

## voluntary disclosure of hydraulic fracturing is insufficient



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There's a new website called [FracFocus](#). FracFocus is a joint project of the Ground Water Protection Council and the Interstate Oil and Gas Compact Commission. Oil and natural gas producers can voluntarily upload data onto the FracFocus website for wells that are hydraulically fractured. Information provided by operators may include the hydraulic fracturing ("fracking") date, location, the name of the service company that supplied the fracking product, a list of the ingredients in the frack fluid, and the maximum ingredient concentration.

For a non-techy person like myself, the website is very user friendly. We do, however, have concerns:

- 1) Not all companies are participating; it is purely voluntary.
- 2) Information on the chemicals comes from the chemical supplier and there is no third-party verification process.
- 3) The only chemical ingredients listed are those found on a fracking fluid's Material Safety Data Sheet (MSDS). I've [blogged before](#) about why MSDS information is insufficient. In an analysis of 980 oil and gas products, it was found that the MSDS for almost half of them (421) [reported less than 1%](#) of the total composition of the product, only 30% (291) provided information on more than half of the chemical composition, and only 133 products (14%) had information on more than 95% of their full composition.
- 4) Companies can withhold information on any product they deem to be a trade secret with proprietary information. When government agencies manage chemical disclosure, there is a legal process in place whereby, if a company asks for trade secret protection, a state agency determines whether the information truly deserves such protection under the law. If members of the public do not agree with how the state agency is granting trade secret protection, they can legally challenge it. On the FracFocus website, the companies get to decide for themselves what they want to keep secret.
- 5) The frack chemical information is provided only after fracturing takes place. This is an important piece of information for the public, but it's not the only piece. Under Wyoming rules, for example, the company has to tell the state both what it plans to use before the fracking operation takes place and what it actually used during the frack job. This is important because sometimes a company will change frack fluids based on what circumstances are encountered when fracking a well. Benefits of this "before and after" disclosure approach are that: (a) it gives local residents the best information for testing their water **before** the fracking takes place, so they can obtain a baseline sample and test to ensure none of the fracking chemicals are in their water; and (b) residents or authorities can know what was actually used, which is important information for water testing after fracking occurred.

For all these reasons, FracFocus is a nice gesture, but it does not satisfy the public need for full disclosure of fracking chemicals, as would be provided by the [FRAC Act](#). NRDC still supports federal regulation and disclosure under the FRAC Act.

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[Robert Finne](#) — May 19 2011 01:47 PM

"Under Wyoming rules, for example, the company has to tell the state both what it plans to use before the fracking operation takes place and what it actually used during the frack job."

The states disclosure rules in both Wyoming and Arkansas both allow for the trade secret provisions.