



LEAGUE OF WOMEN VOTERS® OF CALIFORNIA

Public Comment for Joint Informational Hearing
Senate Committees on Environmental Quality, and on Natural Resources and Water
"The Regulation of Hydraulic Fracturing in Oil and Gas Production in California"
February 12, 2013

I'm Dr. Linda Phillips, from Santa Barbara, speaking for the League of Women Voters of California. Thank you for holding this hearing.

DOGGR urgently needs to adopt and enforce strong, effective regulations on fracking. Only then can they carry out their purpose, in their own words, of having a regulatory program that "emphasizes the wise development of oil, natural gas, and geothermal resources in the state through sound engineering practices that protect the environment, prevent pollution, and ensure public safety." The current "discussion draft" is a start towards that goal, but is not yet either strong or effective enough.

Today I want to focus on one of the most urgent issues: hazardous materials disclosure. The League began working on this issue even before Bhopal, and has been a strong advocate for disclosure and community right-to-know ever since.

To protect public health and safety and the environment, it is absolutely necessary for government agencies - including local agencies that might need to respond to hazardous materials spills or accidents - to have information immediately available on the hazardous materials in their community. To protect water quality and supplies, it is necessary for water agencies, such as the Regional Water Quality Control Boards and water suppliers, to have access to such information. Under California law since 1985, the public also has a right to know.

The disclosure must be timely; we support prior notification of where and when fracking is planned, and of any hazardous materials that will be brought to the site and injected underground.

The disclosure must be complete; hazardous materials, including those considered trade secrets, should be disclosed in a manner consistent with that for the same hazardous materials in other situations (see Chapter 6.95 of the Health and Safety Code). Confidential or exploratory wells should not be exempt from such requirements.

Disclosure and oversight have been needed for years; in addition to any safety measures that might be needed, the first step is to begin gathering data so that we will know the size and scope of fracking in our state, and what hazardous materials and toxic chemicals are present.

Thank you again for your committees' interest in, and oversight of, this important issue.

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