

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