COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
OFFICE OF OIL AND GAS MANAGEMENT

REGISTRATION OF TRADE SECRET/CONFIDENTIAL PROPRIETARY STIMULATION FLUID CHEMICAL INFORMATION FORM INSTRUCTIONS

THE RIGHT-TO-KNOW LAW (RTKL) AND THE DESIGNATION OF TRADE SECRET AND\OR CONFIDENTIAL PROPRIETARY INFORMATION

If certain chemical information will be designated as containing trade secret and/or confidential proprietary information in a Stimulation Record of a Completion Report, 8000-FM-OOGM0004b, that will be submitted to the Department, a Registration of Trade Secret/Confidential Proprietary Stimulation Fluid Chemical Information (Registration of Chemicals) form, must be completed. This is a separate process from the preparation and submission of the Completion Report, 8000-FM-OOGM0004b, to designate trade secret and/or confidential proprietary chemical information. This separate process protects designated information, to the extent permitted by the law, in the event of a RTKL request.

Prior to the submission of the Completion Report, well operators, well service providers, chemical suppliers/vendors, and chemical manufacturers may designate trade secret and/or confidential proprietary information by completing the Registration of Chemicals form, including (1) List of Code(s), (2) Written Statement, and (3) Chemical Information. Please note that the Written Statement must include a brief justification explaining why the information is trade secret and/or confidential proprietary information. (See page 2 of the form). Failure to provide both notice and a justification may result in disclosure of this information in the event of a RTKL request. Not following this separate process could impair protection of trade secret and/or confidential proprietary information.

The Registration of Chemicals form is to facilitate the disclosure of trade secret and/or confidential proprietary stimulation fluid chemical information directly to the Department of Environmental Protection (DEP). This form is for your use to designate stimulation fluid chemicals as trade secret and/or confidential proprietary information and assign codes for these chemicals. The assigned codes are provided to and used by the well operator for entering stimulation fluid additive/chemical information within the electronic Completion Report, submitted to DEP. The assigned code is used, instead of the chemical name and Chemical Abstract Services (CAS) number for the chemical that is designated as trade secret and/or confidential proprietary information.

Provide the contact information (name, title, telephone number, address, city, state, zip code, and signature) of the individual making the assertion that the listed information is trade secret and/or confidential proprietary information.

Submit the following three separate pages to the Department:
List of Chemical Codes (Page 1)
Written Statement (Page 2)
Chemical Information (Page 3) (NOTE: Submit separately in a sealed envelope.)

SUBMITTER INFORMATION

Company/Organization/Individual Name – Enter the company, organization, or individual name of the well operator, well service provider, supplier/vendor, or chemical manufacturer that is submitting this form.

Entity Type Code – Enter the code from the list below identifying the entity type of the well operator, well service provider, supplier/vendor, or chemical manufacturer that is submitting this form.

INDIV – Individual
LLC – Limited Liability Company
LLP – Limited Liability Partnership
NPACO – Non-Pennsylvania Corporation
OTHER – Other
PACOR – Pennsylvania Corporation
PARTG – Partnership, General
PARTL – Partnership, Limited

EIN – Enter the Employer Identification Number (Taxpayer ID number) of the well operator, well service provider, supplier/vendor, or chemical manufacturer that is submitting this form.

Address, City, State, Zip Code – Enter the address, city, state, and zip code of the well operator, well service provider, supplier/vendor or chemical manufacturer that is submitting this form.

Country – If the well operator, well service provider, supplier/vendor, or chemical manufacturer that is submitting this form is located outside of the United States, enter the country in which that entity is located.

Contact Individual – Enter the last name, first name, middle initial, and suffix (if applicable) of the individual who DEP should contact regarding any questions pertaining to this submission.

Contact Individual Title – Enter the job title of the contact individual.

Contact Individual Telephone Number – Enter the telephone number of the contact individual.

Contact Individual Email Address – Enter the email address of the contact individual.

LIST OF CHEMICAL CODES

Enter an assigned code for each particular chemical. This is the code that the well operator(s) will use for entering stimulation fluid additive/chemical information in the electronic Registration of Chemicals for submission to DEP. The code's format must be the name of the submitter's company/organization, followed by a hyphen, followed by the chemical family or similar description associated with the chemical, followed by another hyphen, followed by a unique five digit sequence (e.g., PADEP-Alcohol-00001). The code for each specific chemical must be unique.

WRITTEN STATEMENT

Please provide notice and a brief justification explaining why the information is trade secret and/or confidential proprietary information. Provide the contact information (name, title, telephone number, address, city, state, zip code, and signature) of the individual making the assertion that the listed information is trade secret and/or confidential proprietary information. The date signed may be typed or hand written. Note: DEP shall prevent disclosure of designated trade secret and/or confidential proprietary information to the extent permitted by Pa. C.S. RTKL, 65 P.S. Sections 67.101-3104, or any other applicable law or court order.

SUBMITTER INFORMATION

Provide the same submitter information as provided on page 1.

CHEMICAL INFORMATION

Chemical Code – Enter the code that you have assigned, as listed on page 1, for each chemical designated as trade secret and/or confidential proprietary information. The codes must be listed in the same sequence as on page 1.

CAS No. of Chemical – If a CAS number has been assigned, enter the number, for the chemical associated with the assigned chemical code listed to the left. If a CAS number has not been assigned to a particular chemical, enter "Not Assigned".

Chemical Name – Enter the name of each chemical associated with the assigned chemical code listed to the left.

SUBMISSION

Mail the form to the address below. **Note: Page 3 of the form should be in a separate sealed envelope clearly labeled "Confidential". Failure to follow these instructions could compromise the protection of your trade secret and/or confidential proprietary information.**

Pennsylvania Department of Environmental Protection
Bureau of Oil & Gas Planning & Program Management
Division of Compliance & Data Administration
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