

SENATE No. 2221

The Commonwealth of Massachusetts

PRESENTED BY:

Marc R. Pacheco

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 gas infrastructure and public safety.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Marc R. Pacheco</i>	<i>First Plymouth and Bristol</i>	
<i>Michael D. Brady</i>	<i>Second Plymouth and Bristol</i>	<i>4/1/2021</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	<i>4/28/2021</i>

SENATE No. 2221

By Mr. Pacheco, a petition (accompanied by bill, Senate, No. 2221) of Marc R. Pacheco and Michael D. Brady for legislation relative to gas infrastructure and public safety. Telecommunications, Utilities and Energy.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 2514 OF 2019-2020.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Second General Court
(2021-2022)**

An Act relative to gas infrastructure and 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:

1 SECTION 1. Section 75E of chapter 164 of the General Laws as appearing in 2018
2 Official Edition is hereby amended by inserting after the first paragraph the following
3 paragraph:-

4 The department shall adopt safety regulations: (1) requiring that any work performed on a
5 gas company’s lines or equipment (including, but not limited to, tapping, tie-overs, tie-ins,
6 responding to or repairing leaks, abandonment of mains and services, and the installation, repair
7 or maintenance of regulator stations and customer regulators) shall be carried out by a company
8 employee with at last five years of experience with the relevant skills or knowledge for that
9 work; (2) prohibiting outside contractors from performing work on or venting gas from live or
10 active lines; (3) requiring all gas companies, when marking lines and infrastructure or

11 performing leak surveys , to utilize only company employees for such tasks; and (4) requiring
12 that an inspector who is an employee of the company be on site for work being lawfully
13 performed by an outside contractor.

14 The department shall adopt regulations requiring all companies to maintain, and make
15 available to all field personnel working on its lines and equipment, maps that properly identify
16 and locate regulator stations, mains, services, valves and fittings associated with such lines and
17 equipment. The regulations shall further require that the maps be promptly updated as any
18 changes or modifications are made to the company's system.

19 SECTION 2. Section 148 of Chapter 164 of the General Laws, as appearing in the 2018
20 Official Edition, is hereby amended by adding after the first paragraph the following paragraph:-

21 In implementing the requirements of this section, the department shall ensure that any
22 engineer whose stamp is affixed to plans or specifications has sufficient and specific experience
23 in the safe construction and operation of gas distribution systems, in addition to certification in
24 any branch of engineering pursuant to section 81E of chapter 112, and notwithstanding the
25 provisions of clause (l) of section 81R of chapter 112.

26 SECTION 3. Chapter 164 of the General Laws is amended by inserting after section 75H,
27 as appearing in the 2018 Official Edition, the following:-

28 Section 75I:

29 No later than December 31, 2020, each natural gas company in the Commonwealth shall
30 have a call and dispatch center located within the company's service territory for the purpose of
31 receiving calls regarding the potential or actual presence of gas odors, fires, explosions, high

32 pressure or over-pressurization, low pressure or no pressure, carbon monoxide and any other
33 circumstance that may present a threat to public safety and well-being. The call and dispatch
34 center shall have the ability to promptly notify and dispatch all necessary company employees
35 and notify public safety officials who need to be alerted to such calls.

36 SECTION 4. Section 105A of chapter 164, as appearing in the 2018 Official Edition, is
37 amended by striking out the second paragraph, and inserting in place thereof the following:-

38 Any person, firm or corporation who, after notice and an opportunity for a hearing, is
39 found to have violated any provision of any code adopted by the department pertaining to the
40 safety of pipeline facilities and the transportation of gas, or any regulation or rule thereunder,
41 shall be subject to a civil penalty of not more than \$500,000 for each violation. A separate
42 violation occurs for each day the violation continues. The maximum civil penalty under this
43 paragraph for a related series of violations is \$5,000,000. In assessing any penalty, the
44 department shall consider: (i) the nature, circumstances, and gravity of the violation; (ii) the
45 degree of culpability of the violator, and any history of prior violations; (iii) good faith in
46 attempting to comply; (iv) the financial impact on the violator to pay any fine: and (iv) any other
47 matters that justice requires.

48 SECTION 5. The Department of Public Utilities shall adopt regulations implementing
49 SECTION 1 no later than 270 days after this bill is enacted into law.