

Department of Interior Issues Final Hydraulic Fracturing Rule

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On March 26, 2015, the Department of Interior promulgated a final rule establishing standards for hydraulic fracturing on federal and tribal lands. The rule updates federal well-drilling standards that are nearly 30 years old and will become effective on June 24, 2015. Key provisions of the rule include (1) a process for requesting approval to conduct hydraulic fracturing on federal or tribal land, (2) well-bore integrity requirements, (3) wastewater management and disposal requirements, and (4) disclosure to the Bureau of Land Management within 30 days after well completion of the chemicals used in hydraulic fracturing, subject to limited exceptions for trade secret material.

The rule does not apply to hydraulic fracturing operations conducted on state-managed or private lands, where the majority of U.S. oil and gas production operations occur, which will continue to be governed by any applicable state laws.

Industry groups have already filed a lawsuit challenging the rule in the U.S. District Court for the District of Wyoming, and a group of Senate Republicans led by Sen. James Inhofe (R-OK) have introduced a bill that would restrict the Department of Interior's authority to regulate hydraulic fracturing operations on federal land. Environmentalists have also criticized perceived inadequacies of the rule.

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