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To: Edward Hanlon/DC/USEPA/US@EPA  
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Subject: Earthworks oral testimony

Edward,

Apologies for the lateness of these comments. I will bring copies to the meeting today.

Thank you,  
Lauren

=== EARTHWORKS - Protecting communities and the environment

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**Oral testimony of Lauren Pagel, Policy Director for EARTHWORKS  
SAB Environmental Engineer Committee Hydraulic Fracturing Research Plan  
Review  
4/7/2010**

On behalf of Earthworks, and our Oil & Gas Accountability Project, I offer the following suggestions for consideration by the committee, as they provide advice to the EPA's Office of Research and Development regarding the hydraulic fracturing study design and areas of focus.

Based upon our involvement in the previous hydraulic fracturing report by EPA (dating back to August of 2000) and our work with communities and individuals throughout the country who are trying to address the impacts of oil and gas development, we suggest the

following factors as being of particular concern, for the current study and stakeholder process:

1. That the study include monitoring of actual fracturing activities, including geological and hydrological monitoring;
  - a. We have carefully reviewed the previous EPA report, and have participated on a national hydraulic fracturing work group and in state rulemaking proceedings. We believe there are few, if any, peer reviewed studies that provide actual data regarding the injection of fracturing fluids, their transport away from the point of injection and their ultimate fate within the formation(s). We believe this to be the single most important data gap regarding 'downhole' issues related to hydraulic fracturing.
2. A follow-up evaluation of water quality, post-fracturing, that samples for the full suite of constituents used during hydraulic fracturing, and does not simply look for so-called 'carrier fluids' or the most mobile/volatile constituents should be carried out. This has been one of the most significant gaps in the data on hydraulic fracturing.
3. An evaluation of the availability, current usage within the industry, and effectiveness of non-toxic fracturing fluids should be undertaken. We have seen a number of presentations by the industry service companies indicating that nontoxic fluids are available and could be used. We believe that the presence of these alternative fluids should be carefully considered in the research approach.
4. We strongly urge that all technical evaluations be conducted by experts who do not have a financial interest in the outcome of the review. The previous 2004 report suffered from significant perceptions of conflict of interest on the 'peer review' panel that evaluated that report. That should be avoided in this study.
5. We urge that, as part of any risk analysis, an independent evaluation of the state regulatory framework for hydraulic fracturing be carried out. Most evaluations that we have seen so far have been carried out by entities that have an interest in affirming the current regulatory framework.
6. We urge and support an expedited timeframe for the Completion of the study.

Thank you for your time and consideration of our comments.