>2/4/2011</i>
<i>William N. Brownsberger</i>		<i>2/4/2011</i>

HOUSE No. 3051

By Ms. Ehrlich of Marblehead, a petition (accompanied by bill, House, No. 3051) of Lori A. Ehrlich and others for legislation to establish natural gas leak classification standards and requirements for operator clean up of natural gas leaks. 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
2 amended by adding the following section:-

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

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

8 (1) Grade 1. Any leak recognized as an existing or probable hazard to persons or
9 property, and requires immediate repair of continuous action until the conditions are no longer
10 hazardous. Daily monitoring or surveillance shall not qualify as a “repair”, so called.

11 (2) Grade 2A. Any leak recognized as non-hazardous to persons or property, but justifies
12 schedule repair based on probable future hazard to persons or property. Repair is required within
13 6 months with monitoring every 2 weeks until repaired.

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

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

23 (c) Operators shall repair grade 1 leaks identified prior to December 31, 2010 on or
24 before March 1, 2012. Operators shall repair grade 2 leaks identified prior to December 31,
25 2010 on or before March 1, 2015. For all leaks identified after December 31, 2010, operators
26 shall comply with the requirements of this section.

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

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

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

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