

SENATE No. 1966

The Commonwealth of Massachusetts

PRESENTED BY:

Paul R. Feeney

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 to promote gas safety.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Paul R. Feeney</i>	<i>Bristol and Norfolk</i>	
<i>Thomas M. Stanley</i>	<i>9th Middlesex</i>	<i>1/24/2019</i>
<i>Diana DiZoglio</i>	<i>First Essex</i>	<i>2/1/2019</i>
<i>Patrick M. O'Connor</i>	<i>Plymouth and Norfolk</i>	<i>2/1/2019</i>
<i>Joseph A. Boncore</i>	<i>First Suffolk and Middlesex</i>	<i>2/1/2019</i>
<i>David Henry Argosky LeBoeuf</i>	<i>17th Worcester</i>	<i>2/1/2019</i>
<i>Mike Connolly</i>	<i>26th Middlesex</i>	<i>2/1/2019</i>
<i>Marc R. Pacheco</i>	<i>First Plymouth and Bristol</i>	<i>2/1/2019</i>
<i>Kay Khan</i>	<i>11th Middlesex</i>	<i>2/1/2019</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	<i>2/1/2019</i>
<i>David Biele</i>	<i>4th Suffolk</i>	<i>2/1/2019</i>
<i>Brian W. Murray</i>	<i>10th Worcester</i>	<i>2/6/2019</i>
<i>James K. Hawkins</i>	<i>2nd Bristol</i>	<i>2/11/2019</i>

SENATE No. 1966

By Mr. Feeney, a petition (accompanied by bill, Senate, No. 1966) of Paul R. Feeney, Thomas M. Stanley, Diana DiZoglio, Patrick M. O'Connor and other members of the General Court for legislation to promote gas safety. Telecommunications, Utilities and Energy.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-First General Court
(2019-2020)**

An Act to promote gas 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 25 of the General Laws is hereby amended by inserting after
2 section 2A the following section:-

3 Section 2B. There is hereby established within the department of public utilities an
4 energy infrastructure oversight board, to be appointed by the governor, consisting of the 3
5 commissioners of public utilities; 1 representative of an investor-owned gas utility; 1
6 representative of the environmental community; 1 representative of the business community; 1
7 consumer representative; 1 professional engineer; and 1 representative of organized labor. The
8 oversight board shall make recommendations to the governor with respect to gas safety,
9 oversight and inspection of gas facilities, employment of inspectors and engineers to oversee
10 pipeline construction and maintenance, and emergency response protocols for gas-related
11 incidents. Annually, not later than December 31, the board shall report to the governor and the

12 senate and house committees on ways and means. The members of the board shall serve without
13 compensation. Members shall serve for terms of 3 years and may be reappointed.

14 SECTION 2. Section 185 of chapter 149 of the General Laws, as appearing in the 2016
15 Official Edition, is hereby amended by inserting after the word “thereof”, in line 9, the following
16 words:- or a gas and electricity public utility provider.

17 SECTION 3. Said section 185 of said chapter 149, as so appearing, is hereby further
18 amended by inserting after the word “relationship”, each time it appears, the following words:-
19 including private contractors hired to perform work customarily performed by employees of
20 public utility employers.

21 SECTION 4. Section 1E of chapter 164 of the General Laws, as so appearing, is hereby
22 amended by inserting after the word “levels”, in line 12, the following words:- , public safety
23 measures.

24 SECTION 5. Paragraph (8) of section 1F of said chapter 164, as so appearing, is hereby
25 amended by adding the following subsection:-

26 (g) The department shall ensure that all written complaints under this section that are
27 received from customers and the public regarding gas or electricity providers are investigated
28 and a response is provided to the complainant in a timely manner. The department shall establish
29 a publicly accessible database of all complaints received, noting the category of complaint, the
30 date the complaint was received, the steps taken to address the complaint and that date the
31 complaint was resolved.

32 SECTION 6. Section 1J of said chapter 164, as so appearing, is hereby amended by
33 striking out, in line 5, the figure “\$250,000” and inserting in place thereof the following figure:-
34 \$275,000.

