



Testimony on the Draft Scope for Draft Supplemental Generic Environmental Impact Statement on the Oil, Gas and Solution Mining Regulatory Program

My name is Caroline Martin and I am here representing Catskill Citizens for Safe Energy. We are a grassroots organization with over 500 members. We will be submitting written comments on the Draft Scope. Running about 37 pages, these comments are technical and detailed. They will soon be available on our website <http://www.catskillcitizens.org/>

Today I plan just to cover a few points that need to be addressed. These are horizontal drilling, produced water and its disposal and DEC staffing.

The 1992 GEIS contains 4 volumes and is about 3 inches thick. It covers many things. The one thing it does not address in any of the illustrations or text is horizontal drilling. There is one mention of this drilling technique in Section 18 on page 17. It says:

‘Research by the US Department of Energy has shown that shale gas production can be increased sevenfold by drilling the wellbore horizontally, instead of vertically, through the shale pay zone. This technique has great potential for shale gas exploration and development, but until gas prices increase, it remains experimental.’

This seems to suggest that horizontal drilling requires its own EIS.

The 1992 GEIS discusses Flowback, which is when the fracturing fluids are ‘allowed to flowback out of the well’. Three flowback methods and their associated problems are discussed. The GEIS goes on to say ‘Uncontrolled, high pressure frac fluid returns containing sand, can rip through vegetation, abrade paint off cars and cause erosion.’ It does not mention the impact this would have on bystanders.

On the issue of disposal of the flowback fluids if they can be successfully corralled, the 1992 GEIS refers to Sewage Treatment Plants which it deems in Chapter 15 ‘a relatively unexplored disposal method in New York State’. I hope it continued to be unexplored since the current DEC website says of sewage and wastewater treatment facilities in New York State ‘one-quarter of the 610 facilities in New York are operating beyond their useful life expectancy and many others are using outmoded, inadequate technology, increasing their likelihood of tainting our waters.’

On injection wells the 1992 GEIS says ‘Most formations in New York State are relatively ‘tight’ and do not readily accept injections fluids’

This seems to suggest that millions of gallons of produced water have nowhere to go.

On DEC staffing the 1992 GEIS has the following to say:

8.33/34

Pre-drilling site inspections have been conducted for every well permit application since 1982 when money from the higher permit fees authorized by the amended Oil Gas and Solution Mining Law made it possible to support additional inspection staff.

8.52

For example, in 1982, brine from a gas well destroyed 13 acres when an operator deliberately discharged brine down a ditch directly into a wetland.....Fortunately, no discharges like this have occurred since the Department acquired more staff and has increased the frequency of drilling inspections.

12.13

As the Division of Mineral Resources (DEC) met initial staffing requirements in 1982...

According to the Table on 18.1, there were 2,969 operating gas wells in 1982 when staffing requirements were met. By 1986, the last year included in the table there were 5,038. Today according to the scope there are 6,683.

There seem to be 5 occasions when DEC are required to visit a well. Pre permitting, case cementing, drilling, plugging, site restoration. More visits are certainly desirable.

In July of 2004 Environmental Advocates of New York reported that the DEC was operating with at least 700 fewer employees than it had when Governor Pataki took office in 1995.

In a memorandum, Commissioner Crotty stated that the DEC's fill level (number of full-time employees) was 3,218, 112 full-time employees below the recommended fill level of 3,330 contained in the state budget for fiscal year 2004-2005 – more than 800 below the 1994 fill level.

A 2002 report issued by State Comptroller Alan Hevesi stated that 38 percent of the DEC's workforce – over 1,400 employees – were eligible for retirement by 2007.

It would seem that DEC is woefully understaffed for the proposed proliferation of gas wells. Today I have traveled 40 miles from Downsville to appear here. We had requested additional hearings in NYC watershed and NYC, but have been told there are insufficient DEC staff to make that possible.

To quote CCSE's most recent letter to Commissioner Grannis 'If there are insufficient DEC staff to hold hearings, we despair of there being enough staff to properly monitor the proposed gas drilling.'

Caroline Martin

caroline@catskillcitizens.org