

Arkansas:

Example Trade Secret Withholding 1 of 2

(Submission of Multi-Chem Group)



ARKANSAS OIL AND GAS
COMMISSION

FORM 37

Claim of Entitlement to Withhold the Identity of a Chemical Constituent as a Trade
Secret OR Request for Trade Secret Exemption

Submit Form To:

El Dorado Regional Office
P. O. Box 11510
El Dorado, Arkansas 71731

RECEIVED

ARK OIL & GAS COMM

2011 MAR 4 AM 11 06

SECTION A - Classification of Entity

☐ Permit Holder ☒ Person Performing Hydraulic Fracture ☐ Other - Specify in Detail

SECTION B

Entity Name MULTI-chem Group, LLC
Address 2905 Southwest Blvd
City San Angelo State TX Zip 76904
Phone (325) 486-7314 Fax (325) 486-7863
Email amanda.burwell@multichem.com
Permit Holder (If different from Entity) XTO Energy

Section C

In accordance with General Rule B-19, a person shall disclose a list of all Chemical Constituents contained in all such Additives, provided, however in those limited situations where the specific identity of any such Chemical Constituent and associated CAS number is entitled to be withheld as a trade secret under the criteria set forth in subsection (a)(2) of 42 U.S.C. § 11042. In such cases, the Chemical Family associated with such Chemical Constituent shall be provided.

Chemical Family associated with the Chemical Constituent: Neutralized Tracable Polymer

Does the Chemical Constituent, and associated CAS number, qualify for withholding as a trade secret? ☒ Yes ☐ No

In order to claim that the Chemical Constituent and associated CAS number is entitled to protection as a trade secret, you must include specific information regarding each of the following (Please check all that apply):

- ☒ 1. You have not disclosed the information to any other person, other than a member of a local emergency planning committee, an officer or employee of the United States or a State or local government, an employee of such person, or a person who is bound by a confidentiality agreement, and such person has taken reasonable measures to protect the confidentiality of such information and intends to continue to take such measures.
- ☒ 2. The information is not required to be disclosed, or otherwise made available, to the public under any other Federal or State law.
- ☒ 3. Disclosure of the information is likely to cause substantial harm to the competitive position of such person.
- ☒ 4. The chemical identity is not readily discoverable through reverse engineering.

CERTIFICATE

I declare under the penalties of perjury that this report has been examined by me and to the best of my knowledge is true, correct and complete.

Amanda R. Burwell

Permit Holder's Signature

Amanda R. Burwell - Product Compliance Manager

Typed or Clearly Printed Name

APPROVED: ☒ Yes ☐ No

For state use only:

[Signature]
Director of Production and Conservation

3/14/11
Date

Form 37 Justification for Trade Secret Status:

1. **"You have not disclosed the information to any other person, other than a member of a local emergency planning committee, an officer or employee of the United States or a State or local government, an employee of such person, or a person who is bound by a confidentiality agreement, and such person has taken reasonable measures to protect the confidentiality of such information and intends to continue to take such measures."**

Multi-Chem carefully guards the chemical identity of this component from all parties and takes all necessary steps to ensure that, under conditions of necessary disclosure for regulatory purposes, protections are put in place to ensure this is done only under a strict confidentiality agreement.

2. **"The information is not required to be disclosed, or otherwise make available, to the public under any other Federal or State law."**

This trade secret component does not require disclosure under any Federal laws. Other states are requiring disclosure for this component under regulations similar to Arkansas B-19. We are actively pursuing trade secret protections in other states and do not intend to disclose the exact chemical identity of this component to the public under such laws.

3. **"Disclosure of the information is likely to cause substantial harm to the competitive position of such person."**

This component is part of Multi-Chem's cutting edge fracturing fluid system. Disclosure of this trade secret would cause Multi-Chem to lose the competitive advantage from developing and improving existing technologies for fracturing. Disclosing this trade secret would allow other companies to capitalize on Multi-Chem's investment of time, money, and intellectual capital without allowing time to recuperate those costs and would significantly harm the company as a whole.

4. **"The chemical identity is not readily discoverable through reverse engineering."**

Those who might use reverse engineering would not be able to re-create and ascertain the exact composition and ratio of all compounds in this complex polymer structure without significant assistance and disclosure from Multi-Chem.

Arkansas:

Example Trade Secret Withholding 1 of 2

(Submissions of SNF, Inc.)



