

Public Comment in the Matter of CASE 14753

My name is John Bartlit and I comment on behalf of New Mexico Citizens for Clean Air & Water, Inc. We have been active in technical issues of pollution control since our founding in 1969. I am a chemical engineer by training and experience.

My comments today support the principles of efficiency and transparency in the regulatory process. Transparency of information in the regulatory process is a core value of the OCD and is the key to credibility. I support the full and public disclosure of all components of fracking fluid, their proportions and amounts used.

Improved efficiency of the regulatory process needs to be a high priority of all interests. In my comments, "efficiency" refers to ways of regulating that are more efficient, faster and lower cost in the working. "Efficiency" does not refer to how stringent regulations may or may not be. Competing interests constantly debate the optimum stringency of regulations. Little attention is devoted to constructing regulations whose very nature makes them quicker and cheaper to do in all aspects, that is, in permitting, surveillance and enforcement. I believe that a universal need is greater efficiency in the regulatory process, quite apart from making rules more lax or more strict, which should still be debated.

Fracking offers an attractive technical opportunity to improve regulatory efficiency. Don Neeper of our organization submitted comments to the OCC by mail on Nov. 7. His comments include the suggestion to require that tracers be added to all fracking fluids. Use of tracers is a common technique to identify the origin and track the paths of chemicals moving in the environment.

Suitable tracers for fracking fluids need three qualities:

- 1) They must be non-reactive with other chemicals in the fracking environment.
- 2) They must be unique to fracking fluids and not otherwise found in the fracking environment.
- 3) They must be easily detected and measured in mixtures, whether liquid or gaseous.

Adding tracers to fracking fluids has great potential to save time and cut costs for all parties in the regulatory process. In particular:

- Tracers have potential to avoid some more complicated requirements that could be used to assure there is adequate knowledge and control of fracking fluids.
- Tracers have potential to save time and everyone's costs in resolving disputes, even lawsuits, over who or what is responsible if unexplained chemicals reach unexpected places.

Work remains to be done. Yet adding tracers to fracking fluids has a large potential to benefit every interest, from industry to regulators, ranchers, towns and taxpayers. I urge consideration of this technical opportunity to make regulation more efficient in the working.

Thank you for taking public comment.

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