

Sub. H.B. 49
LSC 132 0001-3

_____ moved to amend as follows:

In line 31 of the title, after "1509.071," insert "1509.10," 1

In line 232 of the title, after "5923.05," insert "6109.34," 2

In line 233 of the title, after "6111.046," insert "6111.05," 3

In line 503, after "1509.071," insert "1509.10," 4

In line 630, after "5923.05," insert "6109.34," 5

In line 631, after "6111.046," insert "6111.05," 6

Between lines 20462 and 20463, insert: 7

"**Sec. 1509.10.** (A) Any person drilling within the state 8
shall, within sixty days after the completion of drilling 9
operations to the proposed total depth or after a determination 10
that a well is a dry or lost hole, file with the division of oil 11
and gas resources management all wireline electric logs and an 12
accurate well completion record on a form that is prescribed by 13
the chief of the division of oil and gas resources management that 14
designates: 15

(1) The purpose for which the well was drilled; 16

(2) The character, depth, and thickness of geological units 17
encountered, including coal seams, mineral beds, associated fluids 18
such as fresh water, brine, and crude oil, natural gas, and sour 19

gas, if such seams, beds, fluids, or gases are known; 20

(3) The dates on which drilling operations were commenced and 21
completed; 22

(4) The types of drilling tools used and the name of the 23
person that drilled the well; 24

(5) The length in feet of the various sizes of casing and 25
tubing used in drilling the well, the amount removed after 26
completion, the type and setting depth of each packer, all other 27
data relating to cementing in the annular space behind such casing 28
or tubing, and data indicating completion as a dry, gas, oil, 29
combination oil and gas, brine injection, or artificial brine well 30
or a stratigraphic test; 31

(6) The number of perforations in the casing and the 32
intervals of the perforations; 33

(7) The elevation above mean sea level of the point from 34
which the depth measurements were made, stating also the height of 35
the point above ground level at the well, the total depth of the 36
well, and the deepest geological unit that was penetrated in the 37
drilling of the well; 38

(8) If applicable, the type, volume, and concentration of 39
acid, and the date on which acid was used in acidizing the well; 40

(9)(a) If applicable, the trade name and the total amount of 41
all products, fluids, and substances, and the supplier of each 42
product, fluid, or substance, not including cement and its 43
constituents and lost circulation materials, intentionally added 44
to facilitate the drilling of any portion of the well until the 45
surface casing is set and properly sealed. The owner shall 46
identify each additive used and provide a brief description of the 47
purpose for which the additive is used. In addition, the owner 48

shall include a list of all chemicals, not including any
information that is designated as a trade secret pursuant to
division (I)(1) of this section, intentionally added to all
products, fluids, or substances and include each chemical's
corresponding chemical abstracts service number and the maximum
concentration of each chemical. The owner shall obtain the
chemical information, not including any information that is
designated as a trade secret pursuant to division (I)(1) of this
section, from the company that drilled the well, provided service
at the well, or supplied the chemicals. If the company that
drilled the well, provided service at the well, or supplied the
chemicals provides incomplete or inaccurate chemical information,
the owner shall make reasonable efforts to obtain the required
information from the company or supplier.

(b) For purposes of division (A)(9)(a) of this section, if
recycled fluid was used, the total volume of recycled fluid and
the well that is the source of the recycled fluid or the
centralized facility that is the source of the recycled fluid.

(10)(a) If applicable, the type and volume of fluid, not
including cement and its constituents or information that is
designated as a trade secret pursuant to division (I)(1) of this
section, used to stimulate the reservoir of the well, the
reservoir breakdown pressure, the method used for the containment
of fluids recovered from the fracturing of the well, the methods
used for the containment of fluids when pulled from the wellbore
from swabbing the well, the average pumping rate of the well, and
the name of the person that performed the well stimulation. In
addition, the owner shall include a copy of the log from the
stimulation of the well, a copy of the invoice for each of the
procedures and methods described in division (A)(10) of this
section that were used on a well, and a copy of the pumping

pressure and rate graphs. However, the owner may redact from the
copy of each invoice that is required to be included under
division (A)(10) of this section the costs of and charges for the
procedures and methods described in division (A)(10) of this
section that were used on a well.

