

□ *Washington, DC* -- Congressman Maurice Hinchey (D-NY), Congresswoman Diana DeGette (D-CO), Congressman Jared Polis (D-CO), and Congressman Raúl Grijalva today led 38 House members in urging the U.S. Department of Interior (DOI) to strengthen its draft rule to require gas companies to publicly disclose the chemicals used in hydraulic fracturing operations on public and Indian lands. In a letter sent today to Interior Secretary Ken Salazar, the House members urged the agency to require the disclosure of chemicals used in fracking before drilling begins, not just after as required in the draft rules.

"While we believe the draft rule released by the Department of Interior is a good first step to increase transparency regarding chemicals used in the hydraulic fracturing process, we urge you to strengthen the final rule by expanding the public disclosure requirement to apply both before and after hydraulic fracturing operations begin," the House members wrote in their letter to Salazar. "Before hydraulic fracturing operations begin, the public has a right to know what types of chemicals might be going into the ground near their communities, as well as what chemicals will be stored and transported, so that they have the option of conducting baseline water tests and take other precautions to safeguard their surface and ground water supplies.

Prior to publicly releasing its draft proposal, the DOI was privately working on a plan that would have required oil and gas companies to disclose the proposed chemicals they sought to use in the fracking process before operations commenced and the actual chemical constituents and percentage by mass after the operations were completed. That pre-drilling requirement was ultimately dropped from the proposed draft that DOI issued on May 4. The agency's draft proposal currently on the table only requires companies to disclose the chemicals used within a month of completion of the fracturing job.

Hinchey is a leader in Congress of the effort to protect drinking water and the environment from the risks of hydraulic fracturing. He is a co-author of the FRAC Act, which would mandate public disclosure of chemicals used in frack fluid before and after drilling takes place and allow the EPA to regulate fracking activities under the Safe Drinking Water Act. The congressman also authored the appropriations language that led to the current EPA study on hydraulic fracturing.

The full text of the letter from Hinchey, DeGette, Polis, Grijalva, and 34 other House members to Salazar follows:

June 20, 2012

The Honorable Ken Salazar

Secretary

U.S. Department of the Interior

1849 C Street, NW

Washington, DC 20240-0001

Dear Secretary Salazar:

We write to express our strong support for a robust public disclosure requirement for chemical compounds used in hydraulic fracturing fluids. While we believe the draft rule released by the Department of Interior (DOI) is a good first step to increase transparency regarding chemicals used in the hydraulic fracturing process, we urge you to strengthen the final rule by expanding the public disclosure requirement to apply both before and after hydraulic fracturing operations begin.

As oil and natural gas development expands across the country, the use of hydraulic fracturing is growing as well, bringing drilling operations closer and closer to communities and sources of drinking water. This process of developing natural gas by injecting a mixture of various chemicals, water, and proppant into underground rock formations has resulted in complaints from neighboring communities that their water supplies have become contaminated.

Before hydraulic fracturing operations begin, the public has a right to know what types of chemicals might be going into the ground near their communities, as well as what chemicals will be stored and transported, so that they have the option of conducting baseline water tests and take other precautions to safeguard their surface and ground water supplies. Currently, several states, including the state of Wyoming, require pre-fracturing disclosure. We believe that in order to accomplish the goal of increased transparency and environmental and health protection, the Department's rules should be at least as strong as those already implemented in the states.

In an earlier draft of DOI's proposed regulations, the Department considered requiring companies to disclose the proposed chemical constituents and their percentage by mass before operations commenced and the actual chemical constituents and percentage by mass after the operations were completed. The requirement to disclose the proposed chemical constituents before fracturing operations was dropped from the proposed draft issued on May 4th and companies are now required only to disclose the chemicals used within a month of completion of the fracturing job.

Increasing transparency by requiring the disclosure of all chemicals used in the hydraulic fracturing process is an important start to what we hope will be broader, comprehensive energy development policies that will embrace best practices for both traditional and renewable energy development.

Thank you for your efforts to protect public lands and public health through this undertaking.

Sincerely,

Maurice Hinchey, Diana DeGette, Jared Polis, Raúl Grijalva, and 34 of their House colleagues