

May 6, 2011

RE: Respectfully requesting your support for HB 3328

Members of the Texas Legislature:

On Wednesday, May 4, the House Energy Resources Committee voted out a landmark piece of legislation related to the public disclosure of ingredients used in hydraulic fracturing fluids on wells drilled in Texas. HB 3328, sponsored by Chairman Jim Keffer, would, if passed, make Texas the first state in the union to mandate by statute the full disclosure of all chemical content in these fluids on a well-by-well basis, and establish a clear model for other states to follow.

The organizations undersigned to this letter are in full support of HB 3328 as passed out of the committee. We believe it is critical for producers of U.S. natural gas - 30% of which is produced in Texas - to address the public desire to be fully informed of the content of hydraulic fracturing fluids.

We also fully support the FracFocus voluntary national disclosure system operated by the Groundwater Protection Council and the Interstate Oil & Gas Compact Commission and are committed to compliance with it for wells drilled in all states. While HB 3328 goes beyond the MSDS standard level reporting required by the Frac Focus system, the operating companies represented by this letter support that additional level of disclosure and are convinced it can be accomplished using the Frac Focus template.

It is also critically important that regulation of hydraulic fracturing remain with the state agencies who have so successfully regulated this process since 1947. HB 3328 accomplishes this by authorizing the Texas Railroad Commission to draft and enforce regulations implementing the program elements outlined in the bill. As such, we believe HB 3328 creates a proper structure for accomplishing mandatory full public disclosure of this fluid content for Texas wells through the use of the Frac Focus template, while also providing appropriate trade secret protections for the oilfield service companies who own the proprietary rights to these frac fluid formulae.

Our organizations are grateful to Chairman Keffer, the Co-Authors and Committee Members for their tireless efforts in pursuit of this critical piece of legislation, and we urge you to vote in favor of this bill as it was passed out of the Committee.

