

News

No letup in battle over natural gas drilling

Sunday, July 25, 2010

By WILLIAM J. KEMBLE
Correspondent

OPPOSITION to drilling for natural gas within the New York City watershed areas of Ulster, Greene and Delaware counties is beginning to gather force as the state and federal governments reconsider how the technique known as hydraulic fracturing, or “hydrofracking,” is regulated.

The debate over drilling in the Marcellus Shale underground formation, which geologists say has huge amounts of accessible natural gas, has been raging for a couple of years in western Ulster and Greene counties. The formation stretches from Ulster and Greene counties to Lake Erie and the Pennsylvania border.

The local issue is complicated by the fact that much of the eastern Catskills is within the upstate watershed of New York City, a politically powerful force that is adamantly opposed to drilling. The Gulf of Mexico oil disaster also is playing a role in the debate.

The natural gas-drilling industry says it should be viewed on what it says is its track record of safe drilling and extraction.

“Our position, of course, is based on a safe and environmentally sound track record in New York, and what we find very often is the people who are opposed to drilling in New York are basing their position on misinformation in many cases,” said Brad Gill, executive director of the Independent Oil & Gas Association of New York.

“We have an excellent industry track record in New York, and every time we say that, people tend to disagree with us, and it’s an emotional disagreement and it’s not backed up with examples,” he said. “So again, our track record speaks for itself in New York.”

The fight comes as the state Department of Environmental Conservation is reviewing whether existing rules should be revised to cover drilling that is horizontal to the surface and involves the injection of chemicals as part of the gas-extraction process.

Environmentalists say the techniques expose wider areas to potential contamination, while also making the leaking of potentially cancer-causing substances more difficult to detect.

Gill said New York City is among the opponents that used “scientifically flawed” data during state hearings last year.

“We’ve demonstrated time and time again the industry has drilled through watersheds, we’ve drilled through aquifers,” he said. “In the 1970s and ’80s, we drilled the Jamestown aquifer. The city of Jamestown (in western New York) gets 100 percent of its water supply from this aquifer and we’ve gotten numerous wells drilled through it very, very safely and without a problem.”

Gill said New York City officials should feel comfortable with proposed rules because the state added a “regulatory hurdle

so high that not too many companies would be willing to try and clear it.”

Among the disputes Gill said needs to be clarified is that information about chemicals would be made public during the approval process.

“Now the (Department of Environmental Conservation) is requiring that to be disclosed before any well is drilled,” he said. “Another area of contention is where the water is going to go. That is an industry problem, and industry will address it, but a well will not be permitted, it won’t be allowed to be drilled, until that plan is in place and provided to the (Department of Environmental Conservation).”

Hydrofracking with horizontal drilling would involve wells running 2,000 to 4,000 feet long below the surface of the ground.

Gill estimated that, if the drilling equipment were available, “you might see 800 or 1,000 drilled in a year’s time. But a lot of that depends on how favorable it is toward business to operate in New York.”

Among public relations problems for hydrofracking advocates has been the BP oil gusher in the Gulf of Mexico, which has cast doubts on the integrity of drilling applications and techniques used by energy companies, as well as government oversight.

Gill says it’s unfair to compare the images of oil flowing into the water and washing up on shore with the types of problems that could occur from drilling in the Marcellus Shale.

“In the first place, you never heard anything about the other 42,000 wells drilled in the Gulf of Mexico,” he said. “This one, of course, gets the attention, as it should. It’s an environmental disaster, it’s a tragedy. But that’s deep-water oil drilling; this is shallow, on-shore, natural gas drilling. Apples and oranges.”

Still, the BP disaster has become a focus for hydrofracking opponents who use the April 20 explosion that led to the Gulf leak, and the subsequent absence of immediate solutions, as evidence that it takes only one set of mishandled government approvals to destroy habitats and human lives and create years of cleanup needs.

Brian Obach, a sociologist at SUNY New Paltz, said the risks of drilling in the Gulf of Mexico clearly were misunderstood by officials at the highest levels of government.

“Proponents might say they are so rare, and we’re so much better now, but the fact is, it only has to happen one time,” he said.

