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(Original Signature of Member)

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

Mr. SMITH of Texas introduced the following bill; which was referred to the Committee on _____

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”.

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

2 In conducting its study of the potential impacts of
3 hydraulic fracturing on drinking water resources, with re-
4 spect to which a request for information was issued under
5 Federal Register Vol. 77, No. 218, the Administrator of
6 the Environmental Protection Agency shall adhere to the
7 following requirements:

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

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

19 (i) the Environmental Protection
20 Agency’s Peer Review Handbook 3rd Edi-
21 tion;

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

1 (iii) the Office of Management and
2 Budget's Peer Review Bulletin, as in effect
3 on the date of enactment of this Act; and
4 (B) require such reports to meet the stand-
5 ards and procedures for the dissemination of in-
6 fluential scientific, financial, or statistical infor-
7 mation set forth in the Environmental Protec-
8 tion Agency's Guidelines for Ensuring and
9 Maximizing the Quality, Objectivity, Utility,
10 and Integrity of Information Disseminated by
11 the Environmental Protection Agency, devel-
12 oped in response to guidelines issued by the Of-
13 fice of Management and Budget under section
14 515(a) of the Treasury and General Govern-
15 ment Appropriations Act for Fiscal Year 2001
16 (Public Law 106-554).

17 (2) PROBABILITY, UNCERTAINTY, AND CON-
18 SEQUENCE.—In order to maximize the quality and
19 utility of information developed through the study,
20 the Administrator shall ensure that identification of
21 the possible impacts of hydraulic fracturing on
22 drinking water resources included in such reports be
23 accompanied by objective estimates of the prob-
24 ability, uncertainty, and consequence of each identi-
25 fied impact, taking into account the risk manage-

1 ment practices of States and industry. Estimates or
2 descriptions of probability, uncertainty, and con-
3 sequence shall be as quantitative as possible given
4 the validity, accuracy, precision, and other quality
5 attributes of the underlying data and analyses, but
6 no more quantitative than the data and analyses can
7 support.