

As Introduced

**136th General Assembly
Regular Session
2025-2026**

H. B. No. 958

**Representative Hall, D.
Cosponsor: Representative Brennan**

To amend section 1509.10 and to enact sections 1
1509.101 and 1509.102 of the Revised Code to 2
alter the requirements regarding the disclosure 3
of certain information involving chemicals used 4
in oil and gas well operations. 5

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That section 1509.10 be amended and sections 6
1509.101 and 1509.102 of the Revised Code be enacted to read as 7
follows: 8

Sec. 1509.10. (A) Beginning with the commencement of 9
drilling at a well within this state and whenever a change in 10
information occurs until the completion of drilling operations, 11
the owner of the well shall file with the division of oil and 12
gas resources management, in a manner prescribed by the chief of 13
the division of oil and gas resources management, all of the 14
following, if applicable: 15

(1) The trade name and the total amount of all products, 16
fluids, and substances, and the supplier of each product, fluid, 17
or substance, not including cement and its constituents and lost 18
circulation materials, intentionally added to facilitate the 19

drilling of any portion of the well until the surface casing is 20
set and properly sealed. The owner shall identify each additive 21
used and provide a brief description of the purpose for which 22
the additive is used. In addition, the owner shall include a 23
list of all chemicals intentionally added to all products, 24
fluids, or substances and include each chemical's corresponding 25
chemical abstracts service number and the maximum concentration 26
of each chemical. The owner shall obtain the chemical 27
information from the company that drilled the well, provided 28
service at the well, or supplied the chemicals. If the company 29
that drilled the well, provided service at the well, or supplied 30
the chemicals provides incomplete or inaccurate chemical 31
information, the owner shall make reasonable efforts to obtain 32
the required information from the company or supplier. 33

For purposes of division (A) (1) of this section, if 34
recycled fluid was used, the owner shall submit the total volume 35
of recycled fluid and the well that is the source of the 36
recycled fluid or the centralized facility that is the source of 37
the recycled fluid. 38

(2) The type and volume of fluid, not including cement and 39
its constituents, used to stimulate the reservoir of the well, 40
the reservoir breakdown pressure, the method used for the 41
containment of fluids recovered from the fracturing of the well, 42
the methods used for the containment of fluids when pulled from 43
the wellbore from swabbing the well, the average pumping rate of 44
the well, and the name of the person that performed the well 45
stimulation. In addition, the owner shall include a copy of the 46
log from the stimulation of the well, a copy of the invoice for 47
each of the procedures and methods described in division (A) (2) 48
of this section that were used on a well, and a copy of the 49
pumping pressure and rate graphs. However, the owner may redact 50

from the copy of each invoice that is required to be included 51
under division (A) (2) of this section the costs of and charges 52
for the procedures and methods described in division (A) (2) of 53
this section that were used on a well. 54

(3) The trade name and the total volume of all products, 55
fluids, and substances, and the supplier of each product, fluid, 56
or substance used to stimulate the well. The owner shall 57
identify each additive used, provide a brief description of the 58
purpose for which the additive is used, and include the maximum 59
concentration of the additive used. In addition, the owner shall 60
include a list of all chemicals intentionally added to all 61
products, fluids, or substances and include each chemical's 62
corresponding chemical abstracts service number and the maximum 63
concentration of each chemical. The owner shall obtain the 64
chemical information from the company that stimulated the well 65
or supplied the chemicals. If the company that stimulated the 66
well or supplied the chemicals provides incomplete or inaccurate 67
chemical information, the owner shall make reasonable efforts to 68
obtain the required information from the company or supplier. 69

For purposes of division (A) (3) of this section, if 70
recycled fluid was used, the owner shall submit total volume of 71
recycled fluid and the well that is the source of the recycled 72
fluid or the centralized facility that is the source of the 73
recycled fluid. 74