(b) If applicable, the trade name and the total volume of all
products, fluids, and substances, and the supplier of each
product, fluid, or substance used to stimulate the well. The owner
shall identify each additive used, provide a brief description of
the purpose for which the additive is used, and include the
maximum concentration of the additive used. In addition, the owner
shall include a list of all chemicals, not including any
information that is designated as a trade secret pursuant to
division (I)(1) of this section, intentionally added to all
products, fluids, or substances and include each chemical's
corresponding chemical abstracts service number and the maximum
concentration of each chemical. The owner shall obtain the
chemical information, not including any information that is
designated as a trade secret pursuant to division (I)(1) of this
section, from the company that stimulated the well or supplied the
chemicals. If the company that stimulated the well or supplied the
chemicals provides incomplete or inaccurate chemical information,
the owner shall make reasonable efforts to obtain the required
information from the company or supplier.

(c) For purposes of division (A)(10)(b) of this section, if
recycled fluid was used, the total volume of recycled fluid and
the well that is the source of the recycled fluid or the
centralized facility that is the source of the recycled fluid.

(11) The name of the company that performed the logging of
the well and the types of wireline electric logs performed on the

well. 110

The well completion record shall be submitted in duplicate. 111

The first copy shall be retained as a permanent record in the 112

files of the division, and the second copy shall be transmitted by 113

the chief to the division of geological survey. 114

(B)(1) Not later than sixty days after the completion of the 115

drilling operations to the proposed total depth, the owner shall 116

file all wireline electric logs with the division of oil and gas 117

resources management and the chief shall transmit such logs 118

electronically, if available, to the division of geological 119

survey. Such logs may be retained by the owner for a period of not 120

more than six months, or such additional time as may be granted by 121

the chief in writing, after the completion of the well 122

substantially to the depth shown in the application required by 123

section 1509.06 of the Revised Code. 124

(2) If a well is not completed within sixty days after the 125

completion of drilling operations, the owner shall file with the 126

division of oil and gas resources management a supplemental well 127

completion record that includes all of the information required 128

under this section within sixty days after the completion of the 129

well. 130

(3) After a well is initially completed and stimulated and 131

until the well is plugged, the owner shall report, on a form 132

prescribed by the chief, all materials placed into the formation 133

to refracture, restimulate, or newly complete the well. The owner 134

shall submit the information within sixty days after completing 135

the refracturing, restimulation, or new completion. In addition, 136

the owner shall report the information required in divisions 137

(A)(10)(a) to (c) of this section, as applicable, in a manner 138

consistent with the requirements established in this section. 139

(C) Upon request in writing by the chief of the division of geological survey prior to the beginning of drilling of the well, the person drilling the well shall make available a complete set of cuttings accurately identified as to depth.

(D) The form of the well completion record required by this section shall be one that has been prescribed by the chief of the division of oil and gas resources management and the chief of the division of geological survey. The filing of a log as required by this section fulfills the requirement of filing a log with the chief of the division of geological survey in section 1505.04 of the Revised Code.

(E) If a material listed or designated under division (A)(9) or (10) or (B)(3) of this section is a material for which the division of oil and gas resources management does not have a material safety data sheet, the owner shall provide a copy of the material safety data sheet for the material to the chief.

(F) An owner shall submit to the chief the information that is required in divisions (A)(10)(b) and (c) and (B)(3) of this section consistent with the requirements established in this section using one of the following methods:

(1) On a form prescribed by the chief;

(2) Through the chemical disclosure registry that is maintained by the ground water protection council and the interstate oil and gas compact commission;

(3) Any other means approved by the chief.

