

# EXEC REPORT

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## **EPA Holds Hearing On Hydraulic Fracturing In Fort Worth On July 8**

The Environmental Protection Agency will hold a hearing in Fort Worth at 6:00 p.m. on July 8 regarding hydraulic fracturing. Alliance President **Alex Mills** will make a presentation on behalf of the Texas Alliance. He will point out that there has been no confirmed case in which hydraulic fracturing has contaminated ground water, and that the states currently have oversight responsibilities.

Hydraulic fracturing occurs thousands of feet below fresh water zones. For example, the average well in the Barnett Shale is more than 8,000 feet below the fresh water table. That's more than a mile and a half of solid rock between the fractured zone and the fresh water zone. Put another way, you could stack the five tallest buildings in North America – the CN Tower in Toronto, the Sears Tower in Chicago, the Trump Tower in Chicago, the John Hancock Building in Chicago and the Empire State Building in New York, which total 7,797 feet in height – and still not equal the vast distance between the fresh water zone and most fractured zones.

Additionally, during the past 25 years, the Congress, federal regulatory agencies, state regulatory agencies, state legislatures, and the courts have examined hydraulic fracturing extensively. Yet, not one case of contamination by hydraulic fracturing has been proven.

In 1995, EPA Administrator **Carol Browner** wrote that hydraulic fracturing was closely regulated by the states and that the "EPA is not legally required to regulate hydraulic fracturing." Most importantly, she further wrote that there was "no evidence that hydraulic fracturing resulted in any drinking water contamination" in the litigation involved. Also, two EPA officials testified just a few months ago that they did not know of any contamination caused by hydraulic fracturing.

In fact, in hydraulic fracturing's 60 year history, there has not been a single documented case of contamination.

Alliance members are encouraged to attend the hearing on July 8. If you want to make oral or written comments (EPA limits presentations to 2 minutes), you must pre-register within 72 hours by going to <http://hfmeeting.cadmus-web.com> or calling 866-477-3635.

## **EPA Region 6 Director Pulls Air Permits From State Regulators**

EPA Region 6 Director **Al Armendariz** has pulled EPA's approval of the air permit process that has been in place in Texas for 16 years, placing the entire refining industry in Texas in jeopardy. Federal law allows states to issue air emission permits, with oversight from the EPA.

Armendariz, who the Sierra Club labeled the "new sheriff in town" when he was appointed as the new Region 6 Director earlier this year, decided in May that the air permitting process conducted by the Texas Commission on Environmental Quality (TCEQ) was not tough enough for him. He pulled the permit issued to the Flint Hills Resources refinery in Corpus Christi, which has been operating under permits issued by the Texas Commission on Environmental Quality (TCEQ) since 1952. The 300,000-barrel-per-day refinery, which has spent more than \$2.8 billion since 1981 on "significant environmental upgrades," must try to get a federal permit for the first time in Texas history to stay in business.

Armendariz indicated in May that his EPA enforcers also could be requiring federal permits of the remainder of refineries, chemical plants and other industrial facilities in Texas and in the other states in Region 6. On June 30, he announced final disapproval of the flexible permit program that the TCEQ had submitted for inclusion in its clean-air implementation plan.

## **Future Meetings: go to [www.texasalliance.org](http://www.texasalliance.org) for more information or call 800-299-2998.**

July 12 - East Texas Golf Tournament, Hollytree Country Club, Tyler

July 13 - East Texas Legends Luncheon honoring J.E. (Eddie) Adamson & Wade C. Ridley, Hollytree Country Club, Tyler

July 27 & 28 - The Emerging Energy Technologies Conference at Rice University

If you do not want to receive any faxes from the Texas Alliance, please call (800) 299-2998, or fax (940) 723-4132, or send an e-mail to [texasalliance@texasalliance.org](mailto:texasalliance@texasalliance.org). Please include your name, company, fax number and phone number for verification purposes.