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HOUSE . . . . . No. 4979

The Commonwealth of Massachusetts

OFFICE OF THE GOVERNOR
COMMONWEALTH OF MASSACHUSETTS
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CHARLES D. BAKER
GOVERNOR

KARYN POLITO
LIEUTENANT GOVERNOR

November 20, 2018

To the Honorable Senate and House of Representatives,

I am submitting for your consideration "An Act to Ensure the Safety and Soundness of the Commonwealth's Natural Gas Infrastructure." This legislation will require all engineering plans for gas work to be reviewed and approved by a certified engineer when the work could pose a material risk to public safety.

This change was recommended by the National Transportation Safety Board in its November 14, 2018, report on the Merrimack Valley gas explosions. The Department of Public Utilities will seek further consultation with the board as it implements the provisions of this act.

The enclosed bill is essential to ensuring the safety of our natural gas infrastructure and I urge your prompt consideration.

Respectfully submitted

Charles D. Baker,
Governor

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The Commonwealth of Massachusetts

In the One Hundred and Ninetieth General Court
(2017-2018)

An Act to ensure the safety and soundness of the Commonwealth's natural gas infrastructure.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to to require that professional engineers approve engineering plans developed by or on behalf of gas companies, which is immediately necessary to ensure the safe construction, operation and maintenance of gas infrastructure and to accomplish other important public purposes, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public safety.

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

SECTION 1. Subsection (l) of section 81R of chapter 112 of the General Laws, as appearing in the 2016 Official Edition, is hereby amended by inserting before the word "or", in line 86, the following words:- provided, however, that this subsection shall not apply to engineering work or services that could pose a material risk to public safety, as determined by the department of public utilities, performed by or on behalf of a gas company, as defined by section 1 of chapter 164, that distributes and sells gas within the commonwealth;.

SECTION 2. Chapter 164 of the General Laws shall be amended by inserting the following new section:-

Section 146. Any engineering plans or specifications for engineering work or services that could pose a material risk to public safety, as determined by the department of public

utilities pursuant to subsection (l) of section 81R of chapter 112, developed by or on behalf of a gas company shall bear the stamp of approval of a professional engineer certified under section 81E of said chapter 112; provided, however, that any such plan or specification shall be housed within the applicable gas company subject to review and audit by the department of public utilities and shall be deemed to be filed with a public authority within the meaning of section 83M of said chapter 112. The department of public utilities may promulgate regulations as necessary to implement this section and applicable provisions of subsection (l) of section 81R of said chapter 112.