1	INTERIM STUDY PROPOSAL 2011-043	
2	State of Arkansas As Engrossed:	
3	88th General Assembly A B1	.11
4	Regular Session, 2011	HOUSE BILL 1396
5		
6	By: Representative Webb	
7	Filed with: Interim House Committee on	Agriculture, Forestry and Economic Development
8		pursuant to A.C.A. §10-3-217.
9	For An Act To	Be Entitled
10	AN ACT TO REQUIRE FULL DISCLOSURE REGARDING NATURAL	
11	GAS DRILLING CHEMICALS; AND FOR OTHER PURPOSES.	
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14	Subtitle	
15	AN ACT TO REQUIRE FULL DISCLOSURE	
16	REGARDING NATURAL GAS DRILLING CHEMICALS.	
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19	BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:	
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21	SECTION 1. Arkansas Code § 15-72-20	l is amended to read as follows:
22	15-72-201. Definitions.	
23	As used in this act, unless the con	text otherwise requires:
24	(1) "Additive" means any substance	or combination of substances,
25	including proppant, having a specified pu	rpose that is combined with a
26	<u>hydraulic fracturing fluid;</u>	
27	<u>(2) "Chemical abstract service" me</u>	ans the chemical registry that is
28	the authoritative collection of disclosed	chemical substance information;
29	<u>(3) "Chemical constituent" means a</u>	discrete chemical with its own
30	specific name or identity, including with	out limitation a chemical abstract
31	service number, that is contained in an a	<u>dditive;</u>
32	(4)(A) "Drilling fluid" means a nu	mber of liquid and gaseous fluids
33	and mixtures of fluids and solids, including without limitation solid	
34	suspensions, mixtures, and emulsions of 1	iquids, gases, cuttings, and other
35	solids, utilized during oil or gas drilling operations.	
36	(B) "Drilling fluid" is generally synonymous with drilling mud;	

1	(5)(A) "Drilling mud" includes all types of water-based, oil-based,	
2	and synthetic-based drilling fluids.	
3	(B) "Drilling mud" typically contains bentonitic clays, chemical	
4	additives, foaming agents, lubricants, emulsifiers, and weighting materials,	
5	and encompasses most muds used in drilling operations, especially muds that	
6	contain significant amounts of suspended solids, emulsified water or oil;	
7	(6) "Hydraulic fracturing fluid" means the base fluid type utilized in	
8	a particular hydraulic fracturing treatment;	
9	(1)(7) "Operator" means the person who has the right to enter upon the	
10	lands of another for the purpose of exploring, drilling, and developing for	
11	the production of brine, oil, gas, and all other petroleum hydrocarbons;	
12	(2)(8) "Person" means any natural person, corporation, association,	
13	partnership, trustee, guardian, executor, administrator, fiduciary, or	
14	representative of any kind; and	
15	(9) "Substance" means all drilling and hydraulic fracturing fluids,	
16	additives, and chemical constituents; and	
17	(3)<u>(10)</u> "Surface owner" means the owner or owners of record of the	
18	surface of the property on which the drilling operation is to occur.	
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20	SECTION 2. Arkansas Code Title 15, Chapter 72, Subchapter 2 is amended	
21	to add an additional section to read as follows:	
22	15-72-220. Hydraulic fracturing treatment disclosure.	
23	<u>The Arkansas Oil and Gas Commission shall develop rules by the</u>	
24	effective date of this act to amend Rule B-19 for hydraulic fracturing	
25	treatment to require that oil and gas developers, before and after a	
26	hydraulic fracturing treatment, publicly disclose the:	
27	(1) Projected and actual volume and source of the water used in	
28	the operation;	
29	(2)(A) The projected and actual chemical abstract service number	
30	and volume of each substance used in drilling and hydraulic fracturing	
31	treatment of the well.	
32	(B) The trade secrets exemption for disclosure of the	
33	chemicals shall follow the federal standards set out in the Emergency	
34	Planning and Community Right to Know Act and its implementing regulations in	
35	40 C.F.R. Pt. 350, as in effect on January 1, 2011;	
36	(3) Projected and actual content of the drilling fluid;	

1	(4) Volume of produced water that returned to the surface;
2	(5) Explanation of how all fluid and solid waste from the
3	operation will be and were disposed;
4	(6) Location of all surface and underground water sources within
5	one (1) mile of the drill site and plans to mitigate damage to those sources;
6	(7) Location of all fault lines and fissures within one (1) mile
7	of a gas drill site or salt injection site;
8	(8) Number, size, and location of impoundments used to collect
9	water for the drilling processes; and
10	(9)(A) The name, address, and details of the responsible party
11	for maintaining the gas well site or salt injection well site once the well
12	has been depleted, reached capacity, or closed down for any reason.
13	(B) Details are to include without limitation information
14	concerning the inspection, maintenance, and clean up of any natural or
15	<u>unnatural disaster.</u>
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17	/s/Webb
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32	Referred by the Arkansas House of Representatives
33	Prepared by: MGF/VJF
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