

Kansas Administrative Regulations

Kansas Corporation Commission

Article 3.—Production and Conservation of Oil and Gas

82-3-1401. Hydraulic fracturing treatment; chemical disclosure.

(a) Applicability. This regulation shall apply to each hydraulic fracturing treatment that uses more than 350,000 gallons of base fluid.

(b) Operator disclosures. Unless the operator submits all information to the chemical disclosure registry under subsection (f), the operator shall submit to the commission a list of each hydraulic fracturing treatment as part of the completion report required by K.A.R. 82-3-130. The list shall include the following information, as a percentage by mass of the total amount of hydraulic fracturing fluid:

- (1) The base fluid used, including its total volume;
- (2) each proppant; and
- (3) each chemical constituent at its maximum concentration in the hydraulic fracturing fluid and its CAS number.

(c) Disclosures not required. No operator shall be required to disclose any chemical constituent that meets any of the following conditions:

- (1) Is the incidental result of a chemical reaction or chemical process;
- (2) is a component of a naturally occurring material and becomes part of the hydraulic fracturing fluid during the hydraulic fracturing treatment; or
- (3) is a trade secret.

(d) Trade secrets. Each operator reporting that a chemical constituent is a trade secret shall indicate to the commission that disclosure of the chemical constituent is being withheld pursuant to a trade secret claimed by the operator, manufacturer, supplier, or service company. The operator shall provide the name of the chemical family or a similar descriptor and the name, authorized representative, mailing address, and phone number of the party claiming the trade secret.

(e) Inaccurate or incomplete information. No operator shall be responsible for inaccurate or incomplete information provided by a manufacturer, supplier, or service company.

(f) Alternate disclosure mechanism. In lieu of complying with subsection (b), the operator may submit the information required by subsection (b) to the chemical disclosure registry. The operator shall submit verification of prior submission to the chemical disclosure registry as part of the completion report required by K.A.R. 82-3-130. Each submission to the chemical disclosure registry shall also include the following information:

- (1) The operator's name;
- (2) the date on which the hydraulic fracturing treatment began;
- (3) the county in which the treated well is located;
- (4) the American petroleum institute number for the well;
- (5) the well name and number;
- (6) the global positioning system (GPS) location of the wellhead; and
- (7) the true vertical depth of the well.

(Authorized by and implementing K.S.A. 2012 Supp. 55-152; effective Dec. 2, 2013.)

***** Authenticated Kansas Administrative Regulation *****