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Texas agency OKs rule requiring drillers to disclose chemicals used in fracking

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The Texas Railroad Commission adopted a rule Tuesday that will require oil and natural gas operators to publicly disclose the chemicals used and water volumes required for hydraulic fracturing of wells starting Feb. 1.

With the new rule, prompted by a state law enacted this year, "Texans can be assured they will know more about what is going into the ground for fracturing than what goes into a can of soda," Commission Chairwoman Elizabeth Ames Jones said in a statement.

The requirement will apply to wells permitted by the Railroad Commission on or after Feb. 1. Information must be posted at www.fracfocus.org.

The website, launched in April, was implemented by the Ground Water Protection Council and Interstate Oil and Gas Compact Commission, national organizations associated with state agencies such as the Texas Railroad Commission, the chief regulator of the state's oil and gas industry, and the Texas Commission on Environmental Quality.

Numerous Texas oil and gas operators, as well as energy companies operating in other states, have been voluntarily entering information on the website about chemicals used in fracking individual wells.

Information has already been posted "for about half of all wells in Texas undergoing hydraulic fracturing," Jones said.

With passage of the mandatory Hydraulic Fracturing Fluid Disclosure Rule, "we have successfully fulfilled our commitment from earlier this year to ensure that Texans know every single ingredient used in the hydraulic fracturing process," Jones said.

While the individual chemicals must be disclosed, "a supplier, service company or operator" is not required to disclose trade secrets about their fracking fluid formula unless the state attorney general or a court "determines the information is not entitled to trade-secret protection," the commission said.

Environmental groups and residents in areas with oil and natural gas operations have long clamored for mandatory disclosure of fracking chemicals out of concern that they could contaminate groundwater. In Texas, the Sierra Club and Environmental Defense Fund were strong advocates of a fracking disclosure rule.

The new rule is especially significant for Texas, because it has drilled more than 40 percent of new U.S. wells this year and is the nation's leading oil and natural gas producer. North Texas' Barnett Shale is the No. 2 gas-producing area in the nation.

In hydraulic fracturing, huge volumes of water and sand, along with chemical additives, are pumped under high pressure into a well bore to create small cracks in dense geological formations that allow oil and gas to flow to the surface.

Colorado regulators also approved rules Tuesday that will require energy companies to disclose chemicals used in fracking and also ask drillers to make public some information about ingredients considered trade secrets, The Associated Press reported. The Colorado rules take effect in April.

Arkansas, Montana, Texas and Wyoming require companies to disclose the chemicals in fracking fluid but not the concentrations, which Colorado will require, said Matt Watson, senior energy policy manager for the Environmental Defense Fund.

Louisiana and New Mexico require only the disclosure of some chemicals deemed workplace hazards by the Occupational Safety and Health Administration. Other states, including Michigan and Pennsylvania, have proposed similar regulations.

Online: www.fracfocus.org

This report includes material from The Associated Press.

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