



Sent via email

January 19, 2012

Lisa Jackson
Administrator
Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Avenue
Washington, D.C. 20460

Docket ID No. EPA-HQ-ORD-2011-0895

Dear Administrator Jackson:

In December, the Environmental Protection Agency (EPA) solicited comments on the information presented in its document, *Draft Research Report: Investigation of Ground Water Contamination Near Pavillion, Wyoming*, with a closing date of January 27, 2012. Since that time the State of Wyoming has raised a number of questions regarding details on the quality of the testing that was undertaken. According to Wyoming officials, EPA has yet to respond to those questions. Without a clear understanding of the information that EPA has yet to reveal, it is impossible to provide EPA's planned peer review panel with a full perspective of the analysis. Consequently, the Independent Petroleum Association of America (IPAA) and the American Exploration & Production Council (AXPC) join in requesting EPA to delay the deadline for its comment period from January 27 until a time 90 days from the date that EPA releases the critical data necessary for a thorough evaluation.

This data would include all the Report-related raw data, including instrument printouts (e.g., chromatograms, mass spectra, integration reports) for calibrations, investigative samples and QC measures, especially for the organic compounds, the glycol compounds, and the isotopic analysis. Without a thorough review of the supporting raw data, data users and interested parties cannot have confidence that analytical results are qualitatively or quantitatively valid (or properly identified) as reported or that the values presented in summary tables are even correctly transcribed. In addition, all compositional and analytical data (including the raw data) pertaining to the materials used in drilling, completion, development and sampling of the EPA's deep monitoring wells must be made public, as there are serious questions as to whether poor or inappropriate methods were employed that account for the constituents the EPA tentatively attributes to fracturing.


EPA is at a crossroad. It must recognize that its history in the Pavillion area includes past incidents where it announces a perception of a result that is later recognized as inaccurate. In this instance, press accounts across the nation depict EPA's statements as conclusions when no peer reviewed confirmation of the results has occurred. Rushing now to a peer review when so many questions exist regarding the fundamental adequacy of the data can only lead to greater risk of the Agency's science based analyzes being broadly discounted. Only a thorough and high level peer review can provide the credibility EPA needs on this analysis. And, such a review cannot occur without a full opportunity for the raw data to be assessed.

Moreover, EPA's action here reverberates in other oil and natural gas production analytical work. EPA continues its congressionally requested study of the impact of hydraulic fracturing on drinking water. Clearly, the physical factors related to the Pavillion area are wholly different from those in the active shale gas and shale oil resources that are the focus of the hydraulic fracturing study. However, all indications are that EPA will utilize testing protocols based on its efforts in the Pavillion area. Consequently, the Agency's actions with regard to assuring the scientific integrity of its Pavillion analysis will define the credibility of its work in the hydraulic fracturing study.

IPAA and AXPC believe that EPA needs to assure that its analytical work meets the high standards expected from the Agency. Without a release of the data and an appropriate time for its analysis by the State of Wyoming, other federal agencies and stakeholders, the peer review panel would be irreparably hampered. For these reasons, IPAA and AXPC believe that a 90 day period following the release of the comprehensive data is essential.

If additional information is needed, please contact Lee Fuller, lfuller@ipaa.org, or Bruce Thompson, bthompson@axpc.us.

Sincerely,



Barry Russell
President and CEO
Independent Petroleum Association of America



Bruce Thompson
President
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