



# FracTracker Alliance

## **Summary of Colorado’s Experience with HB22-1348 Banning PFAS in Oil & Gas Wells and Requiring Full Disclosure of Oil & Gas Chemicals**

**Comments to the New Mexico Legislature Radioactive and Hazardous Materials Committee by Dusty Horwitt, JD, Senior Research & Policy Consultant, FracTracker Alliance, Sept. 2, 2025**

In 2022, in response to concerns about the use of per- and polyfluoroalkyl substances (PFAS) in oil and gas wells and the extensive use of undisclosed trade secret chemicals in the wells, Colorado enacted HB22-1348, codified at C.R.S. 34-60-132.

PFAS are known for their extreme toxicity, negative health effects, and resistance to breaking down in the environment, hence their nickname, “forever chemicals.” Many other chemicals known to be used in, or associated with, oil and gas production, are also toxic.

HB22-1348 bans the use of intentionally added PFAS in oil and gas wells and requires public disclosure of all chemicals used underground in the wells, whether for drilling, fracking, or other purposes.

Oil and gas companies must disclose individual chemicals but CAN keep chemical formulas as trade secrets similar to the way in which food makers reveal ingredients but not their recipes.

The law requires chemical disclosure from all companies in the oil and gas chemical supply chain including, critically, chemical manufacturers, who know best what chemicals are being used.

In May 2025, several environmental groups including FracTracker Alliance, Physicians for Social Responsibility (PSR), PSR Colorado, and Sierra Club Colorado found that chemical disclosure had occurred for only about 40 percent of wells covered by the law.

Since then, chemical disclosure has been made available for more than 90 percent of oil and gas wells in Colorado, but appears to be for fracking chemicals only, which contradicts the law and denies the public’s right to know the full list of chemicals used in oil and gas wells.

New Mexicans are trying to replicate Colorado’s law through legislation, HB 222 introduced in 2025 which has not been enacted, and a petition to the Oil Conservation Commission filed in 2023 by WildEarth Guardians. The petition is ongoing.