35 SECTION 7. Said section 1J, as so appearing, is hereby further amended by striking out,
36 in line 8, the figure “\$20,000,000” and inserting in place thereof the following figure:-
37 \$35,0000,000.

38 SECTION 8.

39 There shall be a special commission to review gas infrastructure in the commonwealth.
40 The commission shall consist of the commissioner of the department of public utilities or a
41 designee, who shall serve as chair; the attorney general or a designee; the commissioner of the
42 department of environmental protection or designee; and 5 additional members to be appointed
43 by the governor: 1 of whom shall be a representative of residential consumers; 1 of whom shall
44 be a representative of the environmental community; 1 of whom shall be a representative of the
45 clean energy technology industry; 1 of whom shall be a representative of businesses, including
46 large end users; and 1 of whom shall be a representative of labor.

47 The commission shall report its findings to the general court not later than January 1,
48 2020.

49 SECTION 9. Said chapter 164 is hereby further amended by inserting after section 1K
50 the following section:-

51 Section 1L. (a) The department shall establish a notification system in order to provide to
52 and receive information regarding incidents of gas-related emergencies from neighboring states,
53 including Connecticut, New Hampshire, New York, Rhode Island and Vermont.

54 (b) When a gas-related emergency occurs in a city or town within 10 miles of a
55 neighboring state's border, including loss of life or property damage in excess of \$50,000, the
56 department shall provide notice to the neighboring state including the emergency contact number
57 for both the gas company whose lines are affected and the emergency response personnel
58 covering the cities and towns affected.

59 (c) The department shall promulgate rules and regulations necessary to implement this
60 section.

61 SECTION 10. Said chapter 164 is hereby further amended by adding the following
62 section:-

63 Section 148. (a) The department shall review and approve, deny or otherwise recommend
64 action on all proposals for substantial construction, renovation, repair or expansion for facilities
65 that store, vaporize or produce liquefied natural gas as defined in section 69G of this chapter. A
66 proposal submitted to the department must include an analysis of the proposal's impact on the
67 safety of the facility and the distribution system during and after construction.

68 (b) The department may request an additional review by the energy facilities siting board
69 or the Massachusetts environmental policy act office. If the department determines that the
70 proposal will substantially alter the functional operation of the facility, the department may
71 request updated safety or emergency response policies from the owner of the facility. Proposals

72 must be submitted in writing and the department shall issue a decision not later than 120 days
73 after submission unless the department requests an additional review.

74 (c) The facility owner shall notify the department of any changes to the facility security
75 protocols prior to implementation, including, but not limited to, changes in agreements between
76 the facility owner and outside security companies and substantial changes to the number or class
77 of security personnel employed or contracted at the facility. The department may request
78 additional information or make recommendations to the facility owner.

79 (d) The department shall promulgate rules and regulations necessary to implement the
80 requirements of this section.

81 SECTION 11. Said chapter 164 is hereby amended by adding the following section:-

82 Section 149. (a) The following words, as used in this section, shall have the following
83 meanings:

84 “Pipeline engineer”, a person employed by the department of public utilities for the
85 purpose of pipeline inspection who meets the qualifications of a professional engineer as defined
86 in section 81D of chapter 112.

87 (b) The department shall employ pipeline engineers to oversee construction on or
88 adjacent to distribution company pipelines, ensure compliance with all relevant statutory and
89 regulatory requirements and investigate complaints. All pipeline engineers shall receive the
90 necessary training and qualification to perform field duties, as determined by the department, not
91 later than 6 months after employment. The department shall employ not less than 1 pipeline

92 engineer for every 100 miles of pipeline owned by a distribution or one pipeline engineer for
93 every 2,000 customers, whichever is greater.

94 SECTION 12. Chapter 154 of the acts of 2018 is hereby amended by inserting the
95 following item:-

96 2100-0018 For the hiring of additional gas line and pipeline inspectors within the
97 department of public
98 utilities.....\$1,500,000.

99 SECTION 13. The department of public utilities shall promulgate regulations
100 establishing requirements for the maintenance and security of gas regulators, including, but not
101 limited to, service quality metrics. The department shall implement these regulations not later
102 than January 1, 2021.