(G) The chief shall post on the division's web site each material safety data sheet obtained under division (E) of this section. In addition, the chief shall make available through the division's web site the chemical information that is required by

divisions (A)(9) and (10) and (B)(3) of this section. 169

(H)(1) If a medical professional, in order to assist in the 170
 diagnosis or treatment of an individual who was affected by an 171
 incident associated with the production operations of a well, 172
 requests the exact chemical composition of each product, fluid, or 173
 substance and of each chemical component in a product, fluid, or 174
 substance that is designated as a trade secret pursuant to 175
 division (I) of this section, the person claiming the trade secret 176
 protection pursuant to that division shall provide to the medical 177
 professional the exact chemical composition of the product, fluid, 178
 or substance and of the chemical component in a product, fluid, or 179
 substance that is requested. 180

(2) A medical professional who receives information pursuant 181
 to division (H)(1) of this section shall keep the information 182
 confidential and shall not disclose the information for any 183
 purpose that is not related to the diagnosis or treatment of an 184
 individual who was affected by an incident associated with the 185
 production operations of a well. Nothing in division (H)(2) of 186
 this section precludes a medical professional from making any 187
 report required by law or professional ethical standards. 188

(I)(1) The owner of a well who is required to submit a well 189
 completion record under division (A) of this section or a report 190
 under division (B)(3) of this section or a person that provides 191
 information to the owner as described in and for purposes of 192
 division (A)(9) or (10) or (B)(3) of this section may designate 193
 without disclosing on a form prescribed by the chief and withhold 194
 from disclosure to the chief the identity, amount, concentration, 195
 or purpose of a product, fluid, or substance or of a chemical 196
 component in a product, fluid, or substance as a trade secret. The 197
 owner or person may pursue enforcement of any rights or remedies 198

established in sections 1333.61 to 1333.69 of the Revised Code for
 misappropriation, as defined in section 1333.61 of the Revised
 Code, with respect to the identity, amount, concentration, or
 purpose of a product, fluid, or substance or a chemical component
 in a product, fluid, or substance designated as a trade secret
 pursuant to division (I)(1) of this section. The Except as
 provided in division (J)(2) of this section, the division shall
 not disclose information regarding the identity, amount,
 concentration, or purpose of any product, fluid, or substance or
 of any chemical component in a product, fluid, or substance
 designated as a trade secret pursuant to division (I)(1) of this
 section.

(2) A property owner, an adjacent property owner, or any
 person or agency of this state having an interest that is or may
 be adversely affected by a product, fluid, or substance or by a
 chemical component in a product, fluid, or substance may commence
 a civil action in the court of common pleas of Franklin county
 against an owner or person described in division (I)(1) of this
 section challenging the owner's or person's claim to entitlement
 to trade secret protection for the specific identity, amount,
 concentration, or purpose of a product, fluid, or substance or of
 a chemical component in a product, fluid, or substance pursuant to
 division (I)(1) of this section. A person who commences a civil
 action pursuant to division (I)(2) of this section shall provide
 notice to the chief in a manner prescribed by the chief. In the
 civil action, the court shall conduct an in camera review of
 information submitted by an owner or person described in division
 (I)(1) of this section to determine if the identity, amount,
 concentration, or purpose of a product, fluid, or substance or of
 a chemical component in a product, fluid, or substance pursuant to
 division (I)(1) of this section is entitled to trade secret

protection.

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(J)(1) Except for any information that is designated as a trade secret pursuant to division (I)(1) of this section and except as provided in division (J)(2) of this section, the owner of a well shall maintain records of all chemicals placed in a well for a period of not less than two years after the date on which each such chemical was placed in the well. The chief may inspect the records at any time concerning any such chemical.