ARKANSAS OIL AND GAS
COMMISSION

Submit Form To:

El Dorado Regional Office
P. O. Box 11510
El Dorado, Arkansas 71731

FORM 37

Claim of Entitlement to Withhold the Identity of a Chemical Constituent as a Trade Secret OR Request for Trade Secret Exemption

SECTION A - Classification of Entity

☐ Permit Holder ☐ Person Performing Hydraulic Fracture ☒ Other - Specify in Detail

SECTION B

Entity Name SNF INC.
Address P.O. Box 250
City Riceboro State GA Zip 31323
Phone 912-884-3366 Fax 912-884-8014
Email Ruben W. Westin@SNFHC.com
Permit Holder (if different from Entity)

Section C

In accordance with General Rule B-19, a person shall disclose a list of all Chemical Constituents contained in all such Additives, provided, however in those limited situations where the specific identity of any such Chemical Constituent and associated CAS number is entitled to be withheld as a trade secret under the criteria set forth in subsection (a)(2) of 42 U.S.C. § 11042. In such cases, the Chemical Family associated with such Chemical Constituent shall be provided.

Chemical Family associated with the Chemical Constituent: Polyacrylamide Polymer (2)

Does the Chemical Constituent, and associated CAS number, qualify for withholding as a trade secret? ☒ Yes ☐ No

In order to claim that the Chemical Constituent and associated CAS number is entitled to protection as a trade secret, you must include specific information regarding each of the following (Please check all that apply):

- ☒ 1. You have not disclosed the information to any other person, other than a member of a local emergency planning committee, an officer or employee of the United States or a State or local government, an employee of such person, or a person who is bound by a confidentiality agreement, and such person has taken reasonable measures to protect the confidentiality of such information and intends to continue to take such measures.
- ☒ 2. The information is not required to be disclosed, or otherwise made available, to the public under any other Federal or State law.
- ☒ 3. Disclosure of the information is likely to cause substantial harm to the competitive position of such person.
- ☒ 4. The chemical identity is not readily discoverable through reverse engineering.

CERTIFICATE

I declare under the penalties of perjury that this report has been examined by me and to the best of my knowledge is true, correct and complete.

Ruben Westin
Permit Holder's Signature

Ruben Westin
Typed or Clearly Printed Name

APPROVED: ☒ Yes ☐ No

For staff use only:

[Signature]
Director of Production and Conservation

4/25/11
Date



ATTACHMENT 1

JUSTIFICATION FOR TRADE SECRET EXEMPTION

1. SNF Inc. has invested considerable time, money, and effort in the research and development of subject fracture performance friction reducer products. If specific chemical identity was disclosed to the public, any skilled person can immediately identify the components and initiate a research program to compete with our investment efforts.
2. SNF has taken all reasonable steps necessary to prevent the undesired disclosure of the friction reducer product components in the public domain and claim them as trade secret proprietary information.
3. Any disclosure of our confidential product composition information can be expected to cause substantial harm to SNF's business and competitive position in the marketplace.

As such, therefore, SNF requests the subject product composition information be granted as trade secret.



ARKANSAS OIL AND GAS
COMMISSION

FORM 37

Claim of Entitlement to Withhold the Identity of a Chemical Constituent as a Trade
Secret OR Request for Trade Secret Exemption

Submit Form To Appropriate District Office:

☐ Fort Smith Regional Office
3306 Phoenix Avenue
Fort Smith, Arkansas 72903

☒ El Dorado Regional Office
P. O. Box 11510
El Dorado, Arkansas 71731

SECTION A - Classification of Entity

☐ Permit Holder ☐ Person Performing Hydraulic Fracture ☒ Other - Specify in Detail _____

SECTION B

Entity Name SNF INC
Address P.O. Box 250
City Riceboro State GA Zip 31323
Phone 912-884-3366 X714 Fax 912-880-8010
Email rubenw@snfinc.com
Permit Holder (if different from Entity) _____

Section C

In accordance with General Rule B-19, a person shall disclose a list of all Chemical Constituents contained in all such Additives, provided, however in those limited situations where the specific identity of any such Chemical Constituent and associated CAS number is entitled to be withheld as a trade secret under the criteria set forth in subsection (a)(2) of 42 U.S.C. § 11042. In such cases, the Chemical Family associated with such Chemical Constituent shall be provided.

Chemical Family associated with the Chemical Constituent: NONIONIC SURFACTANT

Does the Chemical Constituent, and associated CAS number, qualify for withholding as a trade secret? ☒ Yes ☐ No

In order to claim that the Chemical Constituent and associated CAS number is entitled to protection as a trade secret, you must include specific information regarding each of the following (Please check all that apply):

- ☒ 1. You have not disclosed the information to any other person, other than a member of a local emergency planning committee, an officer or employee of the United States or a State or local government, an employee of such person, or a person who is bound by a confidentiality agreement, and such person has taken reasonable measures to protect the confidentiality of such information and intends to continue to take such measures.
- ☒ 2. The information is not required to be disclosed, or otherwise made available, to the public under any other Federal or State law.
- ☒ 3. Disclosure of the information is likely to cause substantial harm to the competitive position of such person.
- ☒ 4. The chemical identity is not readily discoverable through reverse engineering.

