



-
-
-
-
-
-
-
-
-
-

- [Home](#)
- [Sports](#)
- [People](#)
- [Features](#)
- [Business](#)
- [Govt.](#)
- [Forum](#)
- [Schools](#)
- [PSA](#)
- [Calendar](#)
- [History](#)

For your convenience, we have installed the link below to make donations to this website easier. Now you can utilize your PayPal account or your credit card.

[Make a Donation](#)

- [Government](#)
- [Schools](#)
- [People](#)
- [Business](#)
- [Features](#)
- [History](#)
- [Sports](#)
- [Forum](#)
- [Calendar](#)
- [Classified Ads](#)
- [Home](#)

We also have a Business Card Page. Click [here](#).

The Marcellus Watch



The state's top environmental regulator says the New York City and Syracuse watersheds deserve special protection from natural gas drillers. In his latest column about drilling in the Marcellus Shale formation, journalist Peter Mantius of Burdett writes that the DEC's new policy divides the state into "haves" and "have-nots."

Left: Peter Mantius

'Haves' and 'Have-nots'

By Peter Mantius

BURDETT, April 24 -- Don't state environmental regulators have a duty to apply their water quality standards equally everywhere in the state?

No, it's OK to pick out certain areas for special protection, according to a policy shift announced April 23 by Pete Grannis, commissioner of the state Department of Environmental Conservation.

When it comes to natural gas drilling, the "haves" in New York City will get sheltered from the enormous risks of hydrofracking, while the "have nots" in the Southern Tier will have to take their chances.

This is not good news for the Finger Lakes or Schuyler County.

The pressure on the DEC to enforce rigorous environmental standards on hydrofracking will fall off sharply now that those New Yorkers with the most wealth and political clout have been accommodated.

No doubt Grannis' announcement brings relief to many city folk who have followed disclosures of a string of hydrofracking horrors in neighboring Pennsylvania.

Widely employed just south of the New York border, hydrofracking is the practice of forcing millions of gallons of water mixed with sand and chemicals into wells to free gas trapped in shale. Several private wells close to drilling in Dimock, Pa., to name one problem area, have been ruined.

In his announcement, Grannis said the watersheds of New York City and Syracuse deserve special protection from hydrofracking because those cities rely on unfiltered water. Their watersheds will be excluded from the pending generic environmental review process the state has been developing for hydrofrack drilling in the gas-rich Marcellus Shale formation.

Currently, the state has a moratorium on Marcellus hydrofracking while DEC writes rules for the controversial drilling process. The agency will include those rules in its Supplemental Generic Environmental Impact Statement (SGEIS), a document it's racing to complete.

The SGEIS will be a tool the industry can use to expedite Marcellus drilling permit applications. As soon as the SGEIS is done, the state intends to lift its moratorium and accept those applications.

At that point, drillers would still have the right to drill in the New York City watershed, but they'd have to come up with their own environmental impact statement, gas well by gas well. That laborious process is never going to happen.

So while Grannis didn't explicitly ban drilling in the backyards of the "haves," he sent them a powerful message: you don't have to worry any more.

But what about the "have-nots" -- the hundreds of thousands of people in the Southern Tier who depend on private wells for their drinking water?

The new DEC policy clearly assigns them second-class status.

Naturally, no agency official is going to acknowledge a double standard. "We will not let drilling begin until the environmental protections are in place," Grannis said April 20.

But on that very same day he said he expected the state to lift its Marcellus drilling moratorium and begin issuing permits by the spring or summer of next year.

That statement from the commissioner was an apparent "clarification" of a statement made a few days earlier to a pro-business group by a Grannis deputy, Bradley Field, the DEC's Director of Mineral Resources.

Field was quoted as telling a Business Council of New York audience that the DEC would be issuing Marcellus hydrofracking permits by the end of this year.

While Grannis backed off Field's rocket schedule, his own slower timetable implied that the agency is making steady process in its struggle to get a handle on hydrofracking.

Several signs point the other way.

In fact, here's a rule of thumb:

Do not -- repeat -- DO NOT count on this agency to do a thorough job corralling a rambunctious energy industry in our neck of the woods.

The agency is swamped by some 14,000 mostly negative public comments on proposed rules for hydrofracking in the SGEIS. Grannis promises they'll all be addressed by this fall -- every one -- by a DEC staff that he admits is terribly overworked.

