June 9, 2010

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Designated Federal Officer
EPA Science Advisory Board (1400F)
US Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Re: The SAB Environmental Engineering Committee Hydraulic Fracturing Research Plan Review

This statement is submitted on behalf of the Independent Petroleum Association of America (IPAA) and Energy In Depth (EID) with regard to the Draft Committee Report (Report) on the SAB Environmental Engineering Committee Hydraulic Fracturing Research Plan Review.

The IPAA represents the thousands of independent oil and natural gas producers that develop 90 percent of US wells and produce over 80 percent of US natural gas. Approximately 90 percent of these wells now require the use of hydraulic fracturing. EID is a coalition of national, regional and state trade association as well as oil and natural gas companies that is dedicated to providing information on the environmental issues associated with the development of these resources.

We participated at the April 7-8, 2010 Environmental Engineering Committee's public meeting in Washington, submitting both oral and written comments. We believe that the Agency study of hydraulic fracturing can be an important element in resolving the accusations that have been made regarding state regulatory management of the fracturing process. Consequently, it is important that the study be both scientifically sound and appropriately structured. In reviewing the Report, we find some specific points that we believe provide the opportunity for such structure as well as some concerns.

First, on Page 16 of the Report, it states:

> The Committee believes that ORD should emphasize environmental concerns that are specific to or significantly influenced by hydraulic fracturing rather than on concerns that are common to all oil and gas production activities.

We believe this is an essential aspect of the study structure. During our oral presentation at the public meeting and in supplemental written materials, we emphasized the importance of understanding the distinctions between those activities that are part of each oil and natural gas drilling activity and those that are related to the hydraulic fracturing process.

Second, on Page 19 of the Report, it states:

> Health and environmental risk associated with hydraulic fracturing can only be assessed after sources and pathways of possible exposure are much better understood. Several activities must occur before such potential risks are assessed, including: a) characterization of the composition and variability of the source fluids, flowback water and produced water that is co-mingled with the flowback water; b) assessment of possible synergistic effects of mixtures of chemicals in fracturing fluids as well as synergistic effects of chemical mixtures interacting with materials in the fractured injection zone; c) evaluation of potential pathways to human and ecosystem exposure under a range of hydraulic fracturing process conditions relative to different geological formations and conditions; d) analysis of the existence and formation of hydraulic fracturing injection and product fluid transport pathways as a result of hydraulic fracturing; and e) identification of the conditions most likely to lead to impacts on drinking water resources.

Given both the time and funding limitations on this hydraulic fracturing study, there is a critical need to prioritize the analysis that should be done. Consequently, as we stated in our previous comments:

> We believe that the study needs to be framed around a key threshold question – whether the regulatory structures effectively manage the environmental risks of the fracturing process. If these risks are well managed, the other questions are meaningless. If the regulatory structures prevent pathways to drinking water, there is no risk.

Of the elements set forth in the Report above, item c) – evaluation of potential pathways to human and ecosystem exposure under a range of hydraulic fracturing process conditions relative to different geological formations and conditions – comes the closest to this assessment. We believe that this aspect of the analysis should be done first to prevent valuable resources from being spent on information that would be meaningless if no pathway exists to affect human health or the environment. Moreover, as we stated in our earlier comments, this must include the involvement of the state regulatory agencies that have designed and implemented programs to protect ground water. Without this critical perspective the effort could lose essential focus.

Third, for example, the Report includes a suggestion to address the effect of hydraulic fracturing on water quantity. This concept plays into a regular misperception on hydraulic fracturing. It is true that hydraulic fracturing consumes water as part of the fracturing process. However, this consumption creates no unique impacts on drinking water. Any activity that expands water use would create the same consequences – more agriculture, new golf courses, expansion of a subdivision. In fact, producers are evaluating options to reuse flowback water to reduce the quantities of new water used. We do not believe that a water quantity analysis is an appropriate pathway for the study to pursue given its mandate.

Fourth, a total review of the Report raises concerns that it proposes a study scope that is too extensive over too long a time and beyond realistic funding levels. Ultimately, EPA will need to set the study's scope at a realistic level. The Report would have been more useful if it had reflected this reality.

We appreciate the opportunity to provide input to the development of the EPA Research Study and will continue to participate in its execution. If additional information is required, please contact Lee Fuller at 202-857-4731 or at lfuller@ipaa.org.

Sincerely,

Lee O. Fuller