Congressional Panel Eyes Fracking Wastewater Rules

SEAN MURPHY,Associated Press

OKLAHOMA CITY (AP) — The disposal of polluted wastewater from a drilling technique known as hydraulic fracturing should be overseen by individual states and not the U.S. government, state regulators told a congressional committee on Wednesday.

Regulators and members of the U.S. House Subcommittee on Water Resources and the Environment voiced concern over a plan by the Environmental Protection Agency for new regulations on wastewater generated from hydraulic fracturing. The EPA has taken steps recently to boost federal regulation of the technique, also known as fracking, announcing it will develop national standards for the disposal of the wastewater. It also is investigating whether fracking is contaminating drinking-water supplies.

The technique has led to an explosion of natural gas exploration in Pennsylvania, Ohio and several other states, and committee members suggested at a meeting in Washington that federal interference could hamper the booming industry.

"I am concerned that, given the recent history of the new EPA regulations, these new effluent guidelines will be so needlessly restrictive that the gas extraction operations in Ohio and many other states, and the resulting economic benefits they provide the states, will suffer," said U.S. Rep. Bob Gibbs, R-Ohio, the chairman of the subcommittee. Reporters were able to listen to the committee's meeting by phone.

"We must be sure that the EPA thinks carefully before developing new Clean Water Act standards that would needlessly restrict this important industry and burden it with an additional layer of duplicative federal regulations."

The industry has long contended that fracking is safe, but environmentalists and some residents who live near drilling sites say it has poisoned groundwater.

Oklahoma Corporation Commissioner Dana Murphy, whose state agency is responsible for regulating the oil and gas industry and the disposal of fracking wastewater, said she's concerned the EPA might develop a one-size-fits-all approach that doesn't take into account the unique characteristics of individual states.

"My fundamental point would be to encourage that the states are the appropriate bodies to regulate the oil and gas drilling industry," Murphy said. "Protection of water and the environment and the beneficial development of the nation's resources of oil and gas are not mutually exclusive goals. Oklahoma is proof of

that."

In Oklahoma, where hydraulic fracturing has been commonplace for decades, fracking wastewater is pumped thousands of feet underground into geological formations through disposal wells that are permitted and regulated by the commission. But problems have arisen in other states that do not have similar underground formations suitable for injection.

In Pennsylvania, where drilling companies have flocked to the Marcellus Shale formation, drillers were sending millions of barrels of wastewater to water treatment plants that were only partially removing contaminants before discharging the water into rivers. The practice has since stopped, and the state's environmental secretary, Michael Krancer, told the committee Wednesday that suggestions that fracking is responsible for contaminating water supplies are bogus.

"It's total fiction that sewage treatment plants are discharging these terrible waste products into the waterways," Krancer said. He also said it's a "myth that somehow these chemicals are getting into the groundwater."

But U.S. Rep. Timothy Bishop, D-N.Y., said there is concern in his state that the "cocktail of chemicals and pollutants" in fracking wastewater could contaminate local drinking water supplies and that members should welcome the EPA's investigation.

"Determining whether or not hydraulic fracturing wastewater disposal has any potential negative impacts on public health or the environment should not be cause for alarm," Bishop said. "As policymakers, we should want to know all that we can about the potential impact hydrofracking may have on our communities, our constituents and our water quality."

James Hanlon, director of the EPA's Office of Wastewater Management, said the agency plans to solicit a variety of data on fracking wastewater and issue a proposed rule in 2014.

"In the coming months, the EPA will carefully consider the impact of regulatory costs to the industry and to subsets of stakeholders such as small business and state and local governments," Hanlon said. "EPA will also consider potential impacts on jobs and local economies."

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