UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

NOV - 9 2010

OFFICE OF
WATER

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. David J. Lesar
Chairman and Chief Executive Officer
Halliburton
3000 North Sam Houston Parkway East
Houston, Texas 77032

Re: Subpoena and Information Request Pursuant to the Toxic Substances Control Act, Clean Water Act, and Resource Conservation and Recovery Act

Dear Mr. Lesar:

Enclosed is a subpoena and mandatory request for information on your company's hydraulic fracturing operations, with a deadline for response of December 1, 2010. The U.S. Environmental Protection Agency ("EPA") is compelled to take this step because repeated discussions with your company have failed to provide assurance that Halliburton will submit timely or complete information on a voluntary basis that is fundamental to the agency's Congressionally-mandated study to determine the impacts of fracturing operations on safe drinking water supplies.

Data from your company and others are essential to reach informed, science-based judgments about these impacts. We need the data promptly so that, combined with other information we intend to collect, EPA has a sound foundation for initiating research in the first part of 2011 and providing preliminary results by the close of 2012. EPA will also be considering the information for possible guidance assessment and rulemaking under various authorities.

By letter dated September 9, the agency requested voluntary submissions from Halliburton and eight other fracturing companies. The letter asked the companies to commit to provide all the requested information within 5 days and to fully comply with the requests within 30 days. We offered to meet with companies to discuss the scope of the request and reasonable extensions of time. As a result of these discussions, we have reached understandings with all companies except Halliburton on the terms and timing of information submission. A number of companies have provided all the requested

information. The remainder made unconditional commitments to complete production later in November or, at the latest, early December.

To date, Halliburton has only provided copies of material safety data sheets for fracturing products in response to EPA question 1 and additional information about the health and environmental impacts of these products in response to EPA question 2. On October 29, 2010, EPA staff contacted the company to request that it commit in writing to provide the remaining materials by November 15. The company's response, dated October 29, 2010, states only that it will use its "best efforts" and "endeavor to complete its response" by the end of January 2011. The company cites the burdens of complying but adopts an unreasonable interpretation of EPA's request at odds with guidance provided by EPA at an October 8 meeting and confirmed in writing by the company in its October 12, 2010 letter.

EPA believes that Halliburton's response is inadequate and inconsistent with the cooperation shown to date by the other eight companies. Since Halliburton appears not to be committed to providing all the requested information on an expeditious schedule, EPA, therefore is ordering the submission of the information outlined in the enclosed Subpoena and Information Request, pursuant to the authorities cited therein.

If you have questions about the enclosed request, please contact Carrie Wehling in the EPA's Office of General Counsel, at (202) 564-5492 or at wehling.carrie@epa.gov. Thank you for your cooperation in this matter.

Sincerely yours,

Peter S. Silva

Enclosure
Cc: Bob Moran
Paul Anastas
Stephen A. Owens
Mathy Stanislaus