

## EPA Whistleblower Stresses Need for New EPA Study on Fracking

Congressman Hinchey Urges Push on FRAC Act

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EPA whistleblower Weston Wilson and Congressman Maurice Hinchey addressed hydraulic fracturing concerns with environmental leaders on Saturday, June 19. The 150-or-so environmental activists from across New York State, Pennsylvania, Ohio and West Virginia attended a Marcellus summit hosted by the Coalition to Protect New York (CPNY). Sessions focused on a diversity of land issues and health concerns, but the central focus was fracking.

Wilson, an environmental engineer with the U.S. Environmental Protection Agency (EPA) opened the summit with a review of what went wrong with the 2004 EPA report on hydraulic fracturing of coal bed methane reservoirs. EPA scientists proved that there was a risk of benzene and other toxic chemicals migrating into ground water from drilling activities, but heavy industry influence on the panel reviewing the report suppressed this data from the final report.

The 2004 study, Wilson says, is flawed. And it is those flawed findings that were used by Congress to exempt the process of hydro-fracking from the Safe Drinking Water Act.

“Things have changes, now,” Wilson said. “The EPA is beginning a new study on hydro-fracking, but even with \$1.9 million, it is underfunded.” The new study promises to be broader in scope, looking at impacts of the entire life cycle of gas drilling. And it won’t be limited to coal bed methane, Wilson pointed out. In fact, the EPA is holding two of the public meetings in NY and PA to gather comments from people living in the Marcellus Shale region; there will be a meeting in Binghamton on August 12 (more to follow).

The new study promises to be more transparent, too, and peer-reviewed. But that doesn’t mean it’s perfect, Wilson warned. The EPA isn’t interested in studying Dimock, PA or Hickory, or Pavillion, Wyoming, or any of the places that have already experienced water contamination related to drilling activities.

### **Fracking Presents Risks**

Wilson listed a number of risks hydraulic fracturing presents. Spills – especially spills of undiluted fluids or chemicals – topped his list. While he admitted that the bulk of fracturing fluid is benign, Wilson pointed out that chemicals are added to thicken and thin the drilling mud as needed. The storage and movement of these undiluted chemicals produce an opportunity of risk, he said.

Storing frack fluid in pits creates pathways in both air and water. Air emissions, from the volatile chemicals in the fluid, present a temporary risk – unless you are a worker suffering chronic exposure to the chemicals. Leaking pits create long-term risks that may remain hidden for decades.

Fracking fluids can also mobilize toxins that are present in the rock formation, such as radon and other naturally occurring radioactive material (NORM). Production fluids – the brines that come out of the rock formation – contain both frack and formation toxins.

“Help ensure that the FRAC Act passes, and that NY passes some sort of moratorium,” Wilson advised. Make sure that your state requires ground-water testing *and* monitoring prior to drilling – ambient air monitoring, too, Wilson added.

“And make sure science is done by those who do not have a financial interest in the industry,” Wilson emphasized.

### **Getting the FRAC Act on Track**

It was just one year ago that Congressman Maurice Hinchey joined with Colorado Representatives Diana DeGette and Jared Polis to introduce legislation that would repeal the gas industry’s exemption from the Safe Drinking Water Act (SDWA). The bill, called the FRAC Act (Fracking Responsibility and Awareness of Chemicals) would require the gas and oil drilling industry to reveal the chemicals they use in hydraulic fracturing.

“Back in 1974, when we established the SDWA, there was a strong understanding of the necessity for environmental protection,” Hinchey said. He dropped by the summit to share lunch and urge activists to push for more regulation on fracking. “Gas drilling needs more regulatory oversight,” Hinchey said.

Hinchey pushed the EPA to go back and re-do the study on hydraulic fracturing. The 2004 study is too flawed, he said, agreeing with Wilson. “This time they have an opportunity to conduct a study in a more thorough and accurate manner,” Hinchey said. He announced that the EPA would be holding one day of public meetings in Binghamton to gather comments for the ongoing study that could be completed in 2012.

“Natural gas is a good commodity,” Hinchey admitted. “But the industry has to be honest and clear about what it is doing and engage in activities that won’t cause harm.” Even as EPA begins its new study, Hinchey believes it is vital to continue moving the FRAC Act through Congress.

On a more local level, Hinchey would like to see NY enact a moratorium on permitting wells that require hydro-fracking. He believes the DEC’s Supplemental Generic Environmental Impact Statement should not be approved until a new administration is in place. Hinchey noted that “there is a growing realization about the consequences of drilling. “People,” he said, “are increasingly concerned that drilling be done correctly.”