SUPPORT SB48 Prevent deleterious effects to our water supply.

The League of Women Voters of Virginia believes that there should be a state effort to protect our water supplies, including land use policies and regulations that guarantee protection of water resources and water quality. Therefore, the League supports Senate Bill 48 to prohibit the drilling for oil and gas in the Eastern Virginia Groundwater Management Area until there is assurance that the State Water Control Board has adopted regulations that protect the quality and quantity of surface and ground water resources in Tidewater Virginia during the production of oil and gas.

1. **Troublesome Fracking Process.** Hydraulic fracturing (fracking) is the process that will be used to recover any oil or gas from shale. Chemicals that can consist of acids, detergents and poisons (i.e. ethylene glycol, methanol) along with water are injected into the shale to “fracture” it and release oil and/or gas. Accidental escape of the fracking fluids into surrounding sedimentary layers is possible and can occur if there are any failures in the well casing. Storage of water and fracking fluids that return to the surface through the wells is a potential cause of contamination of both surface and ground water.

2. **Fracking Is Not Covered By The Clean Water Act and Safe Drinking Water Act.** The 2005 Energy Policy Act exempts discharges from oil and gas drilling and production from the Clean Water Act and the Safe Drinking Water Act. This means that the federal authorities and likely the state regulators have little or no ability to enforce policies, such as clean up related to contamination of water and soils, when oil and gas drilling is involved.

3. **Effects on Aquifers.** Virginia does not have any experience with drilling outcomes on aquifers (groundwater sources) in the Coastal Plain so there is no way to assess the potential changes to amount and quality of groundwater in drilled areas.

4. **Reduce Potential Problems for Emergency Responders.** The Emergency Planning and Community Right to Know Act was enacted in 1984 in the wake of the Bhopal chemical explosion and disaster in Bhopal, India, and generally requires companies to disclose information related to locations and quantities of chemicals stored, released, or transferred. Oil and gas exploration and production wastes are exempted from this requirement. Emergency responders use the information to respond appropriately to releases or spills. (The accident in Charleston, W VA demonstrates the problems that can arise in protecting drinking water supplies when the regulators have no knowledge of types of chemicals being used).

5. **Concern About Sea Level Rise.** In a recent report on global-warming and related flooding in the Tidewater area, the Virginia Institute of Marine Science cautioned that before drilling is allowed in the Coastal Plain, “extensive studies would be necessary to ensure that extraction did not exacerbate sea level rise issues.”
6. **Avoid Spills and Costly Clean Ups.** Accidents may occur during transport or storage of extracted oil or fracking fluids. Recently, the rail car derailment in North Dakota, with an estimate of $6.1M for clean up, has focused more attention about the need for better safety standards.

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