

Latest on Gas Drilling



by Pat Scalera,
CEO

As concerned New Yorkers we are all closely watching the issues that are coming out with regard to the Marcellus Natural Gas Drilling. NYRWA continues to monitor bills on the horizon that relate to this issue, including water withdrawal permits and construction site runoff, etc.

NYRWA held a series of four training sessions around the state in the month of June that were very well attended to help ensure that our communities are educated on this issue as it relates to source water protection. Steve Winkley, our Hydrogeologist, along with William Kappel from the US Geological Survey - Susquehanna River Basin and Delaware River Basin Commission Representative trained over 200 Water Professionals on the nature and occurrence of the Marcellus Shale, drilling techniques, hydrofracturing process, flowback and formation, water withdrawal and waste handling, local source water protection options, etc.

In July, I attended a press conference where US Congressman Michael Arcuri (NY-24) announced his successful amendment to the House Committee on Transportation and Infrastructure's consideration of the Oil Spill Accountability and Environmental Protection Act of 2010 (HR 5629) that would help protect surface water from drilling site runoff contamination by removing the special exemption from the Environmental Protection Agency's (EPA) stormwater permit requirements through the Clean Water Act when constructing drilling sites. The Arcuri amendment passed with strong bipartisan support by a voice vote.

"This amendment seeks to hold big oil and gas to the same environmental standards as every other industry in preventing unnecessary runoff from construction sites that could contaminate our rivers, lakes, streams," said Arcuri. "By giving them a pass on this important regulation, we're essentially assuming the oil and gas industries will take the necessary environmental precautions on their own. That's the same sort of fast-track approach that led to the BP oil spill."

This amendment is part of a larger strategy on the part of Reps. Arcuri, Maurice Hinchey (NY-22), Diane DeGette (CO-01) and Transportation and Infrastructure Committee Chairman James Oberstar (MN-08) to ensure that oil and gas development is conducted in a manner that does not threaten public health or the environment. Before 2005, EPA had begun to issue stormwater regulations for the construction of oil and gas drilling sites. In the middle of this process, the Energy Policy Act of 2005 was signed into law, giving the oil and gas industries a permanent exemption for all construction activities related to oil and gas exploration and production. New York already requires measures for construction of traditional, vertical gas wells. However, Arcuri's amendment is necessary so the Clean Water Act ensures that all states require these measures, so that we have a level playing field across all states; because, as Arcuri stated "runoff water does not recognize, nor stop at, state borders".

New York State has taken a more cautious approach than some of our neighboring states that are also above the Marcellus Shale. New York, under its own environmental laws, intends to require companies to have stormwater management plans in place in order to construct wells in the Marcellus.

NYRWA will continue to monitor these issues and keep our members informed as they are approached and are considering the tremendous economic benefit for their communities. ●
