

American Rivers - Center for Food Safety – Earthjustice  
Earthworks/Oil and Gas Accountability Project - Environment America  
Environmental Working Group - Food & Water Watch  
International Center for Technology Assessment - National Alliance for Drilling Reform  
National Audubon Society - National Wildlife Federation  
Natural Resources Defense Council - Public Citizen's Energy Program  
Rural Community Assistance Partnership, Inc. - The Wilderness Society  
Trout Unlimited - Waterkeeper Alliance - Western Organization of Resource Councils

September 10, 2009

Dear Senator/Representative:

Our 160 national, regional, state and local organizations, including conservation, faith, sportsmen and community organizations, urge you to co-sponsor S. 1215/ H.R. 2766, the **Fracturing Responsibility and Awareness of Chemicals (FRAC) Act**. This important legislation would repeal an exemption in the Safe Drinking Water Act (SDWA) for an oil and gas technique called hydraulic fracturing. It would also require public disclosure of the chemicals used in hydraulic fracturing fluids.

Oil and gas production is present in over 30 states, and a consistent national standard is needed for this practice. Hydraulic fracturing involves the injection of fluids into oil or gas wells at very high pressure in order to crack open the underground formation and allow oil or gas to flow out more easily. These fluids often contain toxic chemicals, some of which remain underground. The pressure places stress on the oil or gas well and can lead to unpredictable consequences. Our organizations represent communities across the country that are concerned about drinking water contamination linked to hydraulic fracturing operations. Reports of drinking water contamination come from Colorado, Texas, Arkansas, Ohio, Pennsylvania, Alabama and Wyoming.

While states regulate oil and gas production, state rules vary widely and a federal floor is needed. As stated in a study by the Hastings College of the Law, “many of the state regulatory schemes date from earlier waves of resource extraction, and have not kept pace with changed technologies, nor with a deepening concern for public health and the environment.” For example, a recent report issued by the Ground Water Protection Council found that some states do not require a well’s surface casing to be set through the deepest ground water zone. Protection of drinking water is a national concern that should not be left to a patchwork of state regulations

In 2005, Congress exempted hydraulic fracturing from the SDWA to the benefit of Halliburton and other oil and gas companies. It is time to close the Halliburton Loophole and hold the oil and gas production industry to the same standards as any other industry.

Most states have primacy for regulating underground injection; under this legislation EPA could allow states considerable flexibility to tailor their rules to local conditions. All Americans deserve to have their drinking water source protected from endangerment under federal law.

The right balance needs to be established between oil and gas development and protection of our precious and finite natural resources. Instead of that balance, however, provisions of some of our most critical federal environmental laws have exemptions for oil and gas production. In addition to the Safe Drinking Water Act, there are loopholes in the Clean Air Act, Clean Water Act, and Resource Conservation and Recovery Act. These loopholes should be closed, starting with the Halliburton Loophole.

We hope you will co-sponsor this sensible and important legislation to close the Halliburton Loophole in the Safe Drinking Water Act.

Signed,

**National Organizations**

American Rivers  
Center for Food Safety  
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Environment America  
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Food & Water Watch  
International Center for Technology Assessment  
National Alliance for Drilling Reform  
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National Wildlife Federation  
Natural Resources Defense Council  
Public Citizen's Energy Program  
Rural Community Assistance Partnership, Inc.  
The Wilderness Society  
Trout Unlimited  
Waterkeeper Alliance

**Regional Organizations**

Appalachian Mountain Club  
Chesapeake Bay Foundation  
Delaware River Greenway Partnership  
Delaware Riverkeeper Network  
Greater Yellowstone Coalition  
Highlands Coalition  
Housatonic Valley Association  
Midwest Organic and Sustainable Education Service  
San Juan Citizens Alliance

## **Regional Organizations, Continued**

Western Environmental Law Center  
Western Organization of Resource Councils  
WildEarth Guardians

## **State Organizations**

### **Alabama**

Black Warrior Riverkeeper

### **Arizona**

Environment Arizona

### **Arkansas**

Arkansas Conservation Alliance  
Citizens Against Resource Exploitation (CARE)  
Omni Center for Peace, Justice & Ecology

### **California**

Ballona Network  
Californians for Western Wilderness  
Environment California  
Grassroots Coalition

### **Colorado**

Colorado Environmental Coalition  
EcoFlight  
Environment Colorado  
Grand Valley Citizens Alliance  
Majors Ranch Property Owners Association Environmental Impact Committee  
Navajo Ranch Clean Water Preservation Committee  
North Fork Ranch Landowner's Association  
San Luis Valley Ecosystem Council  
San Luis Valley Water Protection Coalition  
The Citizen's Alliance for Responsible Urban Gas Drilling  
Western Colorado Congress  
Wilderness Workshop

