

HOUSE No. 2933**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 enhancing natural gas pipeline safety.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: | DATE ADDED: |
|------------------------------|------------------------|------------------|
| <i>Lori A. Ehrlich</i> | <i>8th Essex</i> | <i>1/17/2013</i> |
| <i>James M. Cantwell</i> | <i>4th Plymouth</i> | <i>1/17/2013</i> |
| <i>Ann-Margaret Ferrante</i> | <i>5th Essex</i> | <i>1/29/2013</i> |
| <i>Stephen L. DiNatale</i> | <i>3rd Worcester</i> | <i>1/18/2013</i> |
| <i>Elizabeth A. Malia</i> | <i>11th Suffolk</i> | <i>2/1/2013</i> |
| <i>John W. Scibak</i> | <i>2nd Hampshire</i> | <i>1/30/2013</i> |
| <i>David Paul Linsky</i> | <i>5th Middlesex</i> | <i>1/31/2013</i> |
| <i>Patricia A. Haddad</i> | <i>5th Bristol</i> | <i>2/1/2013</i> |
| <i>Thomas M. McGee</i> | <i>Third Essex</i> | <i>2/1/2013</i> |
| <i>Sean Garballey</i> | <i>23rd Middlesex</i> | <i>1/31/2013</i> |
| <i>Colleen M. Garry</i> | <i>36th Middlesex</i> | <i>1/31/2013</i> |
| <i>Jennifer E. Benson</i> | <i>37th Middlesex</i> | <i>2/1/2013</i> |
| <i>Cory Atkins</i> | <i>14th Middlesex</i> | <i>1/29/2013</i> |
| <i>Jason M. Lewis</i> | <i>Fifth Middlesex</i> | <i>1/18/2013</i> |
| <i>Martin J. Walsh</i> | <i>13th Suffolk</i> | <i>1/25/2013</i> |
| <i>Carolyn C. Dykema</i> | <i>8th Middlesex</i> | <i>2/1/2013</i> |
| <i>Michael D. Brady</i> | <i>9th Plymouth</i> | <i>1/31/2013</i> |
| <i>Ellen Story</i> | <i>3rd Hampshire</i> | <i>1/31/2013</i> |

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|--------------------------------|--|------------------|
| <i>Ruth B. Balser</i> | <i>12th Middlesex</i> | <i>1/29/2013</i> |
| <i>Katherine M. Clark</i> | <i>Fifth Middlesex</i> | <i>1/30/2013</i> |
| <i>Edward F. Coppinger</i> | <i>10th Suffolk</i> | <i>2/1/2013</i> |
| <i>Jonathan Hecht</i> | <i>29th Middlesex</i> | <i>1/30/2013</i> |
| <i>James B. Eldridge</i> | <i>Middlesex and Worcester</i> | <i>1/30/2013</i> |
| <i>Robert F. Fennell</i> | <i>10th Essex</i> | <i>2/1/2013</i> |
| <i>Kay Khan</i> | <i>11th Middlesex</i> | <i>1/31/2013</i> |
| <i>Louis L. Kafka</i> | <i>8th Norfolk</i> | <i>1/22/2013</i> |
| <i>William N. Brownsberger</i> | <i>Second Suffolk and Middlesex</i> | <i>1/17/2013</i> |
| <i>Frank I. Smizik</i> | <i>15th Norfolk</i> | |
| <i>Martha M. Walz</i> | <i>8th Suffolk</i> | |
| <i>James J. Dwyer</i> | <i>30th Middlesex</i> | |
| <i>Peter V. Kocot</i> | <i>1st Hampshire</i> | |
| <i>Carlo Basile</i> | <i>1st Suffolk</i> | <i>1/28/2013</i> |
| <i>Bruce E. Tarr</i> | <i>First Essex and Middlesex</i> | <i>2/1/2013</i> |
| <i>Denise Andrews</i> | <i>2nd Franklin</i> | <i>1/28/2013</i> |
| <i>Stanley C. Rosenberg</i> | <i>Hampshire, Franklin and Worcester</i> | |
| <i>Todd M. Smola</i> | <i>1st Hampden</i> | <i>1/30/2013</i> |
| <i>Tom Sannicandro</i> | <i>7th Middlesex</i> | |
| <i>Carlos Henriquez</i> | <i>5th Suffolk</i> | |
| <i>Chris Walsh</i> | <i>6th Middlesex</i> | |
| <i>Michael J. Barrett</i> | <i>Third Middlesex</i> | |
| <i>Patricia D. Jehlen</i> | <i>Second Middlesex</i> | |
| <i>Jay R. Kaufman</i> | <i>15th Middlesex</i> | |
| <i>James M. Murphy</i> | <i>4th Norfolk</i> | |
| <i>Gloria L. Fox</i> | <i>7th Suffolk</i> | |
| <i>Donald Humason</i> | | |
| <i>Paul R. Heroux</i> | <i>2nd Bristol</i> | |
| <i>Sheila C. Harrington</i> | <i>1st Middlesex</i> | |
| <i>Thomas P. Conroy</i> | <i>13th Middlesex</i> | |

HOUSE No. 2933

By Ms. Ehrlich of Marblehead, a petition (accompanied by bill, House, No. 2933) of Lori A. Ehrlich and others relative to natural gas pipeline safety. Telecommunications, Utilities and Energy.