“We don’t have to look very far to see what’s going on in the Gulf right now,” Obach said. “Everybody said, ‘This is perfectly tried and true, tested technology, these companies know what they are doing’ and, two weeks after President Obama said that, we’re wringing out (oil from) seagulls.”

Obach said faith in technology and promises from energy companies should be juxtaposed against a history of “numerous ecological disasters that are products of failed systems that we didn’t think could fail.”

“The Gulf oil spill is just the latest one but, we have things like the Exxon Valdez that made us start thinking that maybe a single hull or single layer of material between the open ocean and tens of thousands of gallons of oil is not good enough and we should have double hulls; Three Mile Island, where an accident at a nuclear plant was unthinkable, and then, we have one.”

Obach said opponents also are concerned that industry officials may consider details about drilling techniques to be proprietary information that should be held in secret.

And, he said, the response to disasters has proven that energy company officials are not accountable for their failures.

“Louisiana’s economy is being devastated and hundreds of thousands of people have lost their livelihoods and ecological devastation is taking place that will take decades to correct, and ‘I’m sorry, we made a mistake,’ after the fact, isn’t good enough,” he said.

Among the most powerful opponents of hydrofracking is New York City, which contends drilling would pose a significant risk to reservoirs in Ulster and Delaware counties. The city’s Department of Environmental Protection website has dedicated several pages to documents supporting its position that “natural gas drilling cannot be permitted” because, the city says, the industry cannot ensure drilling is done safely.

“As part of the drilling process, millions of gallons of proprietary chemicals and pressurized water could be injected into thousands of gas wells throughout the state to break up and capture natural gas from a rock formation known as the Marcellus Shale,” city officials wrote. “These chemicals could potentially contaminate New York City’s drinking water, and the heavy industrialization that hydrofracking requires would result in millions of truck trips that could further impact the water supply. In addition to the risk to public health, gas drilling could also force the city to construct a filtration plant at a cost of \$10 billion to \$20 billion, which would translate into a minimum 30 percent increase in water rates.”

Earthworks Oil and Gas Accountability Project is a group that has embraced New York City’s opposition as aiding upstate property owners who believe it would take a strong metropolitan presence to stand up to energy industry lawyers and lobbyists. The group recently hired Nadia Steinzor, a Willow resident and former Mohonk Preserve spokeswoman, to handle public relations in the effort for strong state regulations over hydrofracking.

“It’s definitely a correct assessment that New York City, in this particular neck of the woods, holds a lot of clout,” Steinzor said.

“The (state Department of Environmental Conservation) said a few months ago that they would consider a more stringent permitting process for the New York City watershed than for other areas of the state,” Steinzor said. “They also included the Syracuse watershed, because it’s also an unfiltered water supply, in that more stringent approach. But that raised a lot of concern around the rest of the state that, if you need to do a very stringent permitting process for unfiltered watersheds, what about all the people who have groundwater supplies and rely on surface water supplies?”

Steinzor also said drilling companies should be required to disclose information under the proposed state rules. She noted that the Catskill Mountains have underground water systems that travel for miles, and she said withholding information could prevent affected property owners from knowing about the potential for problems.

“The overarching problem is that there is no federal requirement for disclosure, so there is the question of whether the companies actually would have to disclose the chemicals and to what degree,” she said. “There are states that have disclosure requirements, but they are not always public and are often just state agencies. They are not made public to people who live nearby or whose groundwater wells might be contaminated. As long as it’s not federally required, there is always the possibility of a work-around by the states.”

Six years ago, a U.S. Environmental Protection Agency study declared the hydrofracking process posed “little or no threat to underground sources of drinking water,” and with that blessing, Congress a year later exempted hydraulic fracturing from federal regulation.

Now the agency, prodded by Congress even before the Gulf disaster and stung by criticism that its 2004 study was scientifically flawed and perhaps politically tainted, will bring the issues to the heart of the land lease rush in the Marcellus Shale — Canonsburg, Pa., on Thursday and Binghamton on Aug. 12.

The Associated Press contributed to this report.

URL: <http://www.dailyfreeman.com/articles/2010/07/25/news/doc4c4bc7a83e0e4728514180.prt>

© 2010 DailyFreeman.com, a **Journal Register** Property