

# Gas-state lawmakers say Waxman-Markey fracturing inquiry overlaps with EPA study

**Katie Howell, Environment & Energy Publishing, 3-15-10**

Congressmen from states in the midst of a shale gas drilling frenzy fired off a letter last week to top Democrats on the House Energy and Commerce Committee to voice their concerns over the panel's inquiry into the use of hydraulic fracturing.

Reps. Dan Boren (D-Okla.) and Tim Murphy (R-Pa.), co-chairmen of the newly formed Natural Gas Caucus, told committee Chairman Henry Waxman (D-Calif.) and Energy and Environment Subcommittee Chairman Ed Markey (D-Mass.) that the inquiry's purpose seems to overlap with that of a congressionally mandated study at U.S. EPA, and that a number of recent probes into the topic have indicated the technique is safe.

"The environmental risks of hydraulic fracturing can neither be diagnosed nor addressed without understanding the full context of their management," the letter states. "As analyses from a number of expert organizations have shown, groundwater protection is provided by creating barriers between the natural gas well and the water outside of it. These and other issues associated with the management of hydraulic fracturing seem to be the purpose of the next EPA study."

Hydraulic fracturing -- a decades-old oil and gas production technique that blasts sand, water and chemicals into a wellbore at high pressure to release hydrocarbons trapped inside compact rocks -- has come under increased scrutiny recently as its use has escalated in an effort to tap a number of prolific shale gas plays across the country.

Those plays, like the Marcellus in Appalachia, Woodford in Oklahoma and Haynesville in Louisiana, have the potential to contribute significantly to the nation's energy mix, but environmentalists and some lawmakers have raised concerns about the technology's environmental impact.

Legislation has been introduced in the House (H.R. 2766) and Senate (S. 1215) that would require producers to disclose the chemicals used in their fracturing fluids and comply with federal regulations under the Safe Drinking Water Act. Hydraulic fracturing is currently regulated by the individual states. And in appropriations language for the current fiscal year, Congress directed EPA to conduct a study into hydraulic fracturing's effects on water supplies.

But ahead of the study's release, Waxman and Markey last month launched their own inquiry into the nature of the chemicals used during the process.

In their letter, Boren and Murphy acknowledge the inquiry could gather crucial information, but they maintain it would conflict with the objectives of the EPA study.

"Some observers were quick to characterize the committee's engagement on this issue as an act of 'fear-mongering' and a 'torpedo in the water' directed at America's oil and natural gas producers," the letter states. "That's not a point of view to which we subscribe."

"While we are concerned about the potential conflicts this effort may create with respect to the EPA study, we view this investigation as an effort that, done right, can gather critical information -- and one that we especially

hope will inform our colleagues who have sought to legislate in this area without a full appreciation for the facts and science that underlie it," Boren and Murphy added.

Waxman and Markey have remained mum as to whether their inquiry will lead to introduction of any new legislation. Meanwhile, EPA Administrator Lisa Jackson said her agency will likely begin its hydraulic fracturing study later this year.