



April 30, 2013

U.S. Environmental Protection Agency  
EPA Docket Center  
Mail Code: 28221T  
1200 Constitution Avenue, NW  
Washington, DC. 20460

**Re: Comments of the American Petroleum Institute and America's Natural Gas Alliance on EPA's Request for Information to Inform Hydraulic Fracturing Research Related to Drinking Water Resources (77 Federal Register 67361) – Docket ID No. EPA-HQ-ORD-2010-0674**

Dear Docket Clerk:

The American Petroleum Institute (API) is a national trade association representing over 500 member companies involved in all aspects of the oil and natural gas industry in the United States. America's Natural Gas Alliance (ANGA) represents 26 of North America's largest independent natural gas exploration and production companies promoting the economic, environmental and national security benefits of greater use of clean, abundant, domestic natural gas. Members of both organizations have extensive experience with the drilling and completion techniques used in developing America's oil and natural gas resources, including formations requiring hydraulic fracturing, in a safe and environmentally responsible manner.

As representatives of affected stakeholders, API and ANGA have been actively engaged in formally commenting and providing input to the U.S. Environmental Protection Agency (EPA) relative to the Congressionally-requested study to review the potential impacts of hydraulic fracturing on drinking water resources. We initially engaged Battelle Memorial Institute (Battelle) with the intent of conducting a collaborative, side by side study with EPA on its *Plan to Study the Potential Impacts of Hydraulic Fracturing on Drinking Water Resources*. EPA, however, declined to engage in such a collaborative effort. In response, in early 2012, we revised our approach and commissioned Battelle to prepare a critical review of EPA's study plan and accompanying publically available supporting documents. The critical review phase of our effort was completed in late June of 2012 and submitted to EPA on July 11, 2012.

An additional phase of work undertaken by Battelle, which we viewed as critical to a successful sound scientific assessment of hydraulic fracturing, was developed in direct response to EPA's study plan and its series of retrospective case studies. EPA selected five locations as case study sites to determine if there is any connection between claims of contamination and nearby unconventional oil and gas

development.<sup>1</sup> API and ANGA asked Battelle to evaluate water resource quality characteristics and variability within the retrospective study areas using readily available public data for comparison with the data to be generated by EPA. The primary objective of the work performed by Battelle was to characterize background groundwater, spring and surface water quality within each study area, and highlight known impairments and previous land use activities prior to the onset of unconventional oil and gas development. Battelle accomplished this by:

- Defining the spatial and temporal boundaries and attributes of each study area.
- Identifying land use and water quality data that could be used to provide historical context for characterizing water resources, along with identifying associated analytical parameters that could be used to evaluate potential impacts on drinking water resources.
- Developing a list of available historical water quality parameters monitored in the study area and comparing them to EPA's retrospective study parameter list.
- Developing and applying quality assurance (QA) criteria to assess the quality of the historical water quality data.
- Conducting summary statistical analyses on the historical water quality data, including a comparison with certain state and federal water quality screening criteria for context.

Battelle used EPA's publically-available data quality objective (DQO) process to help ensure that the type and quality of pre-existing data that was collected and analyzed met the primary objective of their work (e.g. characterizing background groundwater, etc.) (EPA, 2006). The end result of Battelle's work is four separate site characterization reports:

- *Bradford-Susquehanna County, Pennsylvania Retrospective Case Study Site Characterization Report;*
- *Dunn County, North Dakota Retrospective Case Study Site Characterization Report;*
- *Washington County, Pennsylvania Retrospective Case Study Site Characterization Report; and*
- *Wise and Denton County Retrospective Case Study Site Characterization Report.*

The report titled *Summary of Characterization Reports for Retrospective Case Study Areas* summarizes key elements of these four retrospective site reports and discusses why the Raton Basin, Colorado retrospective site was not included as part of Battelle's full background evaluation.

API and ANGA are now submitting this cover letter and the full reports for EPA's further evaluation and consideration as part of its November 9, 2012 *Request for Information to Inform Hydraulic Fracturing Research Related to Drinking Water Resources* (77 Federal Register 67361) and for consideration by the newly selected SAB Hydraulic Fracturing Research Advisory Panel at its May 7-8, 2013 public meeting (announced in the April 5, 2013 Federal Register).

API and ANGA appreciate the opportunity to provide these important materials to EPA as part of the request for information. We will continue to work with EPA as constructive partners in this process and we look forward to the opportunity to meet and discuss the characterization reports with you in greater detail. We appreciate your recognition that openness, transparency, and stakeholder involvement are all integral parts to a successful hydraulic fracturing study.

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<sup>1</sup> A well blowout occurred during the hydraulic fracturing stage of well development in Dunn County, North Dakota and this location was selected by EPA as a retrospective site at the request of the State of North Dakota.

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Sincerely,

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Group Director  
Upstream and Industry Affairs  
American Petroleum Institute

Amy Farrell  
Vice President, Regulatory Affairs  
America's Natural Gas Alliance

#### Attachments

cc: Jeanne Briskin, Office of Research and Development, U.S. Environmental Protection Agency  
Edward Hanlon, Designated Federal Officer, Science Advisory Board  
Dr. Glenn Paulson, Science Advisor, Office of the Administrator, U.S. Environmental Protection Agency  
Robert M. Sussman, Senior Policy Counsel, U.S. Environmental Protection Agency  
E. Ramona Travato, Associate Assistant Administrator, Office of Research and Development, U.S. Environmental Protection Agency

(All documents are available on both the API and ANGA websites – see [www.api.org](http://www.api.org) or <http://www.anga.us/>; search “Battelle”).