

Regular Session, 2012
HOUSE BILL NO. 957

ACT No. 812

BY REPRESENTATIVE EDWARDS

1 AN ACT

2 To enact R.S. 30:4(L), relative to hydraulic fracturing; to provide for the authority of the
3 commissioner of conservation to promulgate rules, regulations, and orders; to
4 provide for the reporting of additives and ingredients of hydraulic fracturing fluid;
5 to provide for reporting of certain ingredients with trade secret protection; and to
6 provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 30:4(L) is hereby enacted to read as follows:

9 §4. Jurisdiction, duties, and powers of the assistant secretary; rules and regulations

10 * * *

11 L.(1) The commissioner shall make, after notice and hearings as provided
12 in this Chapter, any reasonable rules, regulations, and orders that are necessary to
13 require the operator of a well, which utilizes the application of fluids with force or
14 pressure in order to create artificial fractures in the formation for the purpose of
15 improving the capacity to produce hydrocarbons, to report no later than twenty days
16 following the completion of hydraulic fracturing stimulation operations and in a
17 manner determined by the commissioner the following:

18 (a) The type and volume of the hydraulic fracturing fluid.

19 (b) A list of additives used, including the specific trade name and the
20 supplier of the additive.

21 (c) A list of ingredients contained in the hydraulic fracturing fluid, the
22 associated CAS registry number, and the maximum concentration of each ingredient
23 in percent by mass that is subject to the requirements of 29 Code of Federal
24 Regulations §1910.1200(g)(2). Such rules, regulations, and orders shall provide for

1 an ingredient that is subject to trade secret protection under the criteria set forth in
 2 42 U.S.C. 11042(a)(2), and require the operator to provide the contact information
 3 of the entity claiming trade secret protection for a listed product and to report, at a
 4 minimum, in such cases the chemical family associated with such ingredient. An
 5 operator will not be responsible for reporting information that is not provided to the
 6 operator due to a claim of trade secret information.

7 (2) Nothing in this Subsection shall authorize any person to withhold
 8 information which is required to be disclosed by state or federal law.

9 (3) Any information provided pursuant to the provisions of this Subsection
 10 shall be subject to examination and reproduction as provided by the Public Records
 11 Law, R.S. 44:1 et seq, or any other applicable law.

12 (4) The provisions of this Subsection shall not apply to operations conducted
 13 solely for the purposes of sand control or reduction of near wellbore damage.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____