

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2415 Session of  
2012

INTRODUCED BY BRADFORD, BRENNAN, BRIGGS, CALTAGIRONE, CARROLL,  
DAVIS, DeLUCA, DERMODY, FABRIZIO, FREEMAN, GEORGE, HORNAMAN,  
JOSEPHS, MAHONEY, MARKOSEK, MULLERY, M. O'BRIEN, PAYTON,  
QUINN, ROEBUCK, SABATINA, DEAN, TRUITT, WILLIAMS, YOUNGBLOOD  
AND MUNDY, MAY 31, 2012

REFERRED TO COMMITTEE ON ENVIRONMENTAL RESOURCES AND ENERGY, MAY  
31, 2012

AN ACT

1 Amending Title 58 (Oil and Gas) of the Pennsylvania Consolidated  
2 Statutes, in development, further providing for hydraulic  
3 fracturing chemical disclosure requirements.

4 The General Assembly of the Commonwealth of Pennsylvania  
5 hereby enacts as follows:

6 Section 1. Section 3222.1(b)(10) and (11) of Title 58 of the  
7 Pennsylvania Consolidated Statutes, added February 14, 2012  
8 (P.L.87, No.13), are amended to read:

9 § 3222.1. Hydraulic fracturing chemical disclosure  
10 requirements.

11 \* \* \*

12 (b) Required disclosures.--

13 \* \* \*

14 (10) A vendor, service company or operator shall  
15 identify the specific identity and amount of any chemicals  
16 claimed to be a trade secret or confidential proprietary

1 information to any health professional who requests the  
2 information [in writing if the health professional executes a  
3 confidentiality agreement and provides a written statement of  
4 need for the information indicating all of the following:

5 (i) The information is needed for the purpose of  
6 diagnosis or treatment of an individual.

7 (ii) The individual being diagnosed or treated may  
8 have been exposed to a hazardous chemical.

9 (iii) Knowledge of information will assist in the  
10 diagnosis or treatment of an individual].

11 The health professional may disclose the information received  
12 from a vendor, service company or operator to any person that  
13 the health professional determines is necessary for the  
14 diagnosis or treatment of an individual, including, but not  
15 limited to, another health professional, a patient and a  
16 public health official.

17 (11) If a health professional determines that a medical  
18 emergency exists and the specific identity and amount of any  
19 chemicals claimed to be a trade secret or confidential  
20 proprietary information are necessary for emergency  
21 treatment, the vendor, service provider or operator shall  
22 immediately disclose the information to the health  
23 professional [upon a verbal acknowledgment by the health  
24 professional that the information may not be used for  
25 purposes other than the health needs asserted and that the  
26 health professional shall maintain the information as  
27 confidential. The vendor, service provider or operator may  
28 request, and the health professional shall provide upon  
29 request, a written statement of need and a confidentiality  
30 agreement from the health professional as soon as

1 circumstances permit, in conformance with regulations  
2 promulgated under this chapter]. The health professional may  
3 disclose the information received from a vendor, service  
4 company or operator to any person that the health  
5 professional determines is necessary for emergency treatment,  
6 including, but not limited to, another health professional, a  
7 patient and a public health official.

8 \* \* \*

9 Section 2. This act shall take effect in 60 days.