

IOGCC IN ACTION: Resolution 09.011

IOGCC resolutions reflect the official position of the commission on issues that are deemed critical to conserving domestic oil and natural gas, environmental protection and human health.

In January 2009, IOGCC member states passed Resolution 09.011 urging Congress not to remove the exemption of hydraulic fracturing from provisions of the Safe Drinking Water Act (SDWA) because of their firmly held belief that the process is already adequately regulated by the states.

Key highlights of Resolution 09.011:

- The U.S. EPA concluded in a 2004 study that “additional or further study is not warranted” for hydraulic fracturing and “the injection of hydraulic fracturing fluids into coalbed methane (CBM) wells poses minimal threat to Underground Sources of Drinking Water (USDW).”
- Hydraulic fracturing is a common operation used in exploration and production (E&P) for oil and natural gas.
- The states, who regulate production, have comprehensive laws and regulations to ensure operations are safe and to protect drinking water. States have found no verified cases of groundwater contamination associated with hydraulic fracturing.
- SDWA was never intended to grant the federal government authority to regulate oil and gas drilling and production operations such as hydraulic fracturing under the Underground Injection Control Program.
- Hydraulic fracturing plays a major role in the development of virtually all unconventional oil and natural gas resources and federal regulation of the operation as underground injection under SDWA would impose significant administrative costs on the states and increase the cost of drilling wells with no resulting environmental benefit.

STATES IN ACTION:

In addition to voicing their position on the issue of hydraulic fracturing through the IOGCC, several states also crafted their own resolutions to be passed at the state legislative level.

Below you will find the status of each of these resolutions, as well as links to their full text. Enrolled resolutions have been passed by both houses, signed by the proper officers of each, approved by the governor, and filed by the secretary of state.

Alaska

Senate Joint Resolution (SJR 14)

Date Introduced: March 13, 2009 ***Status:*** Introduced

Pass House: N/A ***Pass Senate:*** N/A ***Signed/Filed*** N/A

Description: *Urging Congress not to remove the exemption for hydraulic fracturing from the provisions of the Safe Drinking Water Act.*

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Alabama

House Joint Resolution (HJR 254)

Date Introduced: March 3, 2009 **Status:** Enrolled

Pass House: March 5, 2009 **Pass Senate:** April 7, 2009 **Signed/Filed** April 20, 2009

Description: *Requesting Congress to preserve the primacy of the state oil and gas board of Alabama to regulate hydraulic fracturing in compliance with decades old state regulations and not to enact any future legislation that would remove this primacy.*

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Louisiana

House Concurrent Resolution (HCR 38)

Date Introduced: April 22, 2009 **Status:** Enrolled

Pass House: June 1, 2009 **Pass Senate:** June 8, 2009 **Signed/Filed** June 11, 2009

Description: *To memorialize the United States Congress to take such actions as are necessary to preserve and maintain the exemption from the Safe Drinking Water Act for hydraulic fracturing.*

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Mississippi

Senate Concurrent Resolution (SC 636)

Date Introduced: March 10, 2009 **Status:** Died in House committee (June 3, 2009)

Pass House: N/A **Pass Senate:** March 27, 2009 **Signed/Filed** N/A

Description: *A concurrent resolution requesting United States Congress to preserve the primacy of the State Oil and Gas Board of Mississippi to regulate hydraulic fracturing in compliance with decade old state regulations and not to enact any future legislation that would remove this primacy.*

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North Dakota

Senate Concurrent Resolution (SCR 4020)

Date Introduced: Jan. 6, 2009 **Status:** Enrolled

Pass House: March 20, 2009 **Pass Senate:** Feb. 25, 2009 **Signed/Filed** March 20, 2009

Description: *A concurrent resolution urging Congress to preserve the exemption of hydraulic fracturing from the provisions of the Safe Drinking Water Act and to not enact legislation that removes the exemption for hydraulic fracturing.*

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Oklahoma

House Concurrent Resolution (HCR 1012)

Date Introduced: Feb. 24, 2009 **Status:** Enrolled

Pass House: March 9, 2009 **Pass Senate:** April 14, 2009 **Signed/Filed** April 16, 2009

Description: *A concurrent resolution expressing support for the preservation of the exemption for hydraulic fracturing from the Safe Drinking Water Act; urging Congress not to pass legislation that removes the exemption.*

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Utah

Senate Joint Resolution (SJR 17)

Date Introduced: Feb. 10, 2009 **Status:** Enrolled

Pass House: March 3, 2009 **Pass Senate:** March 3, 2009 **Signed/Filed** March 5, 2009

Description: *This joint resolution of the legislature urges Congress to preserve the exemption for hydraulic fracturing in the Safe Drinking Water Act and to refrain from passing legislation that would remove the hydraulic fracturing exemption.*

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Texas

House Concurrent Resolution (HCR 67)

Date Introduced: Feb. 23, 2009 ***Status:*** Died in Senate Committee

Pass House: May 19, 2009 ***Pass Senate:*** N/A ***Signed/Filed*** N/A

Description: *Urging the United States Congress to maintain state regulatory coverage of hydraulic fracturing. (NOTE: Passed unanimously in the House, died in Senate Natural Resources committee)*

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Wyoming

Senate Joint Resolution (SJ 0005)

Date Introduced: Jan. 28, 2009 ***Status:*** Enrolled

Pass House: Feb. 25, 2009 ***Pass Senate:*** Feb. 24, 2009 ***Signed/Filed*** March 2, 2009

Description: *A joint resolution requesting Congress to preserve the exemption of hydraulic fracturing in the Safe Drinking Water Act and to not pass any future legislation which would remove the exemption.*

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