

2011- Hydraulic Fracturing Disclosure Rulemaking

On December 13, 2011, Colorado regulators unanimously passed a Hydraulic Fracturing Disclosure Rule that requires comprehensive public disclosure of the chemicals used in hydraulic fracturing treatments. The rule represents a balanced compromise between industry and environmental groups, providing transparency while protecting proprietary information.

Starting in April 2012, this rule (205A.) was applied to all hydraulically fractured treatments performed in Colorado¹. The rules include public disclosure of hydraulic fracturing chemicals using FracFocus.org in addition to disclosure of the volume of water used and the concentration of chemicals in the hydraulic fracturing fluid.

This rule also requires operators to provide the Colorado Oil and Gas Conservation Commission (COGCC) with 48 hours prior notice before hydraulically fracturing a well. Operators must file their chemical registry form within 60 days of completing a hydraulic fracturing treatment.

This rule protects proprietary information by allowing operators to file a Form 41 for claimed trade secrets, however, in the case of an emergency, companies must disclose all ingredients to health care workers. Operators are still required to disclose information about chemical family when filing Form 41. The passage of this rule further demonstrates that Colorado's oil and gas industry is committed to operating in a transparent and safe manner.

¹ <http://cogcc.state.co.us/documents/reg/Rules/LATEST/200Series.pdf>