

Marcellus shale controversy leads to EPA study

Brian Tumulty • Gannett Washington bureau •
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The Environmental Protection Agency has begun a \$6 million study of the practice of injecting chemical-laden water into shale deposits in order to release natural gas, the agency announced last week.

The study's results could have a strong impact in the Southern Tier, where environmental concerns and a potential economic bonanza from hydraulic fracturing have set neighbor against neighbor in many communities. The furor is over a major natural gas reserve identified in a geological formation known as the Marcellus shale.

The two-year study of the natural gas industry's use of hydraulic fracturing will be the first of its kind. An earlier EPA study essentially was a survey of existing literature and was criticized by environmental groups.

"We hope this will take a much harder look at what are the chemicals being used in the process of hydraulic fracturing and how this impacts our water supplies and our communities," said Katherine Nadeau, water and natural resources program director for Environmental Advocates of New York.

EPA officials are using \$1.9 million in this year's budget to begin the work and are requesting money from Congress in the 2011 budget to complete it,

according to EPA spokeswoman Ernesta Jones.

Hydraulic fracturing was exempted from the Clean Water Act under a 2005 energy bill that passed a Republican Congress and was signed into law by President George W. Bush.

Oil and gas companies have signed drilling leases in New York and Pennsylvania where the formation exists.

But New York has imposed a moratorium — conventional and some small vertical wells are exempt — while the state Department of Environmental Conservation updates its regulations. A draft update document drew almost 14,000 public comments last year. It's not clear when the state agency will enact final regulations.

An estimated 1,500 to 2,500 drilling permits likely will be issued annually in the New York section of the Marcellus shale once the moratorium ends, according to Environmental Advocates of New York.

Natural gas drilling is expected to have a long-term impact on the Southern Tier and western New York economy because the Marcellus shale could produce gas for at least 30 years, according to Rod Howe, executive director of the Community and Rural Development Institute at Cornell University.

Development of well sites would bring new residents to many small communities, with new RV parks, motels, and rentals that will change the local culture, Howe said. Against this backdrop, congressional Democrats are trying to re-regulate the industry through legislation introduced by Rep. Diana DeGette of Colorado and Sen. Bob Casey of Pennsylvania.

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Their bill, known as the FRAC Act (Fracturing Responsibility and Awareness of Chemicals Act), would amend the Safe Drinking Water Act to repeal the exemption that allows drillers to inject fluids into wells near drinking water sources. It also would require drillers to disclose the chemicals used in hydraulic fracturing operations. Thirteen members of the New York House delegation and both senators are cosponsors.

But the crowded congressional calendar makes it unlikely the legislation will pass this year.

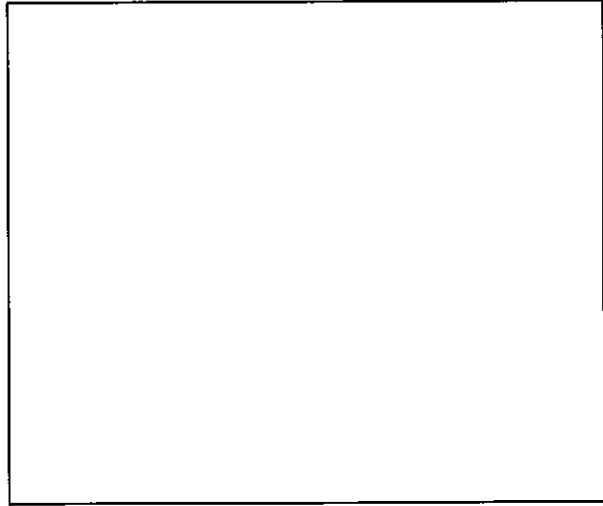
"It's going to take a while," Casey said of his Senate bill. "It's a function of what's in front of it — health care, job-creation bills, appropriations, financial and regulatory reform, climate change."

Casey said advocates on both sides — oil and gas industry executives opposed to new regulations and environmental groups concerned about water quality — are visiting his Capitol Hill office.

The EPA study was requested by Congress in the 2010 budget.

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