

113TH CONGRESS
1ST SESSION

H. R. 2850

To require certain procedures in the conduct by the Environmental Protection Agency of its study of the potential impacts of hydraulic fracturing on drinking water resources.

IN THE HOUSE OF REPRESENTATIVES

JULY 30, 2013

Mr. SMITH of Texas (for himself, Mr. STEWART, and Mrs. LUMMIS) introduced the following bill; which was referred to the Committee on Science, Space, and Technology

A BILL

To require certain procedures in the conduct by the Environmental Protection Agency of its study of the potential impacts of hydraulic fracturing on drinking water resources.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “EPA Hydraulic Frac-
5 turing Study Improvement Act”.

6 **SEC. 2. EPA HYDRAULIC FRACTURING RESEARCH.**

7 In conducting its study of the potential impacts of
8 hydraulic fracturing on drinking water resources, with re-

1 spect to which a request for information was issued under
2 Federal Register Vol. 77, No. 218, the Administrator of
3 the Environmental Protection Agency shall adhere to the
4 following requirements:

5 (1) PEER REVIEW AND INFORMATION QUAL-
6 ITY.—Prior to issuance and dissemination of any
7 final report or any interim report summarizing the
8 Environmental Protection Agency’s research on the
9 relationship between hydraulic fracturing and drink-
10 ing water, the Administrator shall—

11 (A) consider such reports to be Highly In-
12 fluential Scientific Assessments and require
13 peer review of such reports in accordance with
14 guidelines governing such assessments, as de-
15 scribed in—

16 (i) the Environmental Protection
17 Agency’s Peer Review Handbook 3rd Edi-
18 tion;

19 (ii) the Environmental Protection
20 Agency’s Scientific Integrity Policy, as in
21 effect on the date of enactment of this Act;
22 and

23 (iii) the Office of Management and
24 Budget’s Peer Review Bulletin, as in effect
25 on the date of enactment of this Act; and

(B) require such reports to meet the standards and procedures for the dissemination of influential scientific, financial, or statistical information set forth in the Environmental Protection Agency's Guidelines for Ensuring and Maximizing the Quality, Objectivity, Utility, and Integrity of Information Disseminated by the Environmental Protection Agency, developed in response to guidelines issued by the Office of Management and Budget under section 515(a) of the Treasury and General Government Appropriations Act for Fiscal Year 2001 (Public Law 106–554).

(2) PROBABILITY, UNCERTAINTY, AND CONSEQUENCE.—In order to maximize the quality and utility of information developed through the study, the Administrator shall ensure that identification of the possible impacts of hydraulic fracturing on drinking water resources included in such reports be accompanied by objective estimates of the probability, uncertainty, and consequence of each identified impact, taking into account the risk management practices of States and industry. Estimates or descriptions of probability, uncertainty, and consequence shall be as quantitative as possible given

1 the validity, accuracy, precision, and other quality
2 attributes of the underlying data and analyses, but
3 no more quantitative than the data and analyses can
4 support.

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