

Amend CSHB 3328 as follows:

On page 1, strike Section 91.851(1)(B)(ii), starting on line 21, and insert the following:

"(ii) each chemical ingredient that is subject to the requirements of 29 C.F.R. Section 1910.1200(g)(2)."

On page 2, line 5, strike "and" at the end of Section 91.851(1)(C).

On page 2, line 8, insert the word "and" at the end of Section 91.851(1)(D).

On page 2, line 9, insert the following new Paragraph E at the end of Section 91.851(1):

"(E) in addition to the completed form specified in Paragraph (D), provide to the commission a list of all other chemical ingredients not listed on the completed form that were intentionally included and used for the purpose of creating a hydraulic fracturing treatment. The commission rule shall ensure that an operator, service company or supplier is not responsible for disclosing ingredients that:

(i) were not purposely added to the hydraulic fracturing treatment;

(ii) occur incidentally or are otherwise unintentionally present in the treatment; or

(iii) in the case of the operator, are not disclosed to the operator by a service company or supplier. The commission rule shall not require that the ingredients be identified based on the additive in which they are found or that the concentration of such ingredients be provided."

On page 2, strike Section 91.851(3), starting on line 14, and insert the following:

"(3) prescribe a process by which an entity required to comply with Subdivision (1) or (2) may withhold and declare certain information as a trade secret for purposes of Section 552.110, Government Code, including the identity and amount of the chemical ingredient used in a hydraulic fracturing treatment."