

Hosted by 

Search News

NY attorney general suing feds over gas drilling

(AP) – 22 hours ago

ALBANY, N.Y. (AP) — The federal government should conduct a full environmental review that weighs potential damage to the welfare of people in the Delaware River watershed and the drinking water quality for millions of New Yorkers before allowing natural gas drilling in the region, the state's attorney general said in a federal lawsuit filed Tuesday.

Eric Schneiderman said in the lawsuit filed in Brooklyn that the Delaware River Basin Commission, with approval of federal agencies, proposed regulations without doing a full review as required by the National Environmental Policy Act.

Gas is being extracted in the Marcellus Shale region underlying southern New York, Pennsylvania, eastern Ohio and West Virginia using high-volume hydraulic fracturing, or fracking. Drillers are pumping huge volumes of water laced with chemicals and sand into a well bore to fracture surrounding shale, releasing the gas.

A commission spokeswoman said Tuesday the commission hadn't read the complaint and had no immediate comment.

U.S. Army Corps of Engineers Division Commander Peter Deluca, the federal government's representative on the commission, told Schneiderman in a letter that the commission isn't subject to the National Environmental Policy Act because it's not a federal agency.

Schneiderman argues that the act applies because of the corps' involvement.

Comprising representatives from New Jersey, New York, Pennsylvania, Delaware and the federal government, the commission regulates water use in a 13,539-square-mile area that supplies drinking water to 15 million people, including Philadelphia and half the population of New York City. It has imposed a moratorium on gas drilling in its part of the Marcellus Shale formation while it establishes regulations for the industry. Final rules aren't expected until this fall.

Schneiderman faults the commission for developing draft regulations without first doing a full environmental review. In April, before the public comment period on the commission's draft regulations ended, environmentalists said they delivered 30,000 comments opposing natural gas drilling in the watershed.

The commission has estimated that its proposed regulations will result in 15,000 to 18,000 gas wells being drilled within the river basin.

"I've long called on the DRBC to conduct a cumulative impact study so that we can fully understand the environmental risks associated with shale gas drilling in the Delaware River watershed," said U.S. Rep. Maurice Hinchey, who has also called on the Environmental Protection Agency to regulate hydraulic fracturing.

Peter Wynne, spokesman for the Northern Wayne Property Owners Alliance, a Pennsylvania landowners' group with more than 80,000 acres under lease to Hess Corp., said the real purpose of an environmental impact study is to cause a delay. He said environmentalists have thrown up roadblock after roadblock in hopes that drilling companies will eventually become frustrated and go away.

"There is no information that isn't out there already that they are going to get with this study," he said. "All they're going to come up with is a vast collection of generalizations that are already available. It's a colossal time-waste."

New York has had high-volume hydraulic fracturing in its part of the Marcellus region on hold for three years while it completes a massive environmental review that's expected to be finished later this year. The EPA is also working on a review, which is expected to have results in 2012.

Lee Hartman, Delaware River chairman of Trout Unlimited, said the long-term effects of drilling need to be studied before the gas industry moves in.

"This is good news for us," Hartman said. "You're talking about 15 million people using the river and drinking the water. Who knows what the effects will be in the long run?"

The Marcellus Shale Coalition, an organization of energy companies that says it's committed to the responsible development of natural gas from the shale formation and the enhancement of the region's economy, said it shares DeLuca's view and doesn't believe litigation is necessary.

"Frivolous lawsuits and more unnecessary regulatory red tape — which will add no environmental benefit — is not a common sense solution to address our nation's energy challenges," coalition spokesman Travis Windle said in an emailed statement. "However, increasing the responsible development of clean-burning American natural gas will continue to create thousands of good-paying jobs while helping to drive down our nation's dangerous dependence on energy from unstable and unfriendly regions of the world."

Associated Press writer Michael Rubinkam in Allentown, Pa., contributed to this story.

Copyright © 2011 The Associated Press. All rights reserved.

Map



Related articles

[NY to sue over hydrofracking study](#)

[CHK Marcellus Shale](#)

