



Clean Water Action/Clean Water Fund Statement

U.S. Environmental Protection Agency Science Advisory Board Review

Draft Assessment of the Potential Impacts of Hydraulic Fracturing for Oil and Gas on Drinking Water Resources

June 14, 2016

Thank you for the opportunity to comment today. EPA's study design was appropriate, given constrained resources, and the results identified dozens of vulnerabilities throughout the hydraulic fracturing water lifecycle. We commend the EPA for developing an extensive *Assessment* that will inform our understanding of the impacts of hydraulic fracturing activity and support drinking water protection. We also thank the Study Panel and Chartered SAB for lending expertise to EPA on developing a robust and accurate final *Assessment*.

In order for the *Assessment's* findings not to be misunderstood or intentionally misconstrued, the high level conclusions must be supported by the underlying information and findings. EPA should follow the recommendations of the majority of the SAB Study Panel and revise the Major Findings and Conclusions section of the Executive Summary to clarify that EPA cannot say with any certainty how widespread or systemic the impacts of hydraulic fracturing are due to the lack of available data and because EPA did not perform a statistical analysis of the number of cases of drinking water impacted by fracturing activities versus the number of fracturing activities.

The Study Panel commented that the following statement in the Executive Summary: "*we did not find evidence that hydraulic fracturing mechanisms have led to widespread, systemic impacts on drinking water resources*" is "ambiguous" and "inconsistent with the observations, data, and levels of uncertainty presented and discussed in the body of the draft *Assessment*." EPA should prioritize this suggested revision in the finalization process.

Impacts on drinking water do not have to be widespread to be significant. Discounting impacts as geographically confined undermines how severe these impacts can be and undervalues future vulnerabilities. EPA should acknowledge that drinking water impacts are inherently local, sometimes severe, and should be not deemphasized or undervalued.

The Study Panel also recommended that EPA include the analysis and status of three investigations: Pavilion, Wyoming, Dimock, Pennsylvania, and Parker County, Texas that were already underway when work on the *Assessment* commenced.

The Science Advisory Board should urge EPA to incorporate the Study Panel's recommendations and to commit to a timeline for finalization of the *Assessment*. Absent a Final *Assessment* and actions to address vulnerabilities identified, public health is jeopardized and drinking water sources remain vulnerable.

The Study Panel undertook a transparent review process over a series of months resulting in consensus recommendations developed by 31 scientists and engineers. These recommendations are reasonable and relatively minor compared to the breadth of EPA's *Assessment*. Rejection of the Panel's recommendations could be seen as an attempt to obfuscate the impacts of hydraulic fracturing and limit the public's understanding of potential threats to drinking water.

The SAB should encourage EPA to ensure that the impressive body of work represented in the Final *Assessment* leads to stronger drinking water protection. EPA should publish a road map for addressing the vulnerabilities outlined in the *Assessment*. *This road map should include:* identification of actions that can be taken using existing authorities and within current programs; recommendations for addressing vulnerabilities that cannot be addressed by current programs; *identification of further* research needs, and an explanation of actions to reduce uncertainties in future research work.

We ask the SAB to urge EPA to acknowledge the many uncertainties implicit in any discussion of impacts to drinking water. This includes lack of access to information and analysis sealed in non-disclosure agreements in legal proceedings over water contamination.

Thank you for the opportunity to provide these comments.

Lynn Thorp
National Campaigns Director