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Pennsylvania's Fracking Program Gets Mostly High Marks in Independent Review

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Pennsylvania needs some stricter regulation of the controversial gas drilling technique of hydraulic fracturing in the Marcellus Shale formation, with stiffer rules for testing water for toxins and lining leaky pits to contain chemicals, an independent review panel said.

The review by Okla.-based State Review of Oil and Natural Gas Environmental Regulations, or STRONGER, also recommended that drillers alert regulators before they begin their hydraulic fracturing, or "fracking" operations. That way experts can inspect for contamination before it's too late.

Currently, firms can frack a well and wait 30 days before going public.

But mainly, reviews of the state's fracking rules were positive. "The review team has concluded that the Pennsylvania program is, overall, well managed," it said.

Some environmental groups agreed with that characterization.

"I would agree that it's well managed," said Jan Jarrett, president and CEO of PennFuture. "There's a real commitment on the part of at least this administration to do what they can to police this industry with the tools that they have," she told SolveClimate News.

But it's not perfect, she added, citing a need for more inspection capacity. "We're seeing lots of spills and accidents. We're seeing migrating gas."

Environmental group Sierra Club was less convinced.

Tom Au, conservation chair of the state chapter and one of four observers who participated in STRONGER's single-day evaluation in Harrisburg, Penn., said there are "major deficiencies in the program."

"I'm skeptical that a one-day review can fully evaluate" them, he told SolveClimate News.

Au pointed to "the lack of baseline monitoring of water quality in the area of drilling," which the review team also noted, and "a need to finalize revisions to the casing regulations."

"A Very Good Program"

Hydraulic fracturing blasts a toxic brew of water, chemicals, sand or plastic beads at high pressure deep into horizontal wells under shale deposits to pry loose lucrative gas. Up to 90 percent of the drilling fluids remain underground.

The practice, exempt from regulation under the federal Safe Drinking Water Act, is increasingly being implicated in poisoning drinking water across gas country.

The review in Pennsylvania was carried out by three experts—one each from industry, a state regulatory body and the environmental community. It is the fourth review of the drilling program by STRONGER since 1992.

Wilma Subra, a chemist and consultant who previously worked for the Environmental Protection Agency (EPA), served as the environmental representative on all four assessments. She told SolveClimate News that following previous reviews, Pennsylvania's Department of Environmental Protection (DEP) "actually adopted the rules and regs [regulations] to address the recommendations we have made."

Subra is confident the same will be true this time. "It's been a very good program over the years."

Not surprisingly, industry agreed.

"The work done by DEP is incredibly important and done tremendously well, and this study confirms that," Kathryn Klabertold, president of the Marcellus Shale Coalition, a trade group for Marcellus Shale producers, told SolveClimate News in an email.

Subra said among the main priorities she sees for Pennsylvania is "the need for the actual chemicals that are contained in the materials" to be disclosed.

Fracking fluids contain human carcinogens, including benzene and naphthalene, as well as neurotoxins and endocrine disruptors. The industry has been permitted to protect the list of specific chemicals as trade secrets.

Pennsylvania publishes the possible contents of fluids in any given well, and the DEP is now evaluating whether to force

The heat is on hydraulic fracturing as the practice has ballooned from 1 percent of U.S. natural gas production in 2000 to roughly 10 percent today. It could unlock enough natural gas to supply the entire nation for 90 years, according to a recent MIT study.

Earlier this month, environmental group Riverkeeper released a report to the EPA of more than 100 cases of fracking-related poisoning. One-fifth were instances of drinking-water contamination across Pennsylvania's Marcellus Shale.

The STRONGER panel said there have been no instances "where groundwater has been contaminated by hydraulic fracturing" in the state.

Tom Au said that statement is "very limited."

"There's been plenty of incidences where surface water is being contaminated," he said. "Just to say there are no incidences where groundwater is contaminated does not convey the full picture on water quality."

Jarrett, too, challenged this finding. Groundwater has been contaminated "as a result of methane migration due to faulty construction" of wells, she said. "Our aquifers are only a couple of hundred feet down."

Case in point, Jarrett said, is Dimock Township, in Susquehanna County, where methane has been migrating at least two miles from a drilling site and is bubbling up in the Susquehanna River.

For Jarrett, the good news is that the DEP appears to be getting tough.

In April, the state agency fined Houston-based drill operator Cabot Oil & Gas Corp. \$240,000 and ordered it to plug up its three Dimock wells. It also suspended the review process for new permits Cabot was seeking.

They "seem to be policing [the drillers]," Jarrett said. "They've shut people down."

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