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DEPARTMENT OF ENVIRONMENTAL PROTECTION

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Department of Environmental Protection Calls for Prohibition on Drilling in the New York City Watershed

Report finds gas drilling poses unacceptable risks to the unfiltered drinking water supply for nine million New Yorkers

Natural gas drilling and exploration are incompatible with the operation of New York City's unfiltered water supply system and pose unacceptable risks for more than nine million New Yorkers in the City and State. Drilling in the watershed requires invasive industrialization and creates a substantial risk of chemical contamination, and infrastructure damage, according to the Final Impact Assessment Report prepared for the New York City Department of Environmental Protection (DEP). After reviewing the report, DEP has called for a prohibition on any drilling in the New York City watershed, located upstate.

"Based on the latest science and available technology, as well as the data and limited analysis presented by the New York State Department of Environmental Conservation (DEC), high-volume hydrofracking and horizontal drilling pose unacceptable threats to the unfiltered fresh water supply of nine million New Yorkers," said Acting DEP Commissioner Steven W. Lawitts. "New York City has invested \$1.5 billion to protect the watershed and prevent degradation of the water supply, and to maintain its Filtration Avoidance Determination (FAD). The known and unknown impacts associated with drilling simply cannot be justified."

Since 1997, the City has been granted a Filtration Avoidance Determination by the U.S. Environmental Protection Agency (EPA). This designation recognizes the high quality of New York City's West of Hudson water supply. Since that time, the City has spent or committed approximately \$1.5 billion to protect these pristine waters. Gas drilling in its current form, is inconsistent with ensuring both the protection of these source waters and the continuation of the FAD. The inherent environmental impacts and risks of gas drilling could result in the need to construct a filtration plant at a minimum cost of \$10 billion, which would translate into a 30 percent increase in water rates.

In addition, in comments submitted yesterday, the City called on DEC to rescind the draft Supplemental Generic Environmental Impact Statement (dSGEIS) that was released on September 30, 2009 because it does not adequately address the risks of drilling in the New York City watershed, which supplies drinking water for nine million New Yorkers.

DEP Deputy Commissioner Paul Rush today briefed the New York City Water Board on the Report, which the City initiated in fall 2008 when DEC commenced its dSGEIS addressing horizontal drilling and high-volume hydraulic fracturing in the Marcellus Shale formation. The Marcellus Shale formation runs through parts of Virginia, West Virginia, Ohio, Pennsylvania, and New York. In New York State alone it extends for approximately 18,700 square miles, including

under the City's entire 1,585 mile West of Hudson watershed.

As part of their review, DEP's consulting team, Hazen and Sawyer/Leggette, Brashears and Graham, studied the unique hydrological and geological conditions of the watershed, the technology and chemicals necessary to conduct hydrofracking, the experience of other jurisdictions that currently allow hydrofracking, and the scientific literature, and found the following risks:

Industrialization: Gas drilling brings with it an industrial infrastructure with inherent environmental risks: as many as 3,000 to 6,000 wells would result in millions of truck trips, thousands of acres of site clearing and grading, millions of tons of fracking chemicals, and millions of tons of waste from produced water, all of which can contaminate water.

Chemical Contamination: The chemicals used as part of the process are injected into subsurface rock formations and can travel along underground fissures to ground water and ultimately streams that feed reservoirs; extensive subsurface fracture systems and known "brittle" geological structures exist that commonly extend over a mile in length, and as far as seven miles in the vicinity of NYC infrastructure. In addition, the resulting wastewater – potentially one billion gallons per year – can also contaminate water supplies. Currently, there is no way to locally treat this wastewater.

Infrastructure Damage: High-volume hydraulic fracking could damage the City's water supply infrastructure; of greatest concern are our tunnels which are located both inside and outside the New York City watershed. Naturally occurring fracture systems have been demonstrated to transmit fluid and pressure, as evidenced by saline water and methane seeps encountered at grade and in shallow formations near the City's infrastructure during and since its construction.

In addition to explaining the impacts and risks identified in the Report, the City states in its comments that the dSGEIS does not meet the requirements of the New York State Environmental Conservation Law because it does not include critical and necessary analyses, including: cumulative impacts of the industrialization necessary for drilling, waste disposal, air quality, pipeline construction, and ancillary infrastructure. The document does not sufficiently address public health concerns. Also, a separate impact assessment on public health is needed given the hazardous chemicals that are proposed for use, the potential radioactivity of the waste products, and the rate and scale of the drilling and related activities. The City has previously requested that the New York State Department of Health undertake such a study.

Following are the City's comments on the dSGEIS, the cover letter, and Final Impact Assessment Report. In addition, the following presentation was made by Deputy Commissioner Paul Rush at a Water Board meeting on December 23.

- ▶ [NYCDEP's comments on the dSGEIS \(PDF\)](#)
- ▶ [Cover letter for comments on the dSGEIS \(PDF\)](#)
- ▶ [Final Impact Assessment Report \(PDF\)](#)

▶ [NYC Water Board Presentation 12/23/2009 \(PDF\)](#)

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