

**Davidson, Florene, EMNRD**

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**From:** Dan Rice [sundogsolar@yahoo.com]  
**Sent:** Wednesday, November 16, 2011 9:56 AM  
**To:** Davidson, Florene, EMNRD; Jami.Bailey@state.nm.us  
**Subject:** Citizen letter: Regarding rules governing hydraulic fracturing for hydrocarbon extraction

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Jami Bailey, Chairperson  
NM Oil Conservation Commission  
1220 S. St. Francis Dr.  
Santa Fe, NM 87505

Dear Chairperson Bailey,

I am writing you regarding proposed rules governing notifications and disclosures for fracking operations performed in the course of extracting hydrocarbons from lands in the state of New Mexico. I'll keep this to the point. Transparency and accountability are essential to the stewardship and protection of the commons. The more transparent and timely the disclosures, the more possible it is for all citizens and business interests to participate in decisions that affect the health and wellbeing of the community. It is incumbent upon your department to promulgate rules that best serve the public by requiring the highest degree of transparency with regards to the timing, composition, transport, use, and disposal of hydraulic fracturing materials and processes. To that end, I support rules and regulations that require all entities involved in the planning and execution of hydraulic fracturing operations to:

- Issue public notice 30 days prior to commencement of hydraulic fracturing operations. Such notice shall be made public through the FracFocus web site, and shall include the location(s) in UTM or lat-long coordinates and by county, township, section and range, and commencement date(s) of hydraulic fracturing operations anywhere in the state of New Mexico.
- notify landowners prior to fracking operations and disclose all fluids and substances to be used in hydraulic fracturing operations to the surface owner before hydraulic fracturing begins;
- disclose the type and volume of base fluids used in hydraulic fracturing, each additive used, the chemical ingredients in the additives, the additives' associated chemical abstracts service (CAS) registry numbers, and the actual or maximum concentration of each chemical ingredient used in hydraulic fracturing; and,
- report the required information to the FracFocus website or to the successor of that website so that the relevant information will be available to the public on a hosted government web site at all times even if the FracFocus website is no longer operative.

Given these disclosure requirements, the public process may proceed in a democratic fashion, operating under the rules and regulations governing the use of the materials and processes involved.

Thank you very much for your attention to this very important matter.

Respectfully,

Dan Rice

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