### **Connecticut**

Environment Connecticut

### **Florida**

Environment Florida

### **Georgia**

Citizens Organized for Pipeline Safety (COPS)  
Environment Georgia

**Illinois**

Environment Illinois

**Iowa**

Environment Iowa

**Louisiana**

Lower Mississippi Riverkeeper

**Maine**

Environment Maine

**Maryland**

Environment Maryland

**Massachusetts**

Environment Massachusetts

**Michigan**

Citizens Against Environmental Destruction  
Environment Michigan

**Minnesota**

Environment Minnesota

**Montana**

Environment Montana  
Northern Plains Resource Council

**Nevada**

Environment Nevada

**New Hampshire**

Environment New Hampshire

**New Jersey**

Environment New Jersey

**New Mexico**

Blancett Ranches  
Common Ground United  
Drilling Santa Fe  
Environment New Mexico  
Gila Resources Information Project  
New Mexico Environmental Law Center  
New Mexico Wildlife Federation  
Velasquez Ranch

### **New York**

Atlantic States Legal Foundation, Inc.  
Binghamton Regional Sustainability Coalition  
Catskill Citizens for Safe Energy  
Catskill Mountainkeeper  
Citizens Campaign for the Environment  
Environment New York  
Environmental Advocates of New York  
Hudson Highlands Land Trust  
Hudson Riverkeeper  
New Yorkers for Sustainable Energy Statewide  
Northeast Organic Farming Association of New York, Inc.  
NYH2O  
Orange County Land Trust  
Orange Environment, Inc.  
PlanPutnam.Org  
Putnam County Coalition to Preserve Open Space  
Scenic Hudson  
Shaleshock  
The Ramapo River Watershed Intermunicipal Council  
Theodore Gordon Flyfishers, Inc.

### **North Carolina**

Environment North Carolina

### **North Dakota**

Dakota Resource Council

### **Ohio**

East Shore Unitarian Universalist Church, Environmental Action Group  
Environment Ohio  
Mentor Lagoons Preservation Committee  
Northeast Ohio Gas Accountability Project

### **Oregon**

Environment Oregon

### **Pennsylvania**

Allegheny Defense Project  
Berks County Conservancy  
Cooks Creek Watershed Association  
Damascus Citizens for Sustainability  
Foundation for Pennsylvania Watersheds  
Gaia Defense League  
Green Valleys Association  
Juniata Valley Audubon  
Mountain Watershed Association

PennEnvironment  
Pennsylvania Forest Coalition  
Pennsylvania Organization for Watersheds and Rivers  
Sagamore Estates Property Owners Association  
Schmid & Company, Inc., Consulting Ecologists  
Twin & Walker Creeks Watershed Conservancy  
Twin and Walker Lakes Communities Coalition  
Twin and Walker Lakes Watershed Conservancy  
Twin Lake Preserve  
Twin Lake Woods Property Owners Association  
Twin Lakes Conservancy Inc.  
Twin Lakes Property Owners Association  
Walker Lake Landowner's Association  
Youghiogheny Riverkeeper

### **Rhode Island**

Environment Rhode Island

### **Texas**

Blue Wind Partners  
Citizens for Environmental Clean-Up  
Environment Texas  
Family Area Ministry & Education  
Flower Mound Citizens Against Urban Drilling  
Fort Worth Citizens Against Neighborhood Drilling Operations (FWCanDo)  
Galveston Baykeeper  
PARCHED  
Texas Oil and Gas Accountability Project  
Unity Church of Fort Worth  
WE CAN (Working Effectively for Clean Air Now)

### **Utah**

Colorado Riverkeeper  
Southern Utah Wilderness Alliance

### **Virginia**

Blackwater Nottoway Riverkeeper Program  
Environment Virginia

### **Washington**

Environment Washington

### **West Virginia**

Greenbrier River Watershed Association  
West Virginia Citizen Action Group  
West Virginia Headwaters Waterkeeper  
West Virginia Rivers Coalition

West Virginia Surface Owners' Rights Organization  
Wetzel County Action Group

**Wisconsin**

Wisconsin Environment

**Wyoming**

Biodiversity Conservation Alliance  
Clark Resource Council  
Equality State Policy Center  
Friends of a Legacy  
Pavillion Area Concerned Citizens  
Powder River Basin Resource Council  
Upper Green River Valley Coalition  
Wyoming Conservation Voters  
Wyoming Outdoor Council