Meanwhile, pro-environment groups such as Ithaca-based Toxics Targeting claim the DEC downplays reports that water wells have been contaminated by brine, methane or other pollutants due to nearby gas drilling.

For example, in early 2009, David Eddy of Andover told the agency that the water from his well had been fouled by recent drilling -- apparently not into the Marcellus Shale -- near his Allegany County home.

Although the drilling company paid for the installation of a Culligan water purifier in Eddy's home as well as his multi-day stay at a local hotel, the DEC failed to promptly list the incident in its database of spills, Toxics Targeting reported. And Eddy's water problems remain unresolved.

The DEC has only a handful of on-site inspectors -- not even enough to thoroughly cover problems stemming from the modest level of gas drilling now underway in the state. How, then, is the same overburdened staff supposed to handle the expected torrent of Marcellus hydrofracking permit applications?

The legislature is in no position to fund new DEC staff positions, and Gov. David Paterson isn't offering reinforcements. The state is broke.

Knowing that the legislature can't afford to beef up the DEC when the state is strapped for cash, the natural gas industry -- which isn't strapped at all -- has stepped forward with an offer.

Hold auctions, the Independent Oil & Gas Association of New York says, for gas drilling rights in state forests and on other state lands and expedite the permit application process for those rights. The state could bank \$217 million, the trade group estimated.

That tidy sum could be used to save the 41 parks and 14 historic sites that Paterson, in a recent budget proposal, planned to close down. Money might even be left over to hire new DEC inspectors.

Of course, accepting that offer from the IOGANY would be a bit like following the old Viet Nam war strategy of destroying a town in order to save it. Gas drilling ruins state forests. Ask Pennsylvania.

But don't be surprised to see it happen in New York too, because the winds seem to be blowing the gas industry's way.

And certain Southern Tier towns and politicians see opportunity.

Chemung County recently agreed to accept at a local landfill drilling waste from Marcellus

hydrofracking in Pennsylvania.

Last year, the Chemung town of Horseheads agreed to welcome Schlumberger's \$40 million hydrofracking supply center without requiring a formal environmental impact statement. Local leaders were so eager for an economic development gain that they ignored the project's possible effect on the aquifer a few feet below stored chemicals and explosives, as well as heavy truck and equipment traffic. That aquifer supplies Elmira's drinking water.

On the political scene, Tom Reed, a former mayor of Corning who is the early frontrunner in the race to succeed Eric Massa as a Southern Tier Congressman, has said he favors speeding up the permitting process. (Massa had wanted to slow it down.)

At a political gathering in Odessa on March 31, Reed also said he opposed allowing the federal Environmental Protection Agency to examine the national safety record of hydrofracking. He called it a state issue.

While those attitudes may play in Chemung, they shouldn't rule in Schuyler County.

Schuyler has Seneca Lake, active tourism, a healthy wine industry and natural beauty worth protecting. It should never stoop to selling itself as readily as Chemung has.

Instead, Schuyler residents should get busy setting their own standards for hydrofrack drilling. Here are three places to start:

- Require gas drillers to pay for pre-testing water wells anywhere near proposed drilling sites in Schuyler County so owners of any wells later tainted by drilling have a basis for legal action.
- Develop a mechanism by which drillers and their water and equipment haulers repay the county for inevitable damages to Schuyler's roads and bridges.
- Establish tough disclosure rules for Schuyler public officials, who may have private gas industry interests that conflict with their sworn public duties. We need to know who has a private agenda before projects start.

The DEC itself is a conflicted agency. Its legislative mandate to both protect the environment and promote the development of oil and gas pits its employees against each other.

Those muddled marching orders play right into the hands of industry at the expense of the tax-paying water drinkers of the Southern Tier.

Peter Mantius (pmantius@gmail.com) was a financial, legal and political reporter at The Atlanta Constitution for 17 years and editor of two business weeklies in the Northeast.

Note: This is the 10th column by Peter Mantius, To see his first column, click [here](#). To see his second column, click [here](#). To see his third column, click [here](#). To see his fourth column, click [here](#). To see his fifth column, click [here](#). To see his sixth column, click [here](#). To see his seventh column, click [here](#). To see his eighth column, click [here](#). To see his ninth column, click [here](#).

© The Odessa File 2010
Charles Haeffner
P.O. Box 365
Odessa, New York 14869

E-mail publisher@odessafile.com