(B) Any person drilling within the state shall, within 75
sixty days after the completion of drilling operations to the 76
proposed total depth or after a determination that a well is a 77
dry or lost hole, file with the division ~~of oil and gas~~ 78
~~resources management~~ all wireline electric logs and an accurate 79
well completion record on a form that is prescribed by the chief 80

of the division of oil and gas resources management that	81
designates:	82
(1) The purpose for which the well was drilled;	83
(2) The character, depth, and thickness of geological	84
units encountered, including coal seams, mineral beds,	85
associated fluids such as fresh water, brine, and crude oil,	86
natural gas, and sour gas, if such seams, beds, fluids, or gases	87
are known;	88
(3) The dates on which drilling operations were commenced	89
and completed;	90
(4) The types of drilling tools used and the name of the	91
person that drilled the well;	92
(5) The length in feet of the various sizes of casing and	93
tubing used in drilling the well, the amount removed after	94
completion, the type and setting depth of each packer, all other	95
data relating to cementing in the annular space behind such	96
casing or tubing, and data indicating completion as a dry, gas,	97
oil, combination oil and gas, brine injection, or artificial	98
brine well or a stratigraphic test;	99
(6) The number of perforations in the casing and the	100
intervals of the perforations;	101
(7) The elevation above mean sea level of the point from	102
which the depth measurements were made, stating also the height	103
of the point above ground level at the well, the total depth of	104
the well, and the deepest geological unit that was penetrated in	105
the drilling of the well;	106
(8) If applicable, the type, volume, and concentration of	107
acid, and the date on which acid was used in acidizing the well;	108

~~(9) (a) If applicable, the trade name and the total amount of all products, fluids, and substances, and the supplier of each product, fluid, or substance, not including cement and its constituents and lost circulation materials, intentionally added to facilitate the drilling of any portion of the well until the surface casing is set and properly sealed. The owner shall identify each additive used and provide a brief description of the purpose for which the additive is 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 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, 140
the methods used for the containment of fluids when pulled from 141
the wellbore from swabbing the well, the average pumping rate of 142
the well, and the name of the person that performed the well- 143
stimulation. In addition, the owner shall include a copy of the 144
log from the stimulation of the well, a copy of the invoice for 145
each of the procedures and methods described in division (A)(10) 146
of this section that were used on a well, and a copy of the 147
pumping pressure and rate graphs. However, the owner may redact 148
from the copy of each invoice that is required to be included 149
under division (A)(10) of this section the costs of and charges 150
for the procedures and methods described in division (A)(10) of 151
this section that were used on a well. 152~~

~~(b) If applicable, the trade name and the total volume of 153
all products, fluids, and substances, and the supplier of each 154
product, fluid, or substance used to stimulate the well. The 155
owner shall identify each additive used, provide a brief 156
description of the purpose for which the additive is used, and 157
include the maximum concentration of the additive used. In 158
addition, the owner shall include a list of all chemicals, not 159
including any information that is designated as a trade secret 160
pursuant to division (I)(1) of this section, intentionally added 161
to all products, fluids, or substances and include each 162
chemical's corresponding chemical abstracts service number and 163
the maximum concentration of each chemical. The owner shall 164
obtain the chemical information, not including any information 165
that is designated as a trade secret pursuant to division (I)(1) 166
of this section, from the company that stimulated the well or 167
supplied the chemicals. If the company that stimulated the well 168
or supplied the chemicals provides incomplete or inaccurate 169
chemical information, the owner shall make reasonable efforts to 170~~

~~obtain the required information from the company or supplier.~~ 171

~~(c) For purposes of division (A) (10) (b) of this section,~~ 172
~~if recycled fluid was used, the total volume of recycled fluid~~ 173
~~and the well that is the source of the recycled fluid or the~~ 174
~~centralized facility that is the source of the recycled fluid.~~ 175

~~(11)~~(9) The name of the company that performed the logging 176
of the well and the types of wireline electric logs performed on 177
the well. 178

The well completion record shall be submitted in 179
duplicate. The first copy shall be retained as a permanent 180
record in the files of the division, and the second copy shall 181
be transmitted by the chief to the division of geological 182
survey. 183

~~(B)~~~~(1)~~(C) (1) Not later than sixty days after the 184
completion of the drilling operations to the proposed total 185
depth, the owner shall file all wireline electric logs with the 186
division of oil and gas resources management and the chief shall 187
transmit such logs electronically, if available, to the division 188
of geological survey. Such logs may be retained by the owner for 189
a period of not more than six months, or such additional time as 190
may be granted by the chief in writing, after the completion of 191
the well substantially to the depth shown in the application 192
required by section 1509.06 of the Revised Code. 193

(2) If a well is not completed within sixty days after the 194
completion of drilling operations, the owner shall file with the 195
division of oil and gas resources management a supplemental well 196
completion record that includes all of the information required 197
under this section within sixty days after the completion of the 198
well. 199