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(2) An owner or person who has designated the identity, amount, concentration, or purpose of a product, fluid, or substance or of a chemical component in a product, fluid, or substance as a trade secret pursuant to division (I)(1) of this section shall maintain the records for such a product, fluid, or substance or for a chemical component in a product, fluid, or substance for a period of not less than two years after the date on which each such product, fluid, or substance or each such chemical component in a product, fluid, or substance ~~was placed in the well~~ is brought to a location that is regulated under or is subject to this chapter or rules adopted under it. Upon the request of the chief, the owner or person, ~~as applicable,~~ immediately shall disclose the records or information to the chief if the records or information is necessary to respond to a spill, release, or investigation. ~~However~~ The owner or person who received a request for records or information under this division shall label and clearly identify all records or information designated as a trade secret.

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The chief may provide the records or information to any agency of the state or emergency responder that is responding to a spill or release or that is participating in an investigation of a spill or release that occurred at a location regulated under or

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subject to this chapter or rules adopted under it. If the chief 260
provides the records or information to an agency of the state or 261
an emergency responder, the chief shall notify, as soon as 262
practicable, the owner or person who disclosed the records or 263
information that the chief has provided the records or information 264
to the agency of the state or emergency responder, as applicable. 265
Unless otherwise authorized by the Revised Code, the chief or an 266
agency of the state or emergency responder receiving the records 267
or information shall not disclose the records or information that 268
is designated as a trade secret. 269

The provision of records or information by the chief to a 270
state agency or emergency responder under this division does not 271
affect the designation of a trade secret under division (I)(1) of 272
this section. In addition, the chief's provision of records or 273
information to a state agency or emergency responder under this 274
division does not subject the records or information to public 275
disclosure. Nothing in this division precludes an owner or person 276
who has designated the identity, amount, concentration, or purpose 277
of a product, fluid, or substance or of a chemical component in a 278
product, fluid, or substance as a trade secret and discloses 279
records or information to the chief pursuant to a request by the 280
chief under this division from requesting a confidentiality 281
agreement with a recipient of the records or information. 282

(K)(1) For purposes of correcting inaccuracies and 283
incompleteness in chemical information required by divisions 284
(A)(9) and (10) and (B)(3) of this section, an owner shall be 285
considered in substantial compliance if the owner has made 286
reasonable efforts to obtain the required information from the 287
supplier. 288

(2) For purposes of reporting under this section, an owner is 289

not required to report chemicals that occur incidentally or in trace amounts. 290
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(L) As used in this section, ~~the term "material:~~ 292

(1) "Material safety data sheet" shall conform to any 293
revision of or change in the term by the occupational safety and 294
health administration in the United States department of labor. 295

(2) "Emergency responder" means both of the following: 296

(a) A representative of a fire department as defined in section 3750.01 of the Revised Code; 297
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(b) The director or coordinator of a countywide emergency management agency established under section 5502.26 of the Revised Code." 299
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Between lines 100377 and 100378, insert: 302

"**Sec. 6109.34.** The director of environmental protection or 303
~~his~~ the director's duly authorized representative may enter at 304
reasonable times upon any private or public property to inspect 305
and investigate conditions relating to the construction, 306
maintenance, and operation of a public water system, and may take 307
samples for analysis. If entry or inspection authorized by this 308
section is refused, hindered, or thwarted, the director or ~~his~~ the 309
director's authorized representative may by affidavit apply for, 310
and any judge of a court of record may issue, an appropriate 311
inspection warrant necessary to achieve the purposes of this 312
chapter within the court's territorial jurisdiction. 313

During an emergency that requires the director or the 314
director's authorized representative to respond to protect public 315
health or safety or the environment or during an investigation of 316
such an emergency, the director or the director's authorized 317

representative may share any complete records, reports, or 318
information or any part of a record, report, or information that 319
has been designated as containing trade secret information in 320
accordance with section 6111.05 of the Revised Code. A person that 321
receives such records, reports, or information or any such part 322
shall maintain the confidentiality of the records, reports, or 323
information or any such part and use them only for the purposes 324
established in division (D) of that section. 325

