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March 8, 2018

The Honorable Scott Pruitt
United States Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Dear Administrator Pruitt,

The health and safety of our citizens is of paramount importance. State and Tribal officials, first responders, medical professionals, and the public have a right to know about the health hazards they may be exposed to in their homes, their drinking water, and their environment. We write to ask you to disclose the identities of all chemicals used in hydraulic fracturing and oil and gas drilling that the EPA has identified as potentially harmful to human health under its New Chemical program pursuant to the Toxic Substances Control Act (TSCA) and the Integrated Risk information System (IRIS) from the start of the program's implementation to the present.

Under TSCA, confidential information about chemicals' identities shall be disclosed to prevent an unreasonable risk of injury to health or the environment. This information typically includes the chemical name, trade name, and Chemical Abstracts Service (CAS) number. According to documents released in response to a Freedom of Information Act request, EPA regulators in the New Chemicals program identified serious health concerns about 41 new chemicals proposed for use in oil and gas drilling and hydraulic fracturing between 2003 and 2014. Health concerns related to exposure to these chemicals included eye, skin, and lung irritation, developmental delays, neurotoxicity, kidney toxicity, and carcinogenicity.

Despite serious health concerns, EPA regulators permitted at least 41 of these chemicals to be used in oil and gas drilling and in hydraulic fracturing, while protecting the confidentiality of manufacturers and the identities of the chemicals. The Government Accountability Office determined that the EPA has not developed a sufficient chemical assessment system to quantify risks of injury to human health. It placed the New Chemicals program on the High Risk List in 2009—a list of federal agencies at highest risk for waste, fraud, abuse, and mismanagement. It remains on the High Risk List as of today.

Because the identity of these chemicals is confidential, State and Tribal officials, first responders, medical professionals, and citizens often cannot determine where and when the chemicals may have been used in drilling and hydraulic fracturing operations. Although TSCA provides for disclosure to health professionals and certain government officials for medical or emergency purposes, such disclosure requires proof of exposure. Yet medical professionals, first responders, and State and Tribal

officials are often unable to prove that people or the environment have been exposed to these chemicals because officials cannot test for their presence in the environment or drinking water without knowing their identities. For example, in 2014 firefighters in Ohio were not given chemical identities for days after possible exposure. By keeping these chemical identities confidential, the EPA is putting our brave first responders in harm's way.

Further, the EPA does not consider the possibility of accidental release or inadvertent exposure when determining whether a chemical poses an unreasonable risk of injury to health or the environment. This assumption is significant because risk is determined as the product of toxicity and the possibility of exposure. By assuming that exposure is unlikely, EPA regulators may erroneously conclude that a chemical poses little to no risk, despite very high toxicity.

However, dozens of studies—including those published by the National Institutes of Health (NIH)—have shown correlations between negative health impacts and proximities to oil and gas wells. These negative health effects have included premature births, low birth rates, higher rates of asthma, higher risk of cancer, and higher rates of hospitalization for cardiac, neurological, and skin-related problems for individuals living near oil and gas wells. One NIH study found living near an oil or gas well was directly proportional to the number of health problems a resident experienced: individuals living within one kilometer of a gas well had twice the number of health problems as those living at least two kilometers away. In Pennsylvania alone, residents have filed over 9,000 complaints about drilling problems from 2004 to 2016—nearly one complaint for every well in the state. In its 2016 report on hydraulic fracturing's impact on drinking water, the EPA itself concluded that in 324 of 457 spills between 2006 and 2012, hydraulic fracturing had contaminated the soil, surface water, or groundwater. In disclosures required by federal securities law, drilling companies commonly tell investors that spills and leaks are among the most significant risks in drilling operations. When determining whether these chemicals pose an unreasonable risk, the EPA must take into account the very real possibility of inadvertent or accidental exposure through spills and leaks.

It is an unreasonable risk to the health of our citizens, our first responders, and our medical professionals to be unknowingly exposed to potentially toxic chemicals. We ask that you disclose the identities of all new chemicals used in oil and gas drilling that the EPA has identified as potentially harmful so we can act to protect the public health from further harm.

