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Fracturing to get close look

But EPA administrator says it's no guarantee more regulation ahead

By JENNIFER A. DLOUHY Copyright 2011 Houston Chronicle
Feb. 2, 2011, 7:32PM



Robert Giroux: Getty Images

Environmental Protection Agency Administrator Lisa Jackson says a study will help determine whether current regulations cover fracturing well enough.

WASHINGTON — The **Environmental Protection Agency** is close to launching a broad study on **hydraulic fracturing**, but the probe doesn't guarantee that the federal government will step in and regulate the drilling technique, **EPA Administrator** Lisa Jackson said Wednesday.

Jackson said the agency is about to offer a blueprint for a congressionally mandated study, after hearings in New York and other states on the scope of the probe last year.

"We expect, within the next month or two, to have the work plan for our study finished," she said. "This study will take a while."

The EPA probe will examine the safety of the hydraulic fracturing technique being used to unlock natural gas from shale nationwide. The process involves injecting mixtures of water, sand and chemicals deep underground and under high pressure to break up shale rock formations and produce natural gas.

Environmentalists warn that natural gas can escape out of poorly designed and secured wells, causing risks of explosion and water contamination. And they warn that harmful chemicals used in fracturing can taint nearby water sources.

The process is regulated by state and local governments, but some lawmakers want to empower the EPA to regulate hydraulic fracturing under the Clean Water Act. Separately, the Interior Department is considering whether to impose chemical disclosure requirements or other mandates for hydraulic fracturing on federal land.

Is it sufficient?

Jackson told the Senate **Environment and Public Works Committee** the EPA study will help determine whether the current state-based regulation regime is sufficient.

Many localities and many states regulate various aspects of drilling, Jackson said.

"One thing I think EPA can do to add to the body of knowledge is to determine whether there are any holes in that regulatory structure," she said.

But that doesn't mean the probe will definitely lead to new federal fracturing rules.

"It's not necessarily federal regulation that will be needed. It could be. I'm not prejudging that," Jackson said. "There may be a need for a federal role - we simply don't know."

Concerns about environmental damage have fed protests and prompted an executive order in New York that bans hydraulic fracturing in the state until July 1.

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Diesel in the fluids

Drilling companies also came under fresh fire this week for including diesel in more than 32 million gallons of fracturing fluids injected into the ground from 2005 to 2009. Lawmakers who released details on the practice on Monday said the diesel injections may have violated the **Safe Drinking Water Act**, because companies did not seek permits first. But industry representatives say the EPA only began requiring permits for diesel in fracturing fluids in June 2010.

Oil and gas industry leaders have been trying to quell the public criticism - most recently by uniting to develop a voluntary registry that will include information on chemicals used in fracturing fluids.

Wednesday, the American Petroleum Institute unveiled a document outlining the best practices for producers to reduce runoff from fracturing sites. API had previously laid out the best practices for constructing natural gas wells that will be hydraulically fractured and water management at those sites.

Seeking 'good science'

Jackson said the EPA probe could help alleviate public skepticism about the safety of hydraulic fracturing.

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"What would give the American people comfort with all they are seeing with this technology is the knowledge that regulators are not backing away from looking at it," Jackson said. Instead, regulators "are doing everything we can to ensure that we have good science."

Jackson's appearance before the Senate environment panel was planned to focus on water pollution. Instead, for hours she fielded criticism about new EPA mandates, including its regulation of greenhouse gas emissions from power plants and oil refineries.

Using its authority under the [Clean Air Act](#), the agency has ordered states to issue greenhouse gas emission permits to refineries and power plants and is in the process of developing standards for industrial facilities to best control how much they release. [Texas](#) is the only state that has refused to cooperate, so the EPA has seized control of greenhouse gas permitting in the Lone Star State.

'Job-crushing idea'

Sen. John Barrasso, R-Wyo., who has proposed legislation that would block the EPA's power to regulate the heat-trapping emissions blamed for global warming, said the agency's mandates would hurt the U.S. economy.

"Congress didn't approve this sweeping, job-crushing idea," Barrasso said. "Anti-job activists did - and they did it behind closed doors at the EPA."

Lawmakers are already paving the way for a fight on the issue. Just weeks into the 112th Congress, a flurry of proposals has been introduced in the House and Senate to restrain EPA's powers, at least temporarily.

On Wednesday, two key lawmakers were unveiling their plan for blocking the EPA's greenhouse gas mandates - a proposal that could be considered in the House of Representatives soon. The measure is being advanced by Rep. Fred Upton, R-Mich., the chairman of the [House Energy and Commerce Committee](#), and Sen. James Inhofe, R-Oka., the top Republican on the Senate Environment and Public Works panel.

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EPA to study hydraulic fracturing

Feb 02, 2011 | Local Business

Jackson: Federal regulation of fracking not guaranteed

Feb 03, 2011 | API SmartBrief

EPA to regulate toxic chemicals in drinking water

Feb 02, 2011 | L.A. Times - Science

Use of diesel in fracturing questioned

Jan 31, 2011 | Homepage Business Home Category

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[Environment]

Feb 03, 2011 | Gawker

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hillcountry777 10:20 AM on February 3, 2011

I sense another trumped up report from the EPA "proving" what Obama and Co. want to hear. Of all the tests run on frac'ed wells over the years, only 2 showed any sign of natural gas in the water. BOTH of these after further testing showed conclusively that the gas had come from a formation that was MUCH more shallow than the bed that had been frac'ed. This is just the latest attempt to try to make everyone live by rules that Obama likes but feels

that he is immune to. He is trying to wring the life out of the majority of Americans.

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justbob 5:26 AM on February 3, 2011

we need to get rid of the EPA.

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Trail_Trash 9:13 AM on February 3, 2011

Good info at The Oil Drum: <http://www.theoil drum.com/node/6346>

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