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## Drilling for natural gas in upstate N.Y.: Is the DEC up to the task?

By Erik Miller

With concern about the environmental impacts from natural-gas drilling in Otsego County comes even greater worry about the competency of the state Department of Environmental Conservation \_ the agency charged with oversight of drilling operations.

The documented potential for water contamination from gas drilling, compounded by Gov. David Paterson's recent signing of a bill loosening restrictions on setbacks and well density, intensifies our concern.

OCCA has expressed similar concerns about the DEC in the past. In 1995, OCCA President Bonnie Hofmann wrote an opinion piece for the Cooperstown Crier headlined, "Can we trust the DEC?" pointing out inconsistencies in the DEC's proposal for a boat launch on Otsego Lake.

In its fall 2007 newsletter, OCCA questioned DEC oversight of the closure of gas wells at a Mobil service station and an auto dealership in Cooperstown. Both sites were approved for closure even though the groundwater was still contaminated with gasoline components, including benzene.

For the Mobil site, pollution at the time of closure was hundreds of times above state standards.

Several related DEC reports noted Otsego Lake as "approximately two miles north of the spill." In fact, the distance is critically closer \_ 0.3 miles from the lake.

Regarding DEC oversight of the cleanup, OCCA characterized the following statements from DEC officials as "Orwellian doublespeak:"

Ã "Standards are objectives. Rarely do we achieve standards." \_ Allan Geisendorfer, DEC Region 4 director of spill response.

Ã "No one is drinking the groundwater." \_ Richard Georgeson, DEC spokesman.

Ã "The DEC often closed operations that don't meet standards when officials believe an acceptable job has been done." \_ Dennis Farrar, DEC Office of Environmental Remediation.

So we have to wonder how much confidence we can have in the DEC to protect the natural resources of this state when it comes to the imminent wave of horizontal drilling for gas in the Marcellus Shale, some 9,000 feet below the earth's surface.

The Albany Times Union's July 23 article by Abraham Lustgarten, reporter for the nonprofit investigative newsroom ProPublica, only reinforces our doubts.

Some of its salient points include:

Ã Whereas top state environmental officials told members of the state legislature that plans to drill for natural gas near the New York City watershed posed little danger, an investigation by ProPublica and public radio station WNYC found hundreds of instances of drinking water contamination in states where horizontal drilling had occurred.

Ã Despite the U.S. Department of Energy's listing "produced water" (brine) from gas drilling as among the most toxic of oil industry by-products, DEC officials are uncertain about how the millions of gallons of hazardous by-products will be disposed of. The DEC has recently sent a letter to drilling companies asking for detailed information about the type and amount of chemicals use for drilling. (The fox watching the henhouse?)

Although chemicals are added to the water to prevent corrosion in the drill bits, lubricate the drilling and keep drilling mud at the desired consistency, Bradley Field, the DEC director of the division of oil and minerals – the key agency for drilling oversight – stated publicly that drilling fluids contained nothing more than water and sand.

When asked whether the DEC would require listing of chemicals used in drilling before approval of gas drilling applications, Field answered, "I can't say for sure right now because it would be a departure from how we typically do this. I haven't really come to terms with this just yet."

Regarding his conversations with a DEC representative, Paul Hart, a water-treatment plant executive in Pennsylvania, told ProPublica that this person "displayed a general lack of understanding of water issues, and did not have a clear grasp of the waste water disposal alternatives. He did not understand the variations of the different chemicals and the potential for contamination. Now with the Marcellus, they are just completely unprepared for it. What I really think they are waiting for is for the industry to make recommendations. I don't think they are going to be proactive."

DEC director of mineral resources Val Washington recently declared, "If there is any doubt in anyone's mind that we are going to proceed with these applications without full protection and consideration for the environment, they are just wrong."

We hope she is right, but we find it hard to back up her statement with the DEC's track record.

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Erik Miller, a city of Oneonta alderman, is executive director of the Otsego County Conservation Association.