The sharing of complete records, reports, or information or 326
any part of a record, report, or information that has been 327
designated as containing trade secret information in accordance 328
with division (D) of section 6111.05 of the Revised Code does not 329
change the status of the records, reports, or information or any 330
such part as being designated a trade secret pursuant to that 331
section. In addition, the sharing does not subject the records, 332
reports, or information or any such part to public disclosure." 333

Between lines 101420 and 101421, insert: 334

"**Sec. 6111.05. (A)** The director of environmental protection, 335
on the director's own initiative, may investigate or make 336
inquiries into any alleged act of pollution or failure to comply 337
with this chapter or any order, any rule, the terms and conditions 338
of a permit, or any other determination pursuant thereto. However, 339
upon written complaint by any person, the director shall conduct 340
any investigations and make any inquiries that are required. 341

The director or the director's duly authorized representative 342
may enter at reasonable times upon any private or public property 343
to inspect and investigate conditions relating to pollution of any 344
air of the state or land located in the state related to the use, 345
storage, treatment, or disposal of sludge or sludge materials or 346

pollution of any waters of the state, inspect any monitoring 347
 equipment, inspect the drilling, conversion, or operation of any 348
 injection well, and sample any discharges, including discharges by 349
 "industrial users" into a publicly owned "treatment works" as 350
 those terms are defined in sections 212 and 502 of the Federal 351
 Water Pollution Control Act, and may apply to the court of common 352
 pleas having jurisdiction for a warrant permitting the entrance 353
 and inspection. 354

(B) Any authorized representative of the director at 355
 reasonable times may examine any records or memoranda pertaining 356
 to sludge management, the operation of disposal systems, the 357
 drilling, conversion, or operation of injection wells, or 358
 discharges by "industrial users" into publicly owned "treatment 359
 works" as defined in sections 212 and 501 of the Federal Water 360
 Pollution Control Act. The director may require the maintenance of 361
 records relating to sludge management, discharges, or the 362
 operation of disposal systems or injection wells. The director may 363
 make copies of the records. Any authorized representative of a 364
 publicly owned "treatment works" may enter at reasonable times 365
 upon the premises of any "industrial user" that discharges into 366
 the works to inspect any monitoring equipment or method of the 367
 user, to sample any discharges of the user into the works, or to 368
 inspect any records or memoranda pertaining to discharges by the 369
 user into the works, in order to ascertain compliance by the user 370
 with applicable pretreatment standards. The representative may 371
 make copies of the records. ~~Any~~ 372

(C) If an emergency requires the director or the director's 373
authorized representative to respond to protect public health or 374
safety or the environment, the director or the director's 375
authorized representative may request any person that is 376
responsible for causing or allowing a spill, release, or discharge 377

of a pollutant or contaminant into or on the environment or any 378
person having knowledge of the components or chemical identity of 379
the pollutant or contaminant spilled, released, or discharged to 380
disclose records, reports, or information necessary to respond to 381
or investigate the spill, release, or discharge. Upon receiving 382
the request, the person immediately shall submit the records, 383
reports, or information. If the person disclosing the records, 384
reports, or information claims that any portion of the records, 385
reports, or information contains trade secret information, the 386
person shall submit both a complete and a redacted version of the 387
records, reports, or information. The person shall mark the 388
redacted version "public version" and redact any trade secret 389
information. 390

(D) Any records, reports, or information obtained under this 391
chapter shall be available for public inspection, except that: 392

~~(A) Upon a showing satisfactory to the director by any person~~ 393
~~that the (1) Any records, reports, or information, or any~~ 394
~~particular part thereof designated as a trade secret by the person~~ 395
~~submitting the records, reports, or information, other than data~~ 396
~~concerning the amounts or contents of discharges or the quality of~~ 397
~~the receiving waters, to which the director has access under this~~ 398
~~chapter, ~~if made public would divulge information entitled to~~~~ 399
~~protection as trade secrets of the person, the director shall~~ 400
~~consider the record, report, or information or particular portion~~ 401
~~thereof confidential. Prior to divulging any alleged trade secret~~ 402
~~information pursuant to this division, the director shall give ten~~ 403
~~days' written notice to the person claiming trade secrecy shall be~~ 404
~~considered by the director to be a trade secret and managed by the~~ 405
~~director as confidential. The director or the director's~~ 406
~~authorized representative shall not disclose any complete records,~~ 407
~~reports, or information or any part of a record, report, or~~ 408

