

Be the Change strongly endorses HB 13-1275. This bill will be a strong move toward accountability from the oil and gas industry in this state. Matt Lepore, the head of the COGCC, has stated with accuracy that the state doesn't know or fully understand the health implications of horizontal fracking on the public. In fact, he has admitted the new setback rules weren't intended to and don't address the public health concerns associated with this process. This bill will help bring some clarity to the true health implications of fracking on local populations and our natural environment.

This bill calls for cease and desist orders in cases where the monitoring shows threats to the human and natural environment. This is sorely needed. The idea that we can and should use local areas and their populations as sacrifice zones to energy production is hideous by any ethical yardstick.

This bill is also a major step toward transparency where none exists today. The bill could be strengthened if it were to ask for recovery of medical records of those treated for health complications in the field, both employees and affected citizens. This is the great reservoir of knowledge we need to tap in the service of protecting public health. The industry's insistence that these records are beyond public scrutiny is labored at best and self serving. Privacy can be preserved, personal identity is not necessary, but the knowledge needed to protect the public's health must be sought and recovered from these records.

The one major weakness we see in the legislation harkens back to our earlier comment concerning the use of some rural areas of this state as de facto energy sacrifice zones. In this regard, the bill would be strengthened immeasurably if it were to include at least one west slope county. We would suggest Garfield County. As I think you have already heard two studies measuring pollutants from oil and gas operations have already been conducted there. This information must be aggregated into the information base, with moratoria invoked if public health is threatened by an existing operation. It would be wasteful of existing resources to do otherwise.

We would also like to see the Section 5,(2) (d) (1) amended to remove the phrase "taking into consideration cost-effectiveness....". Cleanup and mitigation of significant adverse environmental impacts should be cleaned up. Period. We can see invoking least cost, but not the excusing of costs because it may be too expensive. The costs are the costs and if they are not borne by those responsible, they will be borne by the public. As they say on the street, if you can't do the time, don't the crime. Paying the costs of environmental and public health damage is a great incentive not to do it in the first place. To provide an escape hatch based on somebody's notion of cost-effectiveness is not protectiveness of the public's health or its purse at all.

Finally, we hope the legislation will explicitly direct the oversight committee to seek out and share information with other states, such as New York, which are undertaking assessments of fracking on public health and the environment.

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Be the Change