

(SUBMIT IN DUPLICATE)

TO  
MONTANA BOARD OF OIL AND GAS CONSERVATION  
2535 ST. JOHNS AVENUE  
BILLINGS, MONTANA 59102

RECEIVED

SEP 08 2023

MONTANA BOARD OF OIL &  
GAS CONSERVATION • BILLINGS

REQUEST FOR TRADE SECRET EXEMPTION

1. Classification of Requesting Party

Operator  Service Company  Other – Specify \_\_\_\_\_

2. Full name of the Owner, Operator, or Service Company Alchemy Sciences Field Operations, LLC

3. Address 650 West Bough Ln, Suite 150-139, Houston, TX 77024,  
(Address) (City) (State) (Zip Code) (Telephone Number)

4. 82-10-603, MCA requires that an owner, operator, or service company provide the complete disclosure of fracturing fluid. This must include the chemical compound name and the chemical abstracts service (CAS) registry number of the ingredients, including any hazardous components listed on a material safety data sheet as defined in 50-78-102, MCA, the product name, and the type of additive used. In limited situation the identity of the components of the fracturing fluid may be exempt from public disclosure as a "trade secret" under the criteria in 30-14-402, MCA.

I am requesting that the identity of a fracturing fluid component qualify for non-disclosure as a trade secret.

Chemical Family associated with the Chemical Constituent Hydrocarbon Recovery Agent

In order to claim that the identity of the fracturing fluid component is entitled to protection as a trade secret, I understand that I must provide specific information regarding each of the questions set forth in the MBOGC Trade Secret Guidelines. I have attached separate pages setting forth information in response to the questions set forth in the Guidelines.

CERTIFICATE

Expires 9/8/2025

I declare under penalties of perjury that this request and supporting information have been examined by me and to the best of my knowledge are true, correct and complete.



Signature  
Ross Harkrider, Director of Operations  
Print name and title

FOR STAFF USE ONLY:

APPROVED:  Yes  No

  
Signature

Administrator  
Title

9/8/23  
Date

ATTACHMENT IPUBLICLY AVAILABLE TRADE SECRET JUSTIFICATIONMONTANA BOARD OF OIL &  
GAS CONSERVATION • BILLINGS

To demonstrate that the information for which confidentiality is sought constitutes trade secrets, you must respond to the following questions and provide the information specified and any supporting documentation (such as previous confidentiality determinations):

**1. To your knowledge, has the identity of the ingredient, its concentration, or both, as appropriate, been publicly disclosed:**

**a. Pursuant to any federal or state law or regulation?**

To Alchemy Sciences' knowledge, the confidential information (including the chemical compound name and CAS number) and their use in RocSweep® BK ASC-1048 FS functioning as a hydrocarbon recovery agent have not been disclosed pursuant to any federal or state law or regulation.

**b. In professional trade publications?**

The identity of the ingredients and their collective use in a hydrocarbon recovery agent product has not been publicly disclosed or published in a professional trade publication by Alchemy Sciences or anyone else.

**c. Through any other media or publications available to the public or your competing oil and gas operators, or service companies?**

The identities of the ingredients and the combination of products in RocSweep® BK ASC-1048 FS functioning as a hydrocarbon recovery agent have not been disclosed in any other media or publication by Alchemy Sciences or to our knowledge or by anyone else.

**2. To what extent is the identity of the ingredient, concentrations, or both, as appropriate, are known within the company? Please describe in detail how this information is housed in your company and what steps your employees, officers, agents, and directors take to prevent disclosure of the information to parties outside of your company.**

Alchemy Sciences maintains the product composition as trade secret by providing limited internal access to the formulation and requiring non-disclosure confidentiality agreements for anyone whom the information is disclosed. Electronic copies of proprietary ingredients and product composition information are protected and maintained on a secure internal network, within a file structure to which access is again restricted to only the product development team. Access to this information is granted strictly on a need-to-know basis for employees based on their job function, such as regulatory compliance. Otherwise, only the product trade names and information included in the SDS sheets and/or listed in the "Available to Public" non-confidential disclosure is available to employees.

**3. Has any other federal or state entity determined that the ingredient, concentrations, or both, as appropriate, is not entitled to protection from public disclosure? If so, provide a copy of the agency's determination, along with any explanation as to why the Board should not make a**

similar determination. Provide any other information concerning prior requests for confidentiality and/or regulatory body determinations you believe is relevant to the Board's determination.

No other regulatory body, federal, state, tribal, or local government, has determined that the chemical ingredient identity is not entitled to protection from public disclosure as trade secret or confidential commercial information.

4. **How is the identity of the ingredient, concentrations, or both, as appropriate, commercially valuable to the owner, operator, or service company? In answering this question, please describe why the ingredient, concentrations, or both, as appropriate, is not common knowledge in the industry, including any novel or unusual aspects of the ingredient in this application.**

Alchemy Sciences has invested considerable time, money, and effort in the research and development of RocSweep® BK ASC-1048 FS. Public disclosure of the composition of RocSweep® BK ASC-1048 FS could damage the commercial advantage Alchemy Sciences realizes from maintaining confidentiality. The composition of this proprietary chemical derives economic value from not being generally known and readily ascertainable by competitors who could garner economic value from the disclosure of the blend's chemical composition. If publicly disclosed, this loss of competitive advantage would occur across the entire market, not just in Montana.

5. **Describe the ease or difficulty with which the complete composition of the fluid, including the ingredient identity, concentrations, or both, as appropriate, could be determined from public disclosure. Specifically, explain why use of the "systems approach" format would not adequately protect your proprietary interest.**

As set forth above, Alchemy Sciences' current practices and controls are intended to ensure that its competitors cannot acquire or duplicate the product formula on their own. If the proprietary chemical formula were disclosed, then it would not be difficult for Alchemy Sciences' competitors to replicate the proprietary formula of the product.

There are a limited number of active ingredients and the use of a "systems approach" would not adequately protect the confidentiality of the product formula providing others to reverse engineer our product, potentially eliminating the value of Alchemy Sciences commercial investment in the subject product and future products.

RECEIVED

SEP 08 2023

MONTANA BOARD OF OIL &  
GAS CONSERVATION • BILLINGS

**ATTACHMENT II**

**REDACTED**

**PUBLIC DISCLOSURE OF CHEMICAL COMPOSITION**

<b>RocSweep® ASC-1048 FS</b>		
<b>Component Name</b>	<b>CAS#</b>	<b>Concentration, %</b>
Proprietary components	Trade Secret	1-20
Water	7732-18-5	50-80
Methanol	67-56-1	5-20
Ethylene Glycol	107-21-1	5-20

**RECEIVED**

**SEP 08 2023**

**MONTANA BOARD OF OIL &  
GAS CONSERVATION • BILLINGS**