

Chairman Alan S. Lowenthal
Statement and Script
Energy and Mineral Resources Subcommittee Oversight Hearing:

Oil and Gas Development: Impacts of Water Pollution Above and Below Ground

May 16, 2019

The Subcommittee on Energy and Mineral Resources will come to order.

Today the Subcommittee is holding the second hearing in its series on the impacts of oil and gas development, with this morning's focus on water pollution.

Under Committee Rule 4(f), any oral opening statements are limited to the Chairman and the Ranking Minority Member or their designees.

I ask unanimous consent that all other Members' opening statements be made part of the hearing record if they are submitted to the Subcommittee Clerk by 5:00 pm today. Hearing no objection, so ordered.

First, I would like to welcome our witnesses and thank you for traveling great distances to be here today.

From an early age, we learn that water is one of the most precious resources on the planet. It sustains us, it grows our food, and it is vital to all life on earth.

Without water, we wouldn't have coffee or tamales – enjoyments that neither Mr. Gosar nor myself could live without.

Water is also essential to – and threatened by – energy development.

It's essential because modern fracking requires that for nearly every oil and gas well drilled, millions of gallons of water are mixed with chemicals and then injected underground, where it fractures rock formations and releases the oil and gas trapped within the rock.

Water is threatened because virtually every one of these wells will be drilled through a groundwater aquifer.

If the well is not constructed properly, this presents opportunities for groundwater to be polluted during drilling, or while the well is producing oil or gas.

Over the years, from Pennsylvania to Ohio to Wyoming and Texas, landowners have challenged oil and gas operators they claim have hurt their water supplies through fracking.

It would have been ideal for such a witness to share their story today, but it proved too challenging due in part to the strategy companies have of negotiating sealed settlements with impacted landowners in exchange for staying silent.

But the evidence shows that fracking has contaminated groundwater.

And while not systemic, the potential for widespread pollution demands Congress act to protect groundwater by strengthening well construction standards, conducting water quality baseline testing, and closing legal loopholes.

The argument from industry that there's not enough evidence fracking has ever contaminated groundwater is a poor excuse to not take action to protect our water supplies.

We shouldn't have to wait for a catastrophe before we try to reduce the likelihood of one happening in the first place.

Perhaps the bigger issue happens above the surface, where spills and wastewater disposal can be just as damaging, if not more so.

Produced water, or "brine", is the very salty water that naturally exists underground alongside oil and gas.

When spilled, brine renders the soil useless, kills crops and vegetation, and can destroy affected land for years if not properly reclaimed.

Each year, oil and gas wells produce 900 billion gallons of produced water, enough to fill 1.3 million Olympic-sized swimming pools, and most of this liquid is collected, stored, and then transported offsite.

In 2014, there were nearly 10,000 leaks of produced water, oil, or other materials from oil and gas production sites, for a total of nearly 30 million gallons.

North Dakota is one of the states most frequently impacted by brine spills, and over the last decade, residents have seen a sharp increase in spills as oil production in the state has surged.

Spilled brine, which can also contain high levels of ammonium, lead, and other toxins, have been shown to contaminate streams, wetlands, and have even seeped into groundwater.

But while these sorts of impacts have devastated individuals and communities across the country, the Trump administration has repealed regulations covering well construction and wastewater storage.

In my home state of California, the Trump administration has taken steps necessary to open more than two million acres of public and private land to oil and gas development that could impact our water supplies.

Given that we are already dealing with our fair share of water-related issues, there are zero reasons for the Interior Department to further risk these resources all for the benefit of a few oil and gas companies.

Whether it's above or below ground, pollution from oil and gas development has considerable impacts on the water supply that millions of people rely on, and

Congress should not sit idly by as energy companies try and convince us there's no need to act.

With that, I look forward to the testimony from our witnesses, and I now recognize Ranking Members Gosar for his opening statement.