

-DISCUSSION DRAFT-

Sense of the Senate Language

Hydraulic Fracturing

General Provisions

- Natural gas is a proven energy source that can provide substantial amounts of secure, clean energy to the Nation.
- As the natural gas industry expands, governments and industry have critical roles toward continuing to assure the public that hydraulic fracturing operations are effectively managed and regulated and that human health and the environment are protected.

State Regulation

- States with existing oil and gas regulatory programs have the authority to and are best situated to continue regulating hydraulic fracturing processes and procedures.
- Chemical disclosure and industry recommended practices related to well construction and integrity are important considerations and States should prioritize regulatory capacity as they maintain primary responsibility for regulating hydraulic fracturing.

Chemical Disclosure

- States with existing oil and gas regulatory programs are encouraged to adopt hydraulic fracturing fluid chemical disclosure standards that ensure adequate provision for disclosure of hydraulic fracturing fluid chemical composition to health professionals or State agencies when necessary to protect human health or the environment, while also maintaining the confidentiality of trade secret information.
- States should encourage all oil and gas well operators to maintain a Material Safety Data Sheet (MSDS) for each chemical located on a well site and that the operator should retain the MSDS while drilling, hydraulic fracturing well stimulation, completion and well work over activities are occurring. The MSDS should be maintained on the well site until all chemicals used during any activities are removed from the well site.

Well Integrity Best Practices

- To ensure the adequate protection of underground sources of drinking water, States with existing oil and gas regulatory programs should continue to maintain standards to ensure that proper measures are in place to isolate any underground sources of drinking water from the conduct of hydraulic fracturing operations.
- Industry has developed recommended practices for the installation of protective casing and the use of cement to prevent groundwater contamination and states are encouraged to evaluate the application of such practices included in relevant American Petroleum Institute “Hydraulic Fracturing Operations—Well Construction and Integrity Guidelines - October 2009” and updates thereto.

