To: Edward Hanlon/DC/USEPA/US@EPA
Date: 02/28/2011 04:38 AM
Subject: Input for EPA Study on Hydraulic Fracturing

Dear Mr. Hanlon:

Thank you for the opportunity to provide input to the meeting of the SAB Hydraulic Fracturing Study Plan Review Panel for their consideration at their March 7-8, 2011 meeting to review the "EPA Hydraulic Fracturing Study Plan". According to the Federal Register of February 9, 2011 (FRL-9264-5) such input was to be provided to you by today, February 29, 2011 in both signed and unsigned form via email. The attached copies are in Adobe Acrobat PDF format as suggested in the Federal Register. Since no mention is made in the Federal Register about sending hard copies of this letter, I will await your confirmation of the receipt of these files by email to hear whether these letters need to be mailed also in hard copy form via USPS.

Accordingly, the attached file represents input on behalf of the Seneca Lake Pure Waters Association. As Chairman of the Marcellus Shale Committee of our association, I have been in correspondence with our members and Board regarding the input that represents the thinking or our organization.

If you have any questions regarding this input, please do not hesitate to contact me. Thank you for your help.

Very truly yours,

Edwin P. Przybylowicz, Chairman
Marcellus Shale Committee
Seneca Lake Pure Waters Association

cc: Phil Cianciotto, President
Seneca Lake Pure Waters Association

Mary Ann Kowalski, Vice President
Seneca Lake Pure Waters Association

SENECA LAKE PURE WATERS ASSOCIATION, INC.
P.O. Box 247
GENEVA, NEW YORK 14456-0247

February 28, 2011

Edward Hanlon
Designated Federal Officer
EPA Science Advisory Board Staff Office
USEPA Science Advisory Board (1400F)
1200 Pennsylvania Ave., N.W.
Washington, D.C. 20460

Dear Mr. Hanlon:

Thank you for the opportunity to provide input to the meeting of the Science Advisory Board Panel for the Review of EPA's Hydraulic Fracturing Study Plan that will be held March 7-8, 2011 in Alexandria, VA. In general our committee found the "Draft Plan to Study the Potential Impacts of Hydraulic Fracturing on Drinking Water Resources" dated February, 2011 to cover the major risk areas in this process. As the study plan points out, there are many components of this process in which knowledge is rudimentary and further study is needed to understand the risks that the process poses for our environment and communities. We hope that EPA will provide the funding to support the necessary research activities to more fully understand the impact that hydraulic drilling could have on drinking water resources.

After reviewing this plan, we have chosen to comment on four specific issues:

1. A source of potential bias in the proposed EPA research study plan is the extensive reliance on existing data (mentioned 98 times in this research proposal) and on industry records. While this may be a necessary starting point for this study, a truly independent, objective study should identify the critical pieces of information needed and such information should be generated by independent, peer-reviewed analytical technology that can stand up to scientific scrutiny. For example, the heavy reliance on the Ground Water Protection Council, an industry-supported and staffed organization (referenced 28 times in this research proposal) is not an unbiased inforrmation resource.
2. The commentary in Section 6.3.2 on pages 30-31 of the study plan is troubling. The study plan questions the effectiveness of well construction practices at containing gases and fluids before, during, and after fracturing. As we have recently learned from the BP disaster in the Gulf of Mexico, these construction practices can mean the difference between disaster and success. However the study plan notes that since EPA has not been able to identify potential partners for a case study, it is not considering this issue in the present study. It is not clear such a critical part of this study can be set aside for the future. The SAB Review Panel should challenge EPA to find a way to address this critical question as part of the near term study.
3. On page 13 in Section 3.5, the point is made that "EPA retains authority to address many issues related to hydraulic fracturing under its environmental statutes." It is the public understanding that Congress exempted the oil and gas industry from these statutes in its 2005 energy bill, often called the Halliburton Loophole. It would be well if the intent of the EPA Study Plan in addressing this point were spelled out in more detail with reference to the limitation imposed on

EPA under the 2005 energy bill. What will this study plan address that is allowed by the 2005 energy bill? What issues and concerns about hydraulic fracturing is the EPA limited from exploring because of this legislation?

4. The discussion on pp. 166-117 regarding the use of naturally-occurring gases such as hydrogen sulfide, hydrogen and helium as potential indicators of contamination may be useful in retrospectively examining field data for such information. The possibility of using added tracers deliberately added to drilling muds and/or water used for hydraulic fracturing to detect aquifer contamination is not mentioned as a research tool in this study. Utilizing inert, unique materials could provide direct measures of "breakthroughs" to the drinking water sources from various steps in the hydraulic fracturing process. Obviously these experiments could only be done with the cooperation of those drilling companies who claim that this process poses no risk to drinking water sources.

We look forward to hearing the results of the SAB Review Panel's deliberations.

If you have any questions regarding this input, please do not hesitate to contact me . Thank you for your help.

Very truly yours,

Edwin P. Przybylowicz, Chairman
Marcellus Shale Committee
Seneca Lake Pure Waters Association

P.S.:

For your information, the following references from your list of references could no longer be found on the web:

GWPC (Ground Water Protection Council) & ALL Consulting. (2009). *Modern shale gas development in the United States: A primer.* Contract DE-FG26-04NT15455. Washington, DC: United States Department of Energy, Office of Fossil Energy and National Energy Technology Laboratory. Retrieved August 2, 2010, from http://www.netl.doe.gov/technologies/oil-gas/publications/EPreports/Shale_Gas_Primer_2009.pdf.

Satterfield, J., Kathol, D., Mantell, M., Hiebert, F., Lee, R., & Patterson, K. (2008, September 20-24). *Managing water resource challenges in select natural gas shale plays. GWPC Annual Forum.* Oklahoma City, OK: Chesapeake Energy Corporation. Retrieved July 21, 2010, from http://www.gwpc.org/meetings/forum/2008/proceedings/Ground%20Water%20&%20Energy/SatterfieldWaterEnergy.pdf.