

# Sponsor of 'fracking' bill calls for federal study

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DENVER -- Plans for a new study of hydraulic fracturing and its potential effects on drinking water supplies are advancing in Congress amid debate over whether the drilling practice should be federally regulated.

Democratic Reps. Diana DeGette of Colorado and Maurice Hinchey of New York are sponsoring a bill that would place the widely used oil and gas drilling technique under federal oversight. The House Appropriations Committee in June approved a measure by Hinchey calling on the Environmental Protection Agency to study potential risks to groundwater from hydraulic fracturing, also called "fracking."

The process injects liquids, sand and chemicals underground to force open channels in tight sand and rock formations so that oil and gas will flow.

Colorado Gov. Bill Ritter told an industry group last week that he has urged DeGette "to consider authorizing a comprehensive study of this issue instead of jumping directly to a new and potentially intrusive regulatory program."

DeGette's spokesman, Kristofer Eisenla, said the congresswoman understands Ritter's concerns and believes more data about fracking is needed. He said DeGette has talked to the EPA about a study but is also moving forward with her bill.

"All options are on the table regulating this legislation," Eisenla said.

Jeff Lieberman, spokesman for Hinchey, said the effort to regulate fracking under the federal Safe Drinking Water Act has always been a two-pronged approach: passing the legislation and conducting a new study.

Hinchey wants to see the bill take effect as soon as possible, Lieberman said.

A 2004 study by the EPA said there was no evidence that fracking threatens drinking water. Critics, including a veteran engineer in the regional EPA office in Denver, argued the report's methodology was flawed.

A provision in the 2005 energy bill that prevented the EPA from regulating fracking was called the "Halliburton loophole" by foes.

Halliburton Co., an oilfield services company, pioneered hydraulic fracturing. Former Vice President Dick Cheney, who once ran Halliburton, guided President George W. Bush's energy policy.

The proposal for a new study on fracking was included in a report accompanying the House Appropriation Committee's 2010 spending bill.

"We're now one important step closer toward securing a new, unbiased EPA study on the risks that hydraulic fracturing poses to our nation's drinking water supplies," Hinchey said when the measure was approved.

The industry says fracking is crucial to producing gas from the tight sands of the Rockies as well as gas shale reserves such as the Marcellus Shale that underlies much of New York, Ohio, Pennsylvania and West Virginia. Industry groups say studies have shown the practice doesn't threaten drinking water because fracking liquids are generally injected below the level of water wells and the casing around the bore well isolates the liquids and gas from water.

Lee Fuller, a vice president with the Independent Petroleum Association of America, said last week the industry believes the states do a good job of regulating fracking.

But people living near gas wells in parts of the Rockies that experienced record gas drilling in recent years

have complained about bad-tasting well water, well blowouts when fracking is going on, and health problems they believe are caused by methane or chemicals from gas production.

Lieberson said Hinchey is concerned about complaints about gas drilling from water users in New York. He said people are worried about proposed drilling in watersheds, including the one from which New York City draws its drinking water.

Advocates of including fracking under the federal Safe Drinking Water Act have accused federal officials of stalling since 1997, when the 11th Circuit U.S. Court of Appeals in Atlanta ordered the EPA to reconsider its decision that the state of Alabama didn't have to regulate fracking because it didn't constitute underground injection under the act. The Florida-based Legal Environmental Assistance Foundation had filed a petition with the federal agency, alleging that Alabama's regulations failed to adequately protect underground drinking water.