

Representative Maurice Hinchey  
123 S. Cayuga St. #201  
Ithaca, NY 14850

Re: H.R. 2766

Dear Representative Hinchey:

I am writing to thank you for your leadership in co-authoring and sponsoring H.R. 2766, the Fracturing Responsibility and Awareness of Chemicals (FRAC) Act. I also want to thank you for your consistent leadership on this issue. In particular, I commend your work ensuring the inclusion of language in the FY 2010 Interior and Environment Appropriations bill that directs the EPA to conduct a new study of the risks that hydraulic fracturing poses to drinking water.

It is crucial that the EPA undertake a new, independent, and thorough examination of hydraulic fracturing, especially in light of recent studies of water contamination in the state of Wyoming and recent events related to Marcellus Shale gas development in Pennsylvania. I appreciate your work to make sure that the appropriations bill including this study was approved in the House of Representatives, and I am communicating with Senators Schumer and Gillibrand to urge them to seek prompt Senate passage.

Rapid committee approval and passage of the FRAC Act is crucial to protect water supplies throughout the Marcellus Shale region and throughout the United States. The FRAC Act repeals the exemption for hydraulic fracturing in the Safe Drinking Water Act (SDWA) and requires public disclosure of the chemicals used in hydraulic fracturing fluids.

Passage of this legislation is extremely important to me: I live in and rely on ground water in an area that overlies the Marcellus Shale. Hydraulic fracturing, which is used to extract natural gas from shale formations, must be regulated by the EPA under the SDWA to ensure that our drinking supplies are not put at risk. As you have often stated, "Nothing is more critical than having access to safe drinking water. This is a basic right that must be protected."

It is unfortunate that the Energy Policy Act of 2005 exempted hydraulic fracturing from EPA's oversight under the SDWA. Other forms of underground injection are regulated under the Safe Drinking Water Act to protect drinking water. We should hold the oil and gas industry to the same standards as other industries and close this and all other loopholes, to achieve consistent federal oversight. It is crucial that the FRAC Act be passed and signed into law in order to reverse this policy. I appreciate your long history of leadership in seeking to protect our safe drinking water supplies by closing what has come to be known as "the Halliburton loophole."

Natural gas may be an important part of our energy portfolio, but the right balance needs to be established between oil and gas development and protection of our precious natural resources, including clean air and clean water. The FRAC Act, which you co-authored, is a straightforward and reasonable bill, and I encourage you to do all that you can to ensure its passage. Every American deserves clean drinking water.

Sincerely,