CERTIFICATE

I declare under the penalties of perjury that this report has been examined by me and to the best of my knowledge is true, correct and complete.

Ruben Westin
Permit Holder's Signature

Ruben Westin
Typed or Clearly Printed Name

APPROVED:

☒ Yes ☐ No

For staff use only:

[Signature]
Director of Production and Conservation

2/2/11
Date

ATTACHMENT 1

JUSTIFICATION FOR TRADE SECRET STATUS

1. SNF Inc. has invested considerable time, money, and effort in the development of subject fracture performance products. If specific chemical identity was disclosed to the public, any skilled person can immediately identify the components and initiate a research program to compete with our investment efforts.
2. SNF has taken all reasonable steps necessary to prevent the undesired disclosure of the fracture product components in the public domain and claim them as trade secret proprietary information.
3. Any disclosure of our confidential product composition information can be expected to cause substantial harm to SNF's business and competitive position in the marketplace.
4. The chemical identity of the cited trade secret substances are not readily discoverable through reverse engineering laboratory practices. It would be virtually impossible for a chemist to duplicate the trade secret substances without the exact provided composition information.

As such, therefore, SNF requests our product composition information cited in attachment two (2) be granted "trade secret" status and not released into the public domain.



ARKANSAS OIL AND GAS
COMMISSION

FORM 37

Claim of Entitlement to Withhold the Identity of a Chemical Constituent as a Trade
Secret OR Request for Trade Secret Exemption

Submit Form To Appropriate District Office:

☐ Fort Smith Regional Office
3306 Phoenix Avenue
Fort Smith, Arkansas 72903

☒ El Dorado Regional Office
P. O. Box 11510
El Dorado, Arkansas 71731

SECTION A - Classification of Entity

☐ Permit Holder ☐ Person Performing Hydraulic Fracture ☒ Other - Specify in Detail _____

SECTION B

Entity Name SNE INC
Address PO Box 250
City Riceboro State GA Zip 31323
Phone 912 884 3366 X714 Fax 912-880-8010
Email rwbedw@SNEHC.com
Permit Holder (If different from Entity) _____

Section C

In accordance with General Rule B-19, a person shall disclose a list of all Chemical Constituents contained in all such Additives, provided, however in those limited situations where the specific identity of any such Chemical Constituent and associated CAS number is entitled to be withheld as a trade secret under the criteria set forth in subsection (a)(2) of 42 U.S.C. § 11042. In such cases, the Chemical Family associated with such Chemical Constituent shall be provided.

Chemical Family associated with the Chemical Constituent: Polyoxyalkylene Surfactant

Does the Chemical Constituent, and associated CAS number, qualify for withholding as a trade secret? ☒ Yes ☐ No

In order to claim that the Chemical Constituent and associated CAS number is entitled to protection as a trade secret, you must include specific information regarding each of the following (Please check all that apply):

- ☒ 1. You have not disclosed the information to any other person, other than a member of a local emergency planning committee, an officer or employee of the United States or a State or local government, an employee of such person, or a person who is bound by a confidentiality agreement, and such person has taken reasonable measures to protect the confidentiality of such information and intends to continue to take such measures.
- ☒ 2. The information is not required to be disclosed, or otherwise made available, to the public under any other Federal or State law.
- ☒ 3. Disclosure of the information is likely to cause substantial harm to the competitive position of such person.
- ☒ 4. The chemical identity is not readily discoverable through reverse engineering.

CERTIFICATE

I declare under the penalties of perjury that this report has been examined by me and to the best of my knowledge is true, correct and complete.

Ruben Westin
Permit Holder's Signature

Ruben Westin
Typed or Clearly Printed Name

APPROVED: ☒ Yes ☐ No

[Signature]
Director of Production and Conservation

2/2/11
Date

ATTACHMENT 1

JUSTIFICATION FOR TRADE SECRET STATUS

1. SNF Inc. has invested considerable time, money, and effort in the development of subject fracture performance products. If specific chemical identity was disclosed to the public, any skilled person can immediately identify the components and initiate a research program to compete with our investment efforts.
2. SNF has taken all reasonable steps necessary to prevent the undesired disclosure of the fracture product components in the public domain and claim them as trade secret proprietary information.
3. Any disclosure of our confidential product composition information can be expected to cause substantial harm to SNF's business and competitive position in the marketplace.
4. The chemical identity of the cited trade secret substances are not readily discoverable through reverse engineering laboratory practices. It would be virtually impossible for a chemist to duplicate the trade secret substances without the exact provided composition information.

