

Testimony of Robert M. Summers, Ph.D.
Secretary of the Maryland Department of the Environment
House Committee on Science, Space and Technology
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“Hydraulic Fracturing Technology and Practices” -- Major Points

Portions of the Marcellus Shale formation underlie Garrett County and part of Allegany County in western Maryland. We are mindful of the benefits that could accrue to the economy, but we are equally alert to potential impacts on public health and the environment.

Maryland has issued no permits for exploration or production of gas in the Marcellus Shale, and we do not intend to do so until the legitimate issues are resolved to our satisfaction. Among the most important are these:

- Construction standards for wells and pads;
- Testing standards for well integrity and blowout prevention devices;
- The potential for migration of gas from the well;
- The toxicity, transport and fate of fracking fluid that remain underground;
- The proper handling and disposal of flowback and other liquid wastes;
- Control of air emissions, including greenhouse gases and ozone; and
- Landscape level impacts such as habitat fragmentation, introduction or spread of invasive species, and damage to wetlands and streams from access roads, drill pads, gathering lines, and ancillary operations.

Maryland proposes to move forward in stages:

- Identify best practices for on site operations from site selection through fracking, and develop model permit provisions;
- Allow a small number of exploratory wells to be drilled and fracked in order to obtain data;
- Depending on the results, these wells may then be permitted to produce gas; and
- Use the information obtained from the exploratory wells, and other available information, to complete the evaluation of issues, and decide whether and how to proceed with permitting.

We need the federal government to take an active role in studying, providing technical support to States and assisting the States in regulating activities such as deep drilling, horizontal drilling, hydraulic fracturing, and waste disposal.

- The EPA draft Hydraulic Fracturing Study Plan is a good start, but there are important areas it does not address.
- With sufficient direction, States could collect monitoring data and data about drilling and fracking that EPA could use in its study.
- A federal regulatory “floor” would be helpful, especially given the interstate nature of the surface and groundwater.
- Existing federal regulations that exclude oil and gas drilling wastes from coverage should be reexamined.