

FAQs - Hydraulic Fracturing Chemical Disclosure Registry & Completion Report

Question:

How does an operator report their hydraulic fracturing chemicals used in the stimulation of an unconventional well to the Hydraulic Fracturing Chemical Disclosure Registry (Title 58, Section 3222.1)?

Answer:

The Oil & Gas Act of 2012 requires operators of an unconventional well that is hydraulically fractured shall complete the chemical disclosure registry form and post the form to the Chemical Disclosure Registry web site. The Chemical Disclosure Registry website developed by the Ground Water Protection Council and the Interstate Oil and Gas Compact Commission is known as FracFocus©. The FracFocus© web site address is www.fracfocus.org.

To register your company, use the link on the website or follow this link:

<https://www.fracfocusdata.org/Account/RegisterOperator.aspx>. A user guide and training materials on managing your company's access to the site, creating a chemical disclosure report and submitting the report to the disclosure registry are available on the secure web site.

Question:

Are the compliance times for submittal for both the PA DEP Completion Report (8000-FM-OOGM0004b) and the Hydraulic Fracturing Chemical Disclosure Registry Report the same in Pennsylvania?

No. Both the point in development of the unconventional well where the reports are required, and the submittal period are different between the two reports.

Table: Oil and Gas Operator Chemical Reporting for Hydraulic Fracturing / Stimulation of Unconventional Wells

Reporting	FracFocus©	Completion Report
Requirements	Title 58 - OIL AND GAS - § 3222.1. Hydraulic fracturing chemical disclosure requirements	Title 58 - OIL AND GAS § 3222. Well reporting requirements
Days ¹ to submit report	60 days	30 days
From	following the conclusion of hydraulic fracturing ²	after completion of the well, when the well is capable of production
What	all chemicals that were intentionally added to the stimulation fluid	all chemicals intentionally added to the stimulation fluid
Submit additives claimed to be a trade secrets and/or confidential proprietary information	NO	YES
To	Hydraulic Fracturing Chemical Registry - FracFocus© http://www.fracfocus.org	Pennsylvania Department of Environmental Protection - eLibrary
Form	Electronic (XML format)	8000-FM-OOGM0004b

¹ Days = Calendar Days

² Hydraulic Fracturing is the fracturing of rock by pressurized fluids.

Question:

Are operators (or their service companies) required to submit to the department chemical additives to the hydraulic fracturing fluid that are being claimed under the act of February 14, 2008 (P.L.6, No.3), known as the Right-to-Know Law (or other applicable State law) as containing a trade secret or confidential proprietary information?

Yes.

§ 3222. Well reporting requirements.

(b.2) Trade secret or confidential proprietary information.--When an operator submits its stimulation record under subsection (b.1), the operator may designate specific portions of the stimulation record as containing a trade secret or confidential proprietary information. The department shall prevent disclosure of a designated trade secret or confidential proprietary information to the extent permitted by the act of February 14, 2008 (P.L.6, No.3), known as the Right-to-Know Law or other applicable State law.

§ 78.122. Well record and completion report.

(c) When the well operator submits a stimulation record, it may designate specific portions of the stimulation record as containing a trade secret or confidential proprietary information. The Department will prevent disclosure of the designated confidential information to the extent permitted under the Right-to-Know Law (65 P. S. § § 67.101—67.3103).

Under these provisions, the specific portions of the stimulation record being designated by the operator (or service company) as containing a trade secret or confidential proprietary information are to be submitted on the Completion Report, as provided by the department on the PA DEP web site. This designated information must be detailed on the page (and as many copies of the pages as necessary for all the information or for all the service providers) titled “CONFIDENTIAL -STIMULATION FLUID ADDITIVES - CONFIDENTIAL”. The operator is responsible for the submittal of this information even if the required information is being submitted by a third party.