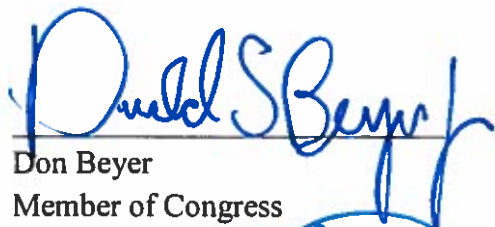
Sincerely,

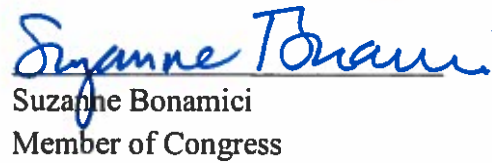


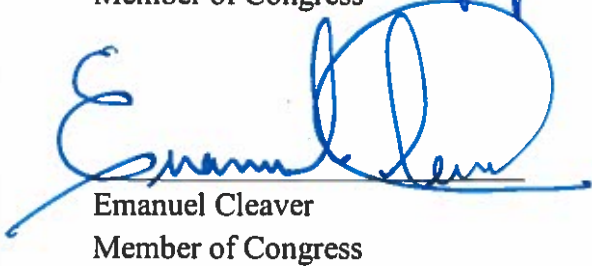
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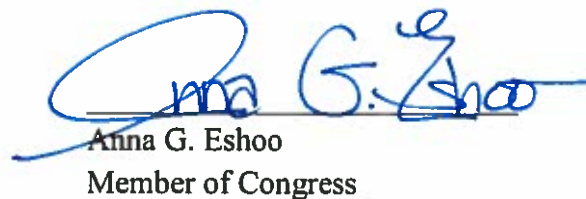

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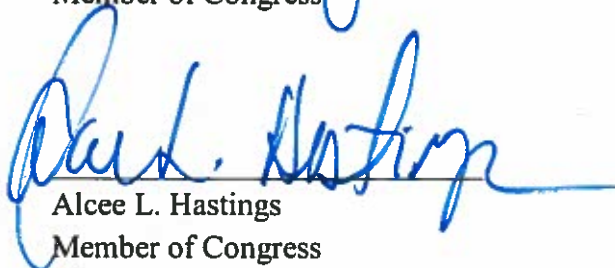

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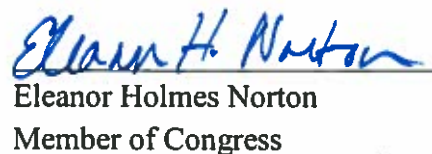

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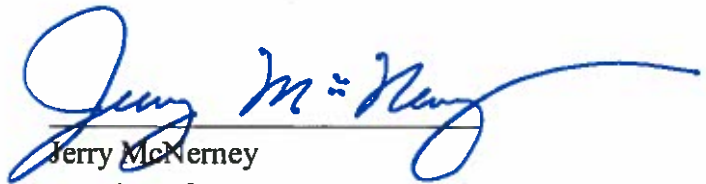
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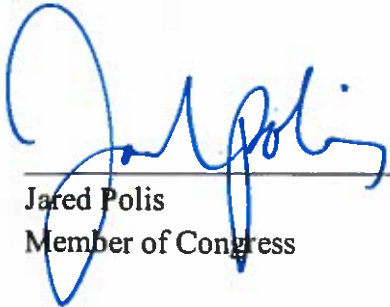
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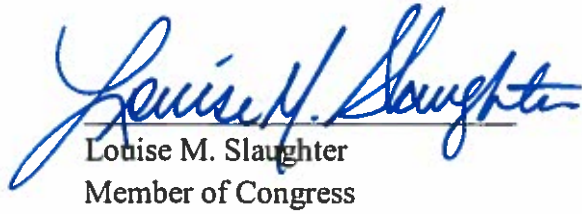
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