information that has been designated as containing trade secret 409
information in accordance with this section. However, during an 410
emergency that requires the director or the director's authorized 411
representative to respond to protect public health or safety or 412
the environment or during an investigation of such an emergency, 413
the director or the director's authorized representative may share 414
any of the complete records, reports, or information or any such 415
part with the owner or operator of a public or private water 416
system that needs the records, reports, or information or any such 417
part for any of the following purposes: 418

(a) Assessing exposure or potential exposure of persons or 419
aquatic organisms to any component of or chemical in a pollutant 420
or contaminant spilled, released, or discharged; 421

(b) Conducting or assessing sampling to determine exposure 422
levels of various population groups or aquatic organisms to any 423
component of or chemical in a pollutant or contaminant spilled, 424
released, or discharged; 425

(c) Testing for any component of or chemical in a pollutant 426
or contaminant spilled, released, or discharged. 427

(B) Prior to sharing any complete records, reports, or 428
information or any part of a record, report, or information that 429
has been designated as containing trade secret information in 430
accordance with this section, the director or the director's 431
authorized representative shall label and identify, to the extent 432
practicable, any of those records, reports, or information or any 433
such part designated as a trade secret. If the director or the 434
director's authorized representative shares any such records, 435
reports, or information or any such part, the director shall 436
notify the person that designated the trade secret information in 437
accordance with division (C) of this section of that sharing as 438

soon as practicable. Nothing in this section precludes a person 439
that designated trade secret information in accordance with 440
division (C) of this section from requesting a confidentiality 441
agreement with a recipient of the records, reports, or information 442
or any such part. 443

During an emergency action taken to protect public health or 444
safety or the environment, the owner or operator of a public or 445
private water system may share complete records, reports, or 446
information or any part of a record, report, or information 447
received under this division that has been designated as 448
containing trade secret information in accordance with this 449
section with an agent, consultant, or representative of the owner 450
or operator. The owner or operator of a public or private water 451
system, including an agent, consultant, or representative of the 452
owner or operator, that receives the records, reports, or 453
information or any such part shall maintain the confidentiality of 454
the records, reports, or information or any such part and may use 455
the information only for the purposes specified in this division. 456

The sharing of complete records, reports, or information or 457
any part of a record, report, or information that has been 458
designated as containing trade secret information in accordance 459
with this section does not change the status of the records, 460
reports, or information or any such part as being designated a 461
trade secret pursuant to this section. In addition, the sharing 462
does not subject the records, reports, or information or any such 463
part to public disclosure. 464

The director or the director's authorized representative may 465
disclose to a person that seeks to obtain records, reports, or 466
information or any part of a record, report, or information that 467
has been designated as containing trade secret information in 468
accordance with this section the identity of the person that has 469

designated those records, reports, or information or any such part 470
as containing trade secret information. The person to whom the 471
director or the director's authorized representative discloses 472
that identity may contact the person that designated the trade 473
secret information. 474

(2) The record, report, or information may be disclosed to 475
other officers, employees, or authorized representatives of the 476
state, another state, or the United States when necessary to 477
sustain an action brought pursuant to this chapter or during an 478
adjudication hearing or when otherwise necessary to fulfill any 479
requirement of the Federal Water Pollution Control Act. 480

(E) No person to whom a permit has been issued shall refuse 481
entry to any authorized representative of the director or 482
willfully hinder or thwart the representative in the exercise of 483
any authority granted by this section. 484

