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gLAWcal Comment #302

DISCLOSURE IS KEY IN MAINTAINING PUBLIC TRUST OF FRACKING

Based on

Paolo Davide Farah and Riccardo Tremolada" A Comparison between Shale Gas in China and Unconventional Fuel Development in the United States" Brooklyn Journal of International Law, Vol. 41, No. 2, 2016.



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A gLAWcal comment on [Paolo Davide Farah and Riccardo Tremolada](#) "A Comparison between Shale Gas in China and Unconventional Fuel Development in the United States: Water, Environmental Protection, and Sustainable Development" *Brooklyn Journal of International Law*, Vol. 41, No. 2, 2016.

This chapter compares and contrasts the efforts by China and US to have greater disclosure efforts of hydraulic fracturing practices, in their respective nations. In the US, there is significantly greater levels of disclosure from the companies participating in this industry. In China, there are relatively few legislative requirements of these similar companies to disclose the techniques and methodology for public consumption. It may be a simple prescription to simply just copy the US policies for warehousing data related to some of the chemicals used by the fracking companies, but this may not be similarly effective in China. First, there are different political philosophies in China and the US. The US is often on the side of disclosure for the greater information of the public. There are still trade secrets to be protected, which is reflected in the laws that require some, but not all, of the chemicals be disclosed in the fluid composition. Some it could be similar types of disclosure requirements be introduced in China. It would be especially helpful for the regulatory agencies to have access to the composition

of the fluid mixture, allowing them to know what impacts could be presented on water management efforts in the surrounding areas. Eventually, these data sources could be presented to the greater populations, allowing effective transparency of the industry by the populations affected by the practices. Unfortunately, this is a scenario in which specific policy must be crafted for the nation, and copying other examples may not be the most effective strategy for those concerned with better water resource management in the era of hydraulic fracturing.

ENERGY



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