The Commonwealth of Massachusetts

In the Year Two Thousand Thirteen

An Act enhancing natural gas pipeline safety.

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

1 SECTION 1. Chapter 164 of the General Laws is hereby amended by adding the
2 following section:-

3 Section 144. (a) The department shall establish a uniform natural gas leak standard for all
4 gas companies.

5 (b) All current and future reported gas leaks shall be assessed a grade based on the
6 following system:

7 (1) Grade 1. A leak that represents an existing or potential hazard to persons or
8 property. A grade 1 leak requires repair and continuous action until the conditions are no longer
9 hazardous. Completion of repairs shall be scheduled immediately and the condition kept under
10 continuous surveillance until the hazard or source of the leak is eliminated. When a grade 1 leak
11 is detected the gas company will make immediate communication with the police and fire
12 departments in the municipality where the leak was detected.

13 (2) Grade 2. A leak that is recognized as non-hazardous to persons or property at the
14 time of detection, but justifies scheduled repair based on probable future hazard. Such leaks shall
15 be repaired or cleared within 6 months but no later than 12 months from the date the Grade 2
16 leak was classified. The frequency of reevaluation shall be determined by the location and
17 magnitude of the leakage condition, provided that all Grade 2 leaks shall be reevaluated at least
18 once every 3 months until eliminated.

(3) Grade 3. A leak that is recognized as immediately non-hazardous at the time of detection and can be reasonably expected to remain non-hazardous. Grade 3 leaks shall be reevaluated during the next scheduled survey, or within 12 months of the date last evaluated, whichever occurs first, until the grade 3 leak is eliminated or main replaced. A Grade 3 leak requiring immediate upgrade for scheduled repair shall apply to:

- (i) any Grade 3 leak which under frost conditions could migrate substantially;
- (ii) a high density of Grade 3 leaks in the street of a business or residential area;
- (iii) a nuisance Grade 3 leak requiring continued response by local firefighter resources;
- or
- (iv) recognized and continued damage to trees in close proximity to existing Grade 3 leaks.

Grade classifications shall only be made by individuals who possess training, experience and knowledge gained through association with leakage work. The judgment of these individuals based upon information gained at the scene of the leak will form the basis for the classification.

(c) Gas companies shall survey for the presence of gas leaks and set repair and or replacement schedules under the following circumstances, including but not limited to:

(1) when a qualified arborist determines that a tree is damaged due to a gas leak a gas company shall survey the area and repair or replace any detected leak;

(2) whenever the commonwealth or a municipality undertakes the repair of streets, roads or sidewalks where gas pipelines are under the project areas, a gas company shall survey the project area and repair or replace any known or newly detected leak.

(3) A gas company shall survey pipelines in every school zone once at least every 12 months or during the next scheduled survey, whichever is sooner. When any gas leak is detected in a school zone a gas company shall schedule a repair or replacement of the pipeline where the leak is present within 6 months but no later than 12 months from the date the leak was detected.

(d) Each gas company shall report every three months to the department the location of each existing Grade 1, Grade 2, and Grade 3 leak classified by the company, the date each Grade 1, Grade 2, and Grade 3 leak was classified, and the date of repair performed on each Grade 1, Grade 2, and Grade 3 leak as part of its service quality standards report required by section 11 of chapter 164. Such gas leak information shall be made available to any municipal or state public safety official and any member of the General Court upon request to the department.

(e) Winter surveillance and patrol of cast iron gas pipelines in the commonwealth shall be required when any of the following criteria are present:

52 (1) there are significant variations in temperature oscillating above and below 32
53 degrees Fahrenheit;

54 (2) when the ambient temperature is forecasted to remain at 32 degrees Fahrenheit or
55 lower for 7 or more consecutive days and the system experiences 3 breaks or more per day over
56 2 successive days; or

57 (3) when the temperature falls below 20 degrees Fahrenheit and field verified frost
58 depth conditions of 24 inches or greater exist. The high speed cast iron survey will concentrate
59 on 4 inch, 6 inch, and 8 inch cast iron mains and areas with historical cast iron breaks.

60 (f) The department shall promulgate regulations necessary to implement this section, and
61 shall continue to oversee and monitor gas company response and reporting.

62 SECTION 2. Subsection (e) of section 144 of chapter 164 of the General Laws shall take
63 effect on March 1, 2014.