

## A RESOLUTION

1 Supporting continued State regulation of hydraulic fracturing  
2 and urging the Congress of the United States not to approve  
3 legislation that would remove State hydraulic fracturing  
4 regulating practices under the Safe Drinking Water Act.

5 WHEREAS, Pennsylvania forever changed the trajectory of the  
6 world economy 150 years ago with the first commercial discovery  
7 of oil in Titusville, Crawford County; and

8 WHEREAS, Again today, Pennsylvania is making transformational  
9 economic and technological progress through the safe,  
10 responsible and heavily regulated Marcellus shale gas production  
11 enabled by hydraulic fracturing; and

12 WHEREAS, Domestic natural gas production will ensure that the  
13 United States continues on the path to energy independence and  
14 economic competitiveness; and

15 WHEREAS, Hydraulic fracturing, which has been in commercial  
16 use for more than 60 years, as well as other advances in  
17 exploration technology, has helped generate a 45% increase in  
18 proven United States natural gas reserves, representing more  
19 than 100 years of available supply at current rates of  
20 consumption; and

1 WHEREAS, The Congress of the United States passed the Safe  
2 Drinking Water Act (Public Law 93-523, 21 U.S.C. § 349 and 42  
3 U.S.C. §§ 201 and 300f et seq.) to ensure the protection of the  
4 nation's drinking water resources; and

5 WHEREAS, At no time during the consideration or  
6 implementation of the Safe Drinking Water Act did the  
7 Environmental Protection Agency ever interpret hydraulic  
8 fracturing as constituting "underground injection" under that  
9 law; and

10 WHEREAS, In 2004, the Environmental Protection Agency  
11 published a final report that summarized a study evaluating the  
12 potential threat to underground sources of drinking water from  
13 hydraulic fracturing, which report concluded that "additional or  
14 further study is not warranted at this time" and that "the  
15 injection of hydraulic fracturing fluids into" coal bed methane  
16 wells "poses minimal threat to" underground sources of drinking  
17 water; and

18 WHEREAS, The Congress of the United States, in the bipartisan  
19 Energy Policy Act of 2005 (Public Law 109-58, 11 Stat. 594),  
20 which act was supported by then-Senator Barack Obama, explicitly  
21 clarified the intent of the Congress of the United States  
22 relating to hydraulic fracturing and specifically stated that  
23 the act was never intended to be regulated under the Safe  
24 Drinking Water Act; and

25 WHEREAS, The then EPA Administrator, now assistant to the  
26 President of the United States for energy and climate change,  
27 stated at the time that "there is no evidence that hydraulic  
28 fracturing has resulted in any contamination or endangerment of  
29 underground sources of drinking water"; and

30 WHEREAS, The Interstate Oil and Gas Compact Commission

1 conducted a survey of oil and gas producing states that found no  
2 known cases of groundwater contamination associated with  
3 hydraulic fracturing; and

4 WHEREAS, Each year, approximately 35,000 wells are  
5 hydraulically fractured in the United States and, since the  
6 technique's inception, more than 1.1 million wells have been  
7 hydraulically fractured in the United States with no known harm  
8 to groundwater; and

9 WHEREAS, The Safe Drinking Water Act was never intended to  
10 grant to the Federal Government authority to regulate oil and  
11 gas drilling and production operations such as hydraulic  
12 fracturing under the Underground Injection Control program; and

13 WHEREAS, The member states of the Interstate Oil and Gas  
14 Compact Commission have adopted comprehensive laws and  
15 regulations to protect the nation's drinking water resources and  
16 have trained personnel to effectively regulate oil and gas  
17 exploration and production; and

18 WHEREAS, Regulation of hydraulic fracturing as a category of  
19 underground injection under the Safe Drinking Water Act will  
20 impose significant administrative costs on Pennsylvania and  
21 substantially increase the cost of energy production, with no  
22 resulting environmental benefits; and

23 WHEREAS, Regulation of hydraulic fracturing under the Safe  
24 Drinking Water Act will increase energy costs to Pennsylvania  
25 families, seniors and small businesses; and

26 WHEREAS, A recent Pennsylvania State University study found  
27 that Marcellus gas production generated \$2.3 billion in total  
28 value added in 2008, more than 29,000 jobs and \$240 million in  
29 State and local taxes; and

30 WHEREAS, The Pennsylvania State University study found that

1 Marcellus gas production could potentially generate \$3.8 billion  
2 in economic output, more than \$400 million in State and local  
3 taxes and help create more than \$48,000 jobs in 2009; and

4 WHEREAS, The study also determined that the Marcellus  
5 industry could generate \$13.5 billion in value added and almost  
6 175,000 jobs in 2020; and

7 WHEREAS, The present value of additional State and local  
8 taxes earned from Marcellus development between now and 2020 is  
9 almost \$12 billion; therefore be it

10 RESOLVED, That the House of Representatives of the  
11 Commonwealth of Pennsylvania support continued State regulation  
12 of hydraulic fracturing and urge the Congress of the United  
13 States not to approve legislation that would remove State  
14 hydraulic fracturing regulating practices under the Safe  
15 Drinking Water Act; and be it further

16 RESOLVED, That the House of Representatives support the  
17 energy technology known as hydraulic fracturing and urge the  
18 Congress of the United States not to pass legislation that will  
19 destroy the current regulatory partnership presently observed in  
20 relation to the process.