As such, therefore, SNF requests our product composition information cited in attachment two (2) be granted "trade secret" status and not released into the public domain.



ARKANSAS OIL AND GAS
COMMISSION

Submit Form To:

El Dorado Regional Office
P. O. Box 11510
El Dorado, Arkansas 71731

FORM 37

Claim of Entitlement to Withhold the Identity of a Chemical Constituent as a Trade Secret OR Request for Trade Secret Exemption

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OIL & GAS COMM

SECTION A - Classification of

2011 SEP 26 AM 9 06

Permit Holder Person Performing Hydraulic Fracture ☒ Other - Specify in Detail

SECTION B

Entity Name WSP Chemicals & Technology LLC
Address 400 West Brown Street
City Castaneda State PA Zip 17126
Phone 610-748-4450 Fax 610-748-0530
Email KWFE@WSPCHEMTECH.COM
Permit Holder (If different from Entity)

Section C

In accordance with General Rule B-19, a person shall disclose a list of all Chemical Constituents contained in all such Additives, provided, however in those limited situations where the specific identity of any such Chemical Constituent and associated CAS number is entitled to be withheld as a trade secret under the criteria set forth in subsection (a)(2) of 42 U.S.C. § 11042. In such cases, the Chemical Family associated with such Chemical Constituent shall be provided.

Chemical Family associated with the Chemical Constituent: Copolymer of polyacrylamide

Does the Chemical Constituent, and associated CAS number, qualify for withholding as a trade secret? ☒ Yes ☐ No

In order to claim that the Chemical Constituent and associated CAS number is entitled to protection as a trade secret, you must include specific information regarding each of the following (Please check all that apply):

- ☒ 1. You have not disclosed the information to any other person, other than a member of a local emergency planning committee, an officer or employee of the United States or a State or local government, an employee of such person, or a person who is bound by a confidentiality agreement, and such person has taken reasonable measures to protect the confidentiality of such information and intends to continue to take such measures.
- ☒ 2. The information is not required to be disclosed, or otherwise made available, to the public under any other Federal or State law.
- ☒ 3. Disclosure of the information is likely to cause substantial harm to the competitive position of such person.
- ☒ 4. The chemical identity is not readily discoverable through reverse engineering.

CERTIFICATE

I declare under the penalties of perjury that this report has been examined by me and to the best of my knowledge is true, correct and complete.

Kevin W Frederick

Permit Holder's Signature

Kevin W Frederick

Typed or Clearly Printed Name

APPROVED: ☒ Yes ☐ No

For staff use only:

Director of Production and Conservation

9/28/11
Date



Lab Address

2301 Duss Avenue, Suite 32

Ambridge, PA 15003

724-266-7688 (p) / 724-266-7683 (f)

RECEIVED

Plant Address

ARK OIL & GAS COMMPO Box 60

Castanea, PA 17726

2011 SEP 26 11:09 06
724-266-4480 (p) / 724-266-0530 (f)

ATTACHMENT # 1

JUSTIFICATION FOR TRADE SECRET EXEMPTION

1. WSP Chemicals & Technology, LLC. has invested considerable time, effort and money in the Research & Development of stimulation/fracturing friction reducer product. If the specific chemical identity was disclosed to the public, and skilled person could identify the components and initiate a research program to compete with our investment efforts.
2. WSP Chemicals & Technology, LLC. has taken all reasonable precautions to prevent the undesired disclosure of friction reducer components in the public domain and claim them as trade secret proprietary information.
3. Any disclosure of WSP's confidential friction reducer's compositional information can be expected to cause substantial harm to WSP's business and competitive position in the market place.

As such, WSP requests the subject product composition information be granted as trade secret.



ARKANSAS OIL AND GAS
COMMISSION

FORM 37

Claim of Entitlement to Withhold the Identity of a Chemical Constituent as a Trade Secret OR Request for Trade Secret Exemption

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El Dorado, Arkansas 71731

RECEIVED
ARK OIL & GAS COMM

SECTION A - Classification of Entity

2011 SEP 26 AM 9 06

☐ Permit Holder ☐ Person Performing Hydraulic Fracture ☒ Other - Specify in Detail

SECTION B

Entity Name WSP Chemicals & Technology LLC
Address 400 West Brown Street
City Capitola State PA Zip 17126
Phone 570-748-4450 Fax 570-748-0530
Email KWF@WSPCHEMTECH.COM
Permit Holder (If different from Entity)

Section C

In accordance with General Rule B-19, a person shall disclose a list of all Chemical Constituents contained in all such Additives, provided, however in those limited situations where the specific identity of any such Chemical Constituent and associated CAS number is entitled to be withheld as a trade secret under the criteria set forth in subsection (a)(2) of 42 U.S.C. § 11042. In such cases, the Chemical Family associated with such Chemical Constituent shall be provided.

