

Frack Pack Information

The FRAC Act

The Fracturing Responsibility and Awareness of Chemicals Act (DeGette)

The FRAC Act would eliminate the "Halliburton Loophole," established under the Energy Policy Act of 2005, under which fracking fluids are exempted from regulation under the federal Safe Drinking Water Act. The FRAC Act would require fracking companies to publicly disclose the chemicals they are pumping into the ground and give EPA the authority to regulate the process under its Underground Injection Control program. The oil and gas industry remains the only economic sector exempt from this important program.

Hydraulic fracturing involves injecting a mixture of water, sand, and chemicals at high pressure into deep, underground rock formations. This process creates small fissures within the rock that release pressurized deposits that are then captured. The injected fluids and flowback may contain a variety of chemicals, such as benzene, toluene, methanol and formaldehyde, that can threaten our drinking water, environment, and public safety if not properly managed. **The FRAC Act would address these risks by requiring the disclosure of chemicals used in hydraulic fracturing and ensuring that the process complies with the Safe Drinking Water Act.**

Hydraulic fracturing fluid disclosure is already a requirement in dozens of states. Passing the FRAC Act would provide national consistency by extending these important protections to all states, which may be affected by underground operations across state lines.

The CLEANER Act

The Closing Loopholes and Ending Arbitrary and Needless Evasion of Regulations Act (Castor)

The CLEANER Act would make oil and gas companies responsible for cleaning up and disposing of hazardous waste that comes from their operations under the Resource Conservation and Recovery Act (RCRA), Subtitle C, the nation's hazardous waste management law.

Fracking waste materials are not subject to the same standards as other waste, even though these wastes contain dangerous substances including benzene, acids, lead and other heavy metals, petrochemicals such as diesel fuel, and radioactive materials. These specific exemptions are the result of a 1980 amendment passed during an oil crisis. This amendment is now out of date and unnecessary. RCRA Subtitle C subjects other industries that produce hazardous waste to strict regulations which govern how this waste must be disposed of. These common-sense regulations protect our health and environment and other industries have complied with these regulations for decades. Currently, if waste just as toxic is produced by the oil and gas industry, it does not even have to be tested to determine toxicity and faces much looser rules and protocols determine how the industry stores and disposes of its waste. The CLEANER Act would end this exemption.

The FRESHER Act

The Focused Reduction of Effluence and Stormwater runoff through Hydrofracking Environmental Regulation Act (Huffman)

The FRESHER (Focused Reduction of Effluence and Stormwater runoff through Hydrofracking Environmental Regulation) Act closes the loophole for oil and gas companies in the Clean Water Act and creates a study to better understand the effect of storm water runoff from oil and gas companies.

The Clean Water Act, passed in 1972, sought to limit the release of harmful materials into rivers, lakes and streams. The law's stated goal was hindered by amendments in 1987 and 2005, which created exemptions for oil and gas exploration projects. These amendments allow the oil and gas industries to circumvent the laws every other industry follows that protect our waterways, despite the fact that the runoff from oil and gas well pads and related infrastructure can be contaminated with dangerous pollutants. Such runoff can and has polluted waterways – degrading water quality and damaging aquatic habitats. Obtaining a permit is a straight-forward process. The FRESHER Act would require oil and gas companies to have a plan to protect streams from runoff and to acquire this simple permit.

The SHARED Act

Safe Hydration is an American Right in Energy Development Act (Schakowsky)

The SHARED Act would require testing for water contamination near fracking sites.

Energy developers have claimed that fracking does not harm drinking water, but the data disagree. In December 2016, EPA identified impacts of fracking on drinking water that “ranged in severity, from temporary changes in water quality to contamination that made private drinking water wells unusable.” Between 2000 and 2013, 8.6 million Americans relied on water sources within one mile of hydraulically fractured wells.

The SHARED Act would require oil and gas companies to report on the impact their fracking activity has on water quality. Companies would regularly test water sources within a half-mile radius of fracking sites, and those results would be made available in a public database. This bill would ensure that oil and gas companies could not hide the water impacts of their activities.

The CLOSE Act

The Closing Loopholes for Oil and other Sources of Emissions Act (Clarke)

The CLOSE Act would decrease toxic air pollution that comes from oil and gas exploration and production activities and add hydrogen sulfide to the list of hazardous air pollutants regulated under the Clean Air Act. Hydrogen sulfide is an air toxic released during oil and gas exploration and production.

The CLOSE would reverse the exemption of oil and gas companies from the Clean Air Act's aggregation requirement, which allows multiple activities or facilities to be collectively permitted as one single source. The production, processing, storage, and transmission of oil and natural gas can release toxic air pollutants that threaten the health of nearby homes, schools and communities. The CLOSE Act would protect the public from small air pollution point sources that might individually seem harmless but cumulatively account for the release of large volumes of toxic substances.

The CLOSE Act would also add hydrogen sulfide to the Clean Air Act's federal list of hazardous air pollutants. Under current law, the Clean Air Act entirely exempts hydrogen sulfide from regulation even though it has been associated with nausea, vomiting, headaches, and irritation of the eyes, nose, or throat.