

March 14, 2013

Dear Member of Congress,

Our more than eighty organizations support the BREATHE Act—Bringing Reductions to Energy’s Airborne Toxic Health Effects, recently introduced by Representative Jared Polis (CO), Representative Matt Cartwright (PA) and numerous others in the House. This bill would close loopholes in the Clean Air Act which currently threaten public health and our environment by preventing adequate regulation of dangerous air pollution associated with oil and gas development. We urge you to support and co-sponsor this important legislation.

Our nation is experiencing a rush of oil and gas drilling largely brought about by the use of hydraulic fracturing (fracking) which has spurred development of previously less feasible energy resources in states across the nation. This drilling boom is affecting our landscapes and human communities in unprecedented ways. Millions of Americans live, work, attend school, or recreate on or near lands impacted by oil and gas development; there is growing evidence that this energy development can impact air quality and increase health threats for nearby residents.

It is well known that oil and gas drilling and related activities can emit an array of dangerous air pollutants known to cause harm to human health, including pollutants associated with cancer, respiratory diseases, reproductive problems, and other serious illnesses. Without proper safety measures, and enforcement of such measures, toxic substances can be released from active wells and other equipment at oil and gas production facilities, including benzene, toluene, ethylbenzene, xylenes, and formaldehyde. In addition to the health risks from inhaling these pollutants, they and other volatile organic compounds (VOCs) are transformed into ozone (commonly referred to as smog), which brings additional serious health risks and is a growing concern in areas experiencing oil and gas development.

The National Emission Standards for Hazardous Air Pollutants (NESHAPs) under the Clean Air Act were designed to protect the public from major sources of toxic air pollution, as well as smaller sources that cumulatively account for the release of large volumes of toxic substances into the air. Unfortunately, the oil and gas industry and certain related activities are exempt from an essential part of the NESHAPs that requires aggregation of small sources. This exemption—not available to any other industry—allows the oil and gas industry to release large amounts of potentially dangerous air pollutants.

In addition, hydrogen sulfide was removed from the list of hazardous air pollutants subject to NESHAPs despite a 1993 study that clearly concluded that accidental releases of hydrogen sulfide during oil and gas development are a serious air quality concern and pose a great risk to public health. Hydrogen sulfide is associated with a range of health issues and exposure can even be fatal in extreme cases. Estimates indicate that 15 to 25 percent of all natural gas wells in the United States may contain hydrogen sulfide. Other potential sources of this toxic air pollutant are refineries, pulp and paper mills, natural gas processing and transmission facilities, concentrated animal feeding operations, sewage and landfill sites, and slaughterhouses and other animal

processing facilities.

The BREATHE Act would provide a long overdue update to the Clean Air Act by ending the industry's exemption from aggregated air quality standards, thereby better accounting for and categorizing emissions that require emissions reduction technologies when the sources of toxic air pollution reach dangerous levels. This bill would also add hydrogen sulfide to the list of regulated hazardous air pollutants.

If the aggregation loophole is eliminated, many emissions controls required to comply with NESHAPs would have the co-benefit of reducing the huge amount of methane emitted by the oil and gas industry. Methane, a highly potent greenhouse gas with a climate potency dozens of times higher (pound for pound) than that of carbon dioxide, is a significant contributor to the environmental and public health impacts that a warming climate is causing and increasingly will cause.

As a result of inadequate regulation of hazardous air pollutants, people across the country are growing increasingly concerned about threats to the environment and public health from oil and gas development. Yet in spite of these significant risks and concerns, oil and gas development is exempt from critical provisions of the Clean Air Act. These dangerous loopholes must be closed. The BREATHE Act would help ensure that the federal laws designed to protect the health and safety all Americans are fairly, consistently and effectively applied. We urge you to co-sponsor this important bill.

Sincerely,

**National Groups**

Breast Cancer Action

Clean Water Action

Earthjustice

Earthworks

Environment America

Greenpeace

League of Conservation Voters

Nature Abounds

Natural Resources Defense Council

Oil Change International

Sierra Club

**Regional**

Citizens Campaign for the Environment

Clean Air Council

Damascus Citizens for Sustainability

Delaware Riverkeeper Network

Protecting Our Waters

Western Environmental Law Center

## **California**

Californians for Western Wilderness  
Environment California  
Grassroots Coalition

## **Colorado**

Battlement Concerned Citizens  
Citizens for a Healthy Community  
Citizens for Huerfano County  
Clean Water Action Colorado  
Environment Colorado  
Erie Rising  
Grand Valley Citizens Alliance  
Grassroots EnErgy activist Network  
Holy Terror Farm  
San Luis Valley Ecosystem Council  
SOS Foundation  
Western Colorado Congress of Mesa County  
Western Slope Conservation Center  
Wilderness Workshop

## **Idaho**

Idaho Concerned Area Residents for the Environment

## **Illinois**

Environment Illinois

## **Iowa**

Allamakee County Protectors

## **Maryland**

Environment Maryland

## **Michigan**

Environment Michigan

## **New Jersey**

Environment New Jersey

## **New York**

Catskill Citizens for Safe Energy  
Concerned Residents of Madison County  
Concerned Citizens of Otego  
Croton Watershed Clean Water Coalition

DeRuyter Citizens for a Voice  
Environment New York  
Fenner Neighbors Group  
Friends of Fenner  
Friends of Sustainable Sidney  
Friends of the Upper Delaware River  
Gas Drilling Awareness for Cortland County  
Genesee Finger Lakes Center for Sustainable Living  
Madison County Coalition For Safe Energy  
Sanford-Oquaga Concerned Citizens  
Southern Cayuga Anti-Fracking Alliance

### **North Carolina**

Environment North Carolina

### **Ohio**

Athens County (OH) Fracking Action Network  
Buckeye Forest Council  
Environment Ohio  
Network for Oil and Gas Accountability and Protection  
People's Oil & Gas Collaborative-Ohio

### **Pennsylvania**

350 Berks & Lehigh Valley Climate Action  
Berks Gas Truth  
Communities United for Rights and Environment  
Freshlife, Inc.  
Gas Drilling Awareness Coalition of Luzerne County PA  
Group Against Smog and Pollution  
Laurel Highlands Energy Awareness Project  
Lehigh Valley Gas Truth  
Marcellus Outreach Butler  
Organizations United for the Environment  
Peach Bottom Concerned Citizens Group  
PennEnvironment  
Pennsylvania Alliance for Clean Water and Air  
Responsible Drilling Alliance  
Rivertown Coalition for Clean Air and Clean Water  
Upper Burrell Citizens Against Marcellus Pollution  
Westmoreland Marcellus Citizen's Group

### **Texas**

CODEPINK Greater Dallas  
Downwinders at Risk  
Environment Texas  
Flower Mound Citizens Against Urban Drilling

FracDallas  
Sisters of Charity of the Incarnate Word of San Antonio, Texas

**Wyoming**  
Clark Resource Council  
Pavillion Area Concerned Citizens