Chemical Family associated with the Chemical Constituent:

Polyoxaalkylene Surfactant

Does the Chemical Constituent, and associated CAS number, qualify for withholding as a trade secret? ☒ Yes ☐ No

In order to claim that the Chemical Constituent and associated CAS number is entitled to protection as a trade secret, you must include specific information regarding each of the following (Please check all that apply):

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- ☒ 3. Disclosure of the information is likely to cause substantial harm to the competitive position of such person.
- ☒ 4. The chemical identity is not readily discoverable through reverse engineering.

CERTIFICATE

I declare under the penalties of perjury that this report has been examined by me and to the best of my knowledge is true, correct and complete.

Kevin W. Frederick
Permit Holder's Signature

Kevin W. Frederick
Typed or Clearly Printed Name

APPROVED: ☒ Yes ☐ No

For staff use only

Director of Production and Conservation

9/28/11
Date



Lab Address

2301 Duss Avenue, Suite 32
Ambridge, PA 15003
724-266-7683 (p) / 724-266-7683 (f)

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ARK OIL & GAS COMM

2011 SEP 26 AM 9:05

Plant Address

PO Box 60
Castanea, PA 17726
570-748-4450 (p) / 570-748-0530 (f)

ATTACHMENT # 1

JUSTIFICATION FOR TRADE SECRET EXEMPTION

1. WSP Chemicals & Technology, LLC. has invested considerable time, effort and money in the Research & Development of stimulation/fracturing friction reducer product. If the specific chemical identity was disclosed to the public, and skilled person could identify the components and initiate a research program to compete with our investment efforts.
2. WSP Chemicals & Technology, LLC. has taken all reasonable precautions to prevent the undesired disclosure of friction reducer components in the public domain and claim them as trade secret proprietary information.
3. Any disclosure of WSP's confidential friction reducer's compositional information can be expected to cause substantial harm to WSP's business and competitive position in the market place.

As such, WSP requests the subject product composition information be granted as trade secret.



ARKANSAS OIL AND GAS
COMMISSION

Submit Form To:

El Dorado Regional Office
P.O. Box 11510
El Dorado, Arkansas 71731

FORM 37

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SECTION A - Classification of Entity

Permit Holder ☐ Person Performing Hydraulic Fracture ☒ Other - Specify in Detail

SECTION B

Entity Name WSP Chemicals & Technology LLC
Address 400 West Brown Street
City Castanea State PA Zip 17726
Phone 570-748-4450 Fax 570-748-0530
Email KWFC@WSPCHEMTECH.COM
Permit Holder (if different from Entity)

Section C

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Chemical Family associated with the Chemical Constituent: Nonionic Surfactant

Does the Chemical Constituent, and associated CAS number, qualify for withholding as a trade secret? ☒ Yes ☐ No

In order to claim that the Chemical Constituent and associated CAS number is entitled to protection as a trade secret, you must include specific information regarding each of the following (Please check all that apply):

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- ☒ 3. Disclosure of the information is likely to cause substantial harm to the competitive position of such person.
- ☒ 4. The chemical identity is not readily discoverable through reverse engineering.

CERTIFICATE

I declare under the penalties of perjury that this report has been examined by me and to the best of my knowledge is true, correct and complete.

Kevin W Frederick
Permit Holder's Signature

Kevin W Frederick
Typed or Clearly Printed Name

APPROVED: ☒ Yes ☐ No

For staff use only
Director of Production and Conservation

9/28/11
Date



RECEIVED
ARK OIL & GAS COMM
2011 SEP 26 AM 9 07

Lab Address
2301 Duss Avenue, Suite 32
Ambridge, PA 15003
724-266-7688 (p) / 724-266-7683 (f)

Plant Address
PO Box 60
Castanea, PA 17726
570-748-4450 (p) / 570-748-0530 (f)

ATTACHMENT # 1

JUSTIFICATION FOR TRADE SECRET EXEMPTION

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3. Any disclosure of WSP's confidential friction reducer's compositional information can be expected to cause substantial harm to WSP's business and competitive position in the market place.

As such, WSP requests the subject product composition information be granted as trade secret.