

Gas Drillers in Wyoming Must Come Clean on Fracking Fluid Ingredients

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Wyoming, a state not known for its love of regulation, has become the first in the nation to require that gas drillers disclose the chemicals used in hydraulic fracturing, or fracking. The ingredients in so-called fracking fluid will be public information once the new rules go into effect on September 15.

The rules were adopted by a unanimous vote of the Wyoming Oil and Gas Conservation Commission in June, despite vigorous opposition from the industry.

“What other states do is up to them,” Governor Dave Freudenthal, an enthusiastic proponent of the new regulations, recently told the Web site New West. “What’s important is that we got ahead of this. This big play on the Niobrara shale (in southeast Wyoming) is going to mean a lot of fracking.” He said the new rules mean that Wyoming will have the necessary records and data to determine the least-harmful methods of future fracking.

Thanks to a move by Congress in 2005, fracking is exempt from regulation under the Safe Drinking Water Act, so drillers don’t have to disclose what is contained in their fracking fluids. This exemption, included in the 2005 Energy Act, has become known as the “Halliburton Loophole.” The exemption was pushed by then-Vice President Dick Cheney, once head of Halliburton, and ironically, a Wyoming resident.

The drilling industry insists that fracking fluids are ultimately removed from the shale formations into which they are pumped. But a ProPublica investigation recently purported that “as much as 85 percent of the fluids used during hydraulic fracturing is being left underground after wells are drilled in the Marcellus Shale,” the region rich in natural gas that lies beneath parts of West Virginia, Pennsylvania, New York, Ohio and Maryland. According to the NRDC, the water treatment company ProChem Tech reports that “generally 10 to 20% is recovered.”

We’ve extensively documented the water contamination problems fracking has caused around the country. Wyoming has not been immune. In fact, federal health officials recently warned some water well owners in Pavillion, Wyoming not to use their water for cooking or drinking after it was found to be contaminated with benzene, methane gas and other toxins. While the Environmental Protection Agency (EPA) can’t say yet what may have caused the contamination, EnCana, the Canadian company drilling in and around Pavillion, has offered to pay to provide impacted families with safe water.