

Pat Furgurson: The Clean Water Act and fracking

By **E.B. FURGURSON III** Staff Writer

Posted: **Sunday, September 16, 2012 5:00 am**

The Capital

The Clean Water Act is 40 years old.

On Saturday the Waterkeeper Alliance, including our local Riverkeepers, led a rally in Washington, D.C., to celebrate what has been accomplished and to warn against attempts to weaken the law.

West Rhode Riverkeeper Chris Trumbauer was there.

“Nationally we have been successful regulating pollutants coming out the end of a pipe from point sources like factories and municipal waste. The act has also allowed us to begin making progress on nonpoint-source pollution like stormwater,” Trumbauer said from his Shady Side headquarters Friday.

The next challenge, he said, is to ensure that the next round of municipal permits — regulating the nutrient pollution carried down waterways into the Chesapeake Bay — gets the job done.

“We need people to understand provisions of the Clean Water Act are here to help them,” Trumbauer said. “And for them to realize, in this political climate where any regulation is under attack, that this law has helped us and, if protected, will continue to help us.”

Protecting our waterways and groundwater is, in fact, protecting ourselves.

One potential threat to our life-sustaining water looms: Hydraulic fracturing, also known as fracking. The process releases natural gas entombed in shale deposits. To capture it, companies drill through layers of earth, bedrock and water aquifers, and then horizontally to penetrate layers of rock.

Then thousands, sometimes millions, of gallons of water, sand, rock, and chemicals are injected into the shale bed to break it up and release the gas.

The promise of cleaner-burning natural gas has driven an explosion of fracking operations in several states.

The method can unleash trillions of cubic feet of gas, a potential energy source to help meet our unquenchable demand for more.

Industry leaders say the practice is safe. But evidence suggests that fracking could also damage water supplies.

Surely the Clean Water Act and its regulatory tools should be able keep that potential damage in check.

No such luck. You see, the Energy Policy Act of 2005 contained language exempting fracking from the Clean Water Act.

Some call it the Halliburton amendment, in honor of the gas and oil and supply conglomerate once headed by then-Vice President Dick Cheney. Fracking gets a pass.

How can fracking affect water? In part through the sheer volume of water needed to bust gas-laden seams. One study put it at close to 4 million gallons for some wells.

Another study published in the *Proceedings of the National Academy of Sciences* documented “systematic evidence for methane contaminations of drinking water associated with shale gas extraction.”

A Duke University study found water can be contaminated by a cracked well casing, a spill of the chemical-laden fluids used to fracture the rock at a drill site, or through methane seeping up into aquifers or springs near the well site.

In its first month, a single well can generate 1 million gallons of a chemical stew of waste products, that study also found.

Another study, published in the journal *Human and Ecological Risk Assessment*, found that 632 chemicals are used in gas extraction and noted that 75 percent of them could affect “the skin, eyes and other sensory organs, and the respiratory and gastrointestinal systems.”

Another 40 to 50 percent, the study said, could affect “the brain/nervous system, immune and cardiovascular systems.”

Last summer Gov. Martin O’Malley put a hold on fracking permits in Maryland until studies of the process’ environmental effects are completed.

Last week Del. Heather R. Mizeur, D-Montgomery, announced she would introduce legislation in the next General Assembly session to ban fracking until the studies cited in O’Malley’s executive orders have been completed.

Oil and gas interests have fought full funding of the studies, Mizeur said. Enacting her bill would codify the de facto ban imposed by the governor until the studies are funded and done.

All reasons to stand up for the Clean Water Act before it is further diluted.