(F) The director or the director's authorized representative, 485
or, where necessary to monitor compliance with pretreatment 486
standards, the authorized representative of a publicly owned 487
"treatment works," may apply for, and any judge of a court of 488
common pleas may issue, a warrant necessary to achieve the 489
purposes of this chapter. 490

(G) As used in this section: 491

(1) "Private water system" has the same meaning as in section 492
3701.344 of the Revised Code. 493

(2) "Public water system" has the same meaning as in section 494
6109.01 of the Revised Code. 495

(3) "Trade secret" has the same meaning as in section 1333.61 496
of the Revised Code." 497

In line 102619, after "1509.071," insert "1509.10," 498

In line 102746, after "5923.05," insert "6109.34," 499
 In line 102747, after "6111.046," insert "6111.05," 500

The motion was _____ agreed to.

SYNOPSIS

**Disclosure of chemical records and information under Oil and 501
 Gas Law 502**

R.C. 1509.10 503

Requires a well owner or other person who is required under 504
 current law to maintain records of specified substances designated 505
 as a trade secret to maintain the records for a period of at least 506
 two years from the date the substance is brought to a location 507
 regulated under the Oil and Gas Law rather than two years from the 508
 date the substance was placed in a well as is required under 509
 current law. 510

Requires an owner or person to disclose records necessary to 511
 respond to a spill, release, or investigation immediately upon the 512
 request of the Chief of the Division of Oil and Gas Resources 513
 Management. 514

Requires an owner or person that received a request for 515
 records or information to label and clearly identify all records 516
 or information that has been designated as a trade secret. 517

Authorizes the Chief to provide such records or information 518
 to any state agency or emergency responder that is responding to a 519
 spill or release or that is participating in an investigation of a 520
 spill or release. 521

Requires the Chief, if the Chief discloses the records or information to a state agency or emergency responder, to notify, the owner or personas soon as practicable.

Prohibits the state agency or emergency responder receiving the information, in addition to the Chief, from disclosing the records or information designated as a trade secret unless otherwise authorized by state law.

Specifies all of the following:

-- The provision of records or information by the Chief to a state agency or emergency responder does not affect the designation of a trade secret under the Oil and Gas Law;

-- The Chief's provision of records or information to a state agency or emergency responder does not subject the record or information to public disclosure; and

-- Nothing precludes an owner or person that has designated a trade secret under the Oil and Gas Law and has disclosed records or information to the Chief from requesting a confidentiality agreement with a recipient of the information.

--An emergency responder is a representative of a fire department or the director or coordinator of a countywide emergency management agency.

Emergency action and confidentiality under Safe Drinking Water and Water Pollution Control Laws

R.C. 6111.05 and 6109.34

In the case of an emergency, requires a person who discharges material into the environment to disclose trade secret information immediately to the Director of Environmental Protection or the Director's authorized representative upon request.

Allows the Director to share the information with public and private water systems. 550
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Requires the water systems to maintain the confidentiality of the information and use the information for specified purposes, including assessing exposure or potential exposure of persons or aquatic organisms. 552
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If the Director or the Director's authorized representative shares the information, requires the Director to notify the person who designated the information as a trade secret as soon as practicable. 556
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Authorizes the owner or operator of a water system, during an emergency, to share the information with an agent, consultant, or representative of the owner or operator. 560
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Stipulates both of the following: 563

-- The sharing of trade secret information by the Director, the Director's authorized representative, or a public or private water system does not affect the designation of a trade secret and does not subject the information to public disclosure; and 564
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-- Nothing precludes a person who has designated a trade secret and has provided that information to the Director from requesting a confidentiality agreement with a recipient of the information. 568
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Authorizes the Director or the Director's authorized representative to disclose to a person who seeks to obtain the trade secret information the identity of the person that has designated the information as a trade secret. 572
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Authorizes the person to whom the Director or the Director's authorized representative discloses that identity to contact the person that designated the trade secret information. 576
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Defines "trade secret" by reference to the Trade Practices	579
Law.	580