(3) After a well is initially completed and stimulated and 200
until the well is plugged, the owner shall report, on a form 201
prescribed by the chief, all materials placed into the formation 202
to refracture, restimulate, or newly complete the well. The 203
owner shall submit the information ~~within sixty days after~~ prior 204
to completing the refracturing, restimulation, or new 205
completion. In addition, the owner shall report the information 206
required in divisions ~~(A) (10) (a) to (e)~~ (A) (2) and (3) of this 207
section, as applicable, in a manner consistent with the 208
requirements established in this section. 209

~~(C)~~ (D) Upon request in writing by the chief of the 210
division of geological survey prior to the beginning of drilling 211
of the well, the person drilling the well shall make available a 212
complete set of cuttings accurately identified as to depth. 213

~~(D)~~ (E) The form of the well completion record required by 214
this section shall be one that has been prescribed by the chief 215
of the division of oil and gas resources management and the 216
chief of the division of geological survey. The filing of a log 217
as required by this section fulfills the requirement of filing a 218
log with the chief of the division of geological survey in 219
section 1505.04 of the Revised Code. 220

~~(E)~~ (F) If a material listed or designated under division 221
~~(A) (9) or (10)~~ (A) or ~~(B) (3)~~ (C) (3) of this section is a material 222
for which the division of oil and gas resources management does 223
not have a material safety data sheet, the owner shall provide a 224
copy of the material safety data sheet for the material to the 225
chief. 226

~~(F)~~ (G) An owner shall submit to the chief the information 227
that is required in divisions ~~(A) (10) (b)~~ (A) (2) and ~~(e)~~ (3) and 228
~~(B) (3)~~ (C) (3) of this section consistent with the requirements 229

established in this section using one of the following methods:	230
(1) On a form prescribed by the chief;	231
(2) Through the chemical disclosure registry that is maintained by the ground water protection council and the interstate oil and gas compact commission;	232 233 234
(3) Any other means approved by the chief.	235
(G) <u>(H)</u> The chief shall post on the division's web site each material safety data sheet obtained under division (E) <u>(F)</u> 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.	236 237 238 239 240 241
(H) (1) If a medical professional, in order to assist in the diagnosis or treatment of an individual who was affected by an incident associated with the production operations of a well, requests the exact chemical composition of each product, fluid, or substance and of each chemical component in a product, fluid, or substance that is designated as a trade secret pursuant to division (I) of this section, the person claiming the trade secret protection pursuant to that division shall provide to the medical professional the exact chemical composition of the product, fluid, or substance and of the chemical component in a product, fluid, or substance that is requested.	242 243 244 245 246 247 248 249 250 251 252
(2) A medical professional who receives information pursuant to division (H) (1) of this section shall keep the information confidential and shall not disclose the information for any purpose that is not related to the diagnosis or treatment of an individual who was affected by an incident associated with the production operations of a well. Nothing in	253 254 255 256 257 258

~~division (H) (2) of this section precludes a medical professional~~ 259
~~from making any report required by law or professional ethical~~ 260
~~standards.~~ (I) If there is a change to the chemical information 261
required by divisions (A) and (C) (3) of this section, the well 262
owner or a person that provides such information to the owner 263
shall submit the change to the chief within thirty days after 264
the date the owner or person first knew of the change. 265

~~(I) (1) The owner of a well who is required to submit a~~ 266
~~well completion record under division (A) of this section or a~~ 267
~~report under division (B) (3) of this section or a person that~~ 268
~~provides information to the owner as described in and for~~ 269
~~purposes of division (A) (9) or (10) or (B) (3) of this section~~ 270
~~may designate without disclosing on a form prescribed by the~~ 271
~~chief and withhold from disclosure to the chief the identity,~~ 272
~~amount, concentration, or purpose of a product, fluid, or~~ 273
~~substance or of a chemical component in a product, fluid, or~~ 274
~~substance as a trade secret. The owner or person may pursue~~ 275
~~enforcement of any rights or remedies established in sections~~ 276
~~1333.61 to 1333.69 of the Revised Code for misappropriation, as~~ 277
~~defined in section 1333.61 of the Revised Code, with respect to~~ 278
~~the identity, amount, concentration, or purpose of a product,~~ 279
~~fluid, or substance or a chemical component in a product, fluid,~~ 280
~~or substance designated as a trade secret pursuant to division~~ 281
~~(I) (1) of this section.~~ (J) (1) The division shall not disclose 282
information regarding the identity, specific amount, or 283
concentration, or purpose of any product, fluid, or substance or 284
of any chemical component in a product, fluid, or substance 285
designated as a trade secret pursuant to division (I) (1) of this 286
section if the owner indicates on the form provided by the chief 287
that the product, fluid, or substance's formula is a 288
confidential trade secret. 289

