



## Well Data Confidentiality

### Basis for Holding Drilling Data Confidential

Certain data filed with the Division of Mineral Resources are held confidential according to Section 23-0313 of the Oil, Gas and Solution Mining Law and Section 87-2 of the New York State Public Officers Law. Division policies and procedures for handling confidential records subject to these laws and the Freedom of Information Law (FOIL) are detailed in Technical Guidance Memorandum 90-3.

### Public Disclosure Standards for Drilling Data

#### Never exempted from public disclosure:

- permit applications
- information on the total depth of wells
- well plugging records

#### Automatically held confidential for six months:

- well logs and samples
- well drilling and completion reports
- directional surveys
- annual well (oil and gas production) reports (confidentiality ends July 1 following the calendar year to which the reports apply)

#### Held confidential for six months with possible extension to two years:

- well logs and samples
- well drilling and completion reports
- directional surveys

ECL Section 23-0313 and Technical Guidance Memorandum 90-3 describe the procedures for requesting a two year extension.

#### May be defined as trade secrets eligible for continuous confidential status:

- detailed analysis, opinion, interpretation or evaluation of factual data, such as reservoir study or analysis
- records, reports or studies of a formation or geologic phenomenon, or some other significant topic

Technical Guidance Memorandum 90-3 describes the guidelines for requesting "trade secret" status.

#### Never publicly disclosed without operator's consent:

- brine production reported by individual solution mining operators