



January 10, 2012

(VIA OVERNIGHT MAIL)

The Honorable Lisa P. Jackson  
Administrator  
United States Environmental Protection Agency  
1200 Pennsylvania Avenue, NW  
Washington DC 20460

**RE: Draft Pavillion Area Ground Water Investigation Report – External Peer Review**

Dear Ms. Jackson:

The draft report released by the US Environmental Protection Agency (“EPA”) in regard to the Pavillion Area Ground Water Investigation has raised serious questions from a number of stakeholders. Knowing that the EPA and the current administration believes that science based on credible evidence should be utilized to drive policy and decision making, Encana Oil & Gas (USA) Inc. (“Encana”) respectfully requests that the EPA ensure a rigorous, external independent peer review be conducted of EPA’s draft report, including the conclusions drawn and the quality and precision of the data used.

We have been informed that the EPA already has a standard process in place for peer review of the draft report that will follow the USEPA – Peer Review Handbook, 3<sup>rd</sup> edition EPA/100/B-06/002 (“EPA Peer Review Handbook”). Encana has several concerns that we would appreciate the EPA consider.

- The conclusions drawn in the draft report combined with the concern over the safety of hydraulic fracturing should make this report a “Highly Influential Scientific Assessment.” This classification, instead of “Influential Scientific Information,” is necessary because the draft report “[i]s novel, controversial, or precedent-setting or has significant interagency interest” and, therefore, meets the criteria of Section 2.2.4 of the EPA Peer Review Handbook. As a result, we ask that the peer review be conducted with the highest level of integrity and scrutiny. Conflict of interests and affiliations of review panel members should be carefully scrutinized and documented. It also means that the peer review panel will need to consider all concerns raised

Encana Oil & Gas (USA) Inc.  
Republic Plaza  
370 – 17 Street, Suite 1700  
Denver, Colorado  
United States 80202  
t 303.623.2300  
f 303.623.2400  
[www.encana.com](http://www.encana.com)

by stakeholders (including those of Encana) relating to the scientific and technical underpinnings of the draft report.

- Encana and other stakeholders are preparing technical comments in accordance with the Federal Register notice. We ask that the EPA provide these technical comments to those conducting the peer review. We also ask that the peer review panel be charged with (1) explicitly addressing the numerous quality assurance and quality control issues raised by Encana and others and (2) ensuring that scientific uncertainties are clearly identified and characterized, as well as providing advice on the reasonableness of judgments made from the scientific evidence.
- We remain very concerned by the short list of primary disciplines that the EPA identified in its Peer Review Plan. To be thorough and responsive to the issues raised by the draft report, the following disciplines should be represented on the panel: petroleum engineering; Wind River basin geology and hydrogeology; geophysics; hydraulic fracturing; geochemistry (including isotopic chemistry); analytical chemistry; microbiology; cement bonding and logging; sample collection quality assurance and quality control; monitoring well design, construction and sampling; and, water well design, construction and maintenance.

During our conversation at your office last November, you emphasized support for responsible natural gas development and recognized the importance of this resource to our energy future. The draft report issued by the EPA Office of Research and Development raises serious questions, and we hope you agree that the preliminary conclusions in the draft report require thorough and rigorous external scientific review.

Sincerely,

ENCANA OIL & GAS (USA) INC.



Jeff E. Wojahn  
President

cc: Mr. James B. Martin, Regional Administrator  
United States Environmental Protection Agency, Region 8