(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)~~ (J)(1) of this section challenging the owner's or person's claim to entitlement to trade secret protection for the specific ~~identity, amount, or concentration, or purpose~~ of a product, fluid, or substance or of a chemical component in a product, fluid, or substance pursuant to that ~~division (I)(1) of this section~~. A person who commences such 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~~ both of a product, fluid, or substance or of a chemical component in a product, fluid, or substance pursuant to division ~~(I)(1)~~ (J)(1) of this section is entitled to trade secret protection.

~~(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~~ (K)(1) 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.

(2) An owner or person who has designated the ~~identity, amount, or concentration, or purpose~~ of a product, fluid, or

substance or of a chemical component in a product, fluid, or 321
substance as a trade secret pursuant to division ~~(I) (1)~~ (J) (1) of 322
this section shall maintain the records for such a product, 323
fluid, or substance or for a chemical component in a product, 324
fluid, or substance for a period of not less than two years 325
after the date on which each such product, fluid, or substance 326
or each such chemical component in a product, fluid, or 327
substance was placed in the well. Upon the request of the chief, 328
the owner or person, as applicable, shall disclose the records 329
to the chief if the information is necessary to respond to a 330
spill, release, or investigation. ~~However, the chief shall not~~ 331
~~disclose the~~, including any information that is designated as a 332
trade secret. 333

~~(K) (1)~~ (L) (1) For purposes of correcting inaccuracies and 334
incompleteness in chemical information required by divisions (A) 335
~~(9) and (10)~~ and ~~(B) (3)~~ (C) (3) of this section, an owner shall be 336
considered in substantial compliance if the owner has made 337
reasonable efforts to obtain the required information from the 338
supplier. 339

(2) For purposes of reporting under this section, an owner 340
is not required to report chemicals that occur incidentally or 341
in trace amounts. 342

~~(L)~~ (M) As used in this section, the term "material safety 343
data sheet" shall conform to any revision of or change in the 344
term by the occupational safety and health administration in the 345
United States department of labor. 346

Sec. 1509.101. (A) As used in this section, "chemical" 347
means any element, chemical compound, or mixture of elements or 348
chemical compounds that has a specific name or identity, 349
including a chemical abstracts service number that has been 350

disclosed in accordance with divisions (A) and (C) (3) of section 1509.10 of the Revised Code. 351
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(B) The chief of the division of oil and gas resources management shall maintain, on the department of natural resources' web site, a chemical disclosure database that displays a list of chemicals used at each well site in this state. The web site shall list the names of each chemical in alphabetical order and include the chemical abstracts service registry numbers of each chemical used at each well site. The chief shall ensure that the web site is searchable by chemical, date of submission or update of a chemical disclosure, name and address of the well owner, and county of the well site. 353
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(C) The chief shall not include in the list of chemicals disclosed on the web site any of the following: 363
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(1) The trade name of a chemical product used at a well site; 365
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(2) The total amount of a chemical in a chemical product or the chemical formula of any product, fluid, or substance or the amount or concentration of any product, fluid, or substance. 367
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Sec. 1509.102. (A) The chief of the division of oil and gas resources management shall adopt rules in accordance with Chapter 119. of the Revised Code to institute a verification process to ensure that well owners are complying with the disclosure requirements specified in divisions (A) and (C) (3) of section 1509.10 of the Revised Code. As part of the verification process, the chief shall require the testing of wastewater from a random sample of wells each year for a range of chemical components and shall compare each sample with the applicable disclosed information. The chief shall make public the sampling 370
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information and include the names and chemical abstracts service 380
registry numbers of the chemicals identified in the testing. 381

(B) If, through the verification process, the chief finds 382
that the owner of the well did not accurately disclose chemical 383
information required under divisions (A) and (C) (3) of section 384
1509.10 of the Revised Code, the chief shall impose a civil 385
penalty in accordance with section 1509.33 of the Revised Code. 386

Section 2. That existing section 1509.10 of the Revised 387
Code is hereby repealed. 388