

Enviros Petition EPA to Require Disclosure and Testing of Fracking Chemicals

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On August 4, 2011, Earthjustice petitioned EPA on behalf of a group of environmental organizations, to promulgate rules under sections 4 and 8 of the Toxic Substances Control Act (TSCA), requiring that manufacturers and processors of oil and gas exploration and production chemicals identify and conduct toxicity testing, and submit all non-public health and safety studies regarding these chemicals. In the [petition](#), Earthjustice acknowledged EPA's study of the possible effects of hydraulic fracturing on drinking water supplies, but argued that a TSCA rulemaking is required because the study will not require manufacturers to conduct testing or develop data to evaluate potential health and environmental risks, and oil and gas exploration and production wastes are exempt from several other federal environmental statutes including the Safe Drinking Water Act (SDWA) and the Resource Conservation and Recovery Act (RCRA). Earthjustice also argued that TSCA rules are necessary despite the voluntary [online registry](#) on which several companies have disclosed the ingredients of fracking chemicals. The rules sought by the environmental organizations would require not only the disclosure and testing of chemicals used in fracturing fluids, but all chemical substances used in oil and gas exploration and production, including the chemicals used in drilling muds.

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