

WASHINGTON—Continuing their efforts to safeguard communities and increase transparency in oil and gas drilling, Representatives Jared Polis (CO-02), Maurice Hinchey (NY-22) and Rush Holt (NJ-12) today introduced the BREATHE Act (The Bringing Reductions to Energy's Airborne Toxic Health Effects Act) —sister legislation to the FRAC Act — that would close two drilling exemptions which currently exist in the Clean Air Act.

"Extracting natural gas should not threaten public health or pollute our water. As the Ranking Democrat on the Natural Resource Committee's Energy and Mineral Resources Subcommittee, I strongly support legislation to close loopholes that shield fracking from basic environmental protection regulations. Our loyalties shouldn't be with oil and gas companies – our loyalties should be with families affected by fracking," Holt said.

"The sheer number of wells has grown exponentially in recent years, and this growth correlates directly to an impact on regional air quality and resident health in areas of active drilling," said Polis. "Surely we wouldn't assume that as long as one car meets emissions standards, 20,000 cars wouldn't affect air quality. Unfortunately, this exact false logic is currently being applied to oil and gas drilling and it's causing noticeable health impacts. It's simply common sense to ensure that we monitor extremely dangerous emissions, equip communities in heavy drilling areas with the tools they need to stay safe, and reverse these exemptions to the Clean Air Act."

"It's long past time to end the oil and gas industry's exemptions to our country's basic environmental safeguards," said Hinchey. "Whether you're drilling oil or gas, toxic fumes released in the process pollute the air we breathe, causing health problems for workers at the drilling sites and nearby residents. The BREATHE Act is another commonsense bill that will make sure that oil and gas companies use the best available technology to rid their emissions of harmful pollutants and protect our air and the people who breathe it."

Several recent articles (see below) have highlighted the extent of air quality problems caused by the exponential growth of natural gas drilling, noting how air quality in Wyoming has reached spikes now worse than Los Angeles due to the growth of drilling operations, causing numerous health problems and forcing a temporary shutdown of drilling over concerns to worker safety.

Like the FRAC Act, which addresses an industry exemption from the Safe Drinking Water Act, the BREATHE Act closes two industry exemptions in the Clean Air Act which are causing direct

and measurable health consequences in area.

Specifically, the BREATHE Act:

- Closes the NESHAPs exemption: While some emissions requirements exist for individual wells, oil and gas drilling is exempted from aggregated "major source" requirements under the National Emission Standards for Hazardous Air Pollutants (NESHAP).

o In practical terms, this would prompt the industry to follow NESHAP's required use of best available and currently used emissions control technology—technology that the best actors of the industry are already using and which has already proven to be profitable for the oil and gas industry in many instances.

- Closes the Hydrogen Sulfide (H₂S) exemption: Hydrogen Sulfide, emitted from oil and gas operations, is a highly toxic gas which can lead to neurological impairment or even death and is currently exempt from regulation as a hazardous air pollutant under the Clean Air Act. Originally included in the Clean Air Act's list of hazardous air pollutants, H₂S was removed with industry support.

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