

Feds Need to Face the Facts about Fracking



by Emma Lui

More and more communities across Canada are confronting questions about a natural gas drilling process called “fracking” and calling for stronger federal government oversight of this growing industry.

Hydraulic fracturing, commonly known as “fracking,” is a controversial drilling process used to extract natural gas from shale, coal beds and “tight sands” with vertical and horizontal drilling. Sand, water and chemicals are blasted at high pressure to fracture rock where natural gas is trapped.

Communities all over Canada, the U.S. and other countries are fighting against fracking because it pollutes water, harms human health and produces high carbon emissions. Some municipalities are imposing bans or halting projects. Quebec is the only province that has implemented a limited moratorium.

CONCERNS WITH FRACKING

Fracking poses a significant threat to Canada’s water sources. The fracking process uses vast and unsustainable amounts of water. Approximately 2 to 9 million gallons of water are required for a single fracking job. This is equivalent to the water used by as many as 100,000 people per day (based on use of 329 litres per day, the estimated average use per person per day in Canada).

Toxic chemicals used in the fracking process can also pollute local water sources. The investigative report *Fracking Hell: The Untold Story* by Earth Focus and the U.K.’s Ecologist Film Unit noted that the chemicals found in fracking fluids used in the U.S. include ethylhexanol, formaldehyde, glutaraldehyde, boric acid, ethylene glycol, methanol, monoethanolamine, dazomet, acetic anhydride, isopropanol, propargyl alcohol and diesel. The fluid contents are considered proprietary information, so

their full contents are not disclosed to the public regardless of the risks they pose.

People living near fracking operations have reported developing rashes and skin irritations, nosebleeds and other symptoms from contaminated water. The long-term health effects from fracking are not known, but fracking chemicals have been linked to significant health problems including bone, liver and breast cancers as well as developmental, gastrointestinal, circulatory, respiratory, brain and nervous system disorders.

With the serious risks fracking poses to people’s health and water and its impacts on climate change, along with a new binding UN resolution protecting the human right to water and sanitation that places an obligation on countries to protect water from contamination, you can’t help but wonder, “What is the federal government doing to legislate this growing industry?”

WHO’S IN CHARGE?

In June 2011, federal Environment Minister Peter Kent responded to NDP Environment Critic Megan Leslie’s questions in the House of Commons about fracking’s dangers by saying, “The federal government has an interest and can involve itself when a threat is perceived and reported. Environment Canada is responsible for regulating toxic substances under the Canadian Environmental Protection Act, and where required, we will intervene.” But in the same media report, he downplayed the federal government’s role, saying responsibility for monitoring and intervening belongs with the provinces and territories.

Despite Minister Kent’s contradictions, there are several laws that put the onus on the federal government to act. The following legislation, compiled in the report *Duty Calls: Federal responsibility*

in Canada’s oil sands by the Pembina Institute, can be applied to fracking, and oil and gas mining broadly:

- Under the Fisheries Act, the “federal government has the power and authority to protect the unobstructed passage of fish, provide sufficient water flow for fish, prevent fish mortality and prohibit harmful alteration, disruption or destruction of fish habitat.”
- The Canadian Environmental Protection Act “gives the federal government the authority to prevent and manage the risks posed by harmful substances, and to assess the environmental and human health impacts of new and existing substances.”
- The Species at Risk Act “provides the federal government with the authority to identify species at risk and their critical habitat,” and creates a safety net provision for the federal government to step in to protect a species if a province is failing to do so.
- An environmental assessment, under the Canadian Environmental Assessment Act, should be required for fracking projects based on their effects on fish and fish habitat.
- In addition, Canada’s National Pollutant Release Inventory, which tracks the use and disposal of toxic chemicals, should be revised to include reporting requirements for fracking operations.

Based on these pieces of legislation the federal government has a clear and pressing responsibility to intervene in fracking projects across the country. The impacts of fracking are already being seen, and will continue to be seen for many years to come. The federal government needs to step into a leadership role and ensure that our water sources, people’s health and the environment are protected from unnecessary and dangerous pollution.

Don’t frack with our water – there is too much at risk.

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