



EPA Wants Calif. Offshore Fracking Chemicals Made Public

Law360, New York (January 09, 2014, 1:47 PM ET) -- The U.S. Environmental Protection Agency on Thursday said it will require oil and gas drillers engaged in hydraulic fracturing off the California coast to disclose what chemicals are discharged into the Pacific Ocean, amid reports that regulators have allowed offshore fracking without the public's knowledge.

The EPA made the disclosure requirement, which will be effective March 1, part of a revised permit for oil and gas operations in federal waters off the coast of southern California. It requires oil and gas operators to maintain an inventory of the chemicals used to formulate well treatment, completion and workover fluids, and if there is a discharge of fluids, to report the chemical formulation with a quarterly discharge monitoring report.

"This requirement was added in response to recent concerns regarding the potential effects of discharges of fluids used for offshore hydraulic fracturing operations," the EPA said in a Federal Register posting announcing the revised permit.

The agency said the new permit will apply to 23 existing development and production platforms on the Pacific Continental Shelf, as well as to any new exploratory drilling operations in areas the permit covers.

Media reports last year revealed that the U.S. Department of the Interior's Bureau of Safety and Environmental Enforcement — which regulates U.S. offshore drilling — and its predecessor agencies have permitted fracking in federal

waters on existing leases in the Pacific Ocean at least 12 times since the late 1990s, and recently approved an application by privately held oil and gas company DCOR LLC to frack about 10 miles off the southern California coast.

The Center for Biological Diversity, which has urged the federal government to halt all offshore fracking, claimed the public has been kept in the dark about the approvals, with the California Coastal Commission only recently becoming aware that offshore fracking was taking place and looking into the practice.

Though the environmental group said the disclosure requirement was a good step, it also said the government needs to go further and halt all offshore fracking activity.

"The EPA's new reporting requirements underscore how little is known about offshore fracking," Miyoko Sakashita, the CBD's oceans director, said in a statement Thursday. "This risky practice has gone essentially unregulated. Until recently, no one even knew that our oceans were being fracked. To protect our coast, we need to stop this dangerous practice in its tracks."

The activity also drew scrutiny from lawmakers as well. Rep. Lois Capps, D-Calif., whose district lies in southern California, urged the DOI and EPA in November to conduct a comprehensive study on offshore fracking and enact a moratorium on the practice until the study is complete.

--Additional reporting by Gavin Broady. Editing by Stephen Berg.