

With oversight in place, let's drill for natural gas

By Dick Downey

Guest writers on this page, as well as others, have highlighted potential hazards associated with gas well drilling.

Contaminated or depleted water sources, soil and air pollution, stress on local infrastructure, noise, disruption of our way of life, and potential loss of property values have been cited.

Critics point to instances of broken berms, leaking liners, a river in Colorado tainted with drilling waste fluid, a valley in Wyoming with polluted air, and soil problems in New Mexico, including faulty retention ponds. They fail to mention the circumstances which make these special cases and thus newsworthy.

If these occurrences were in fact common, there would be no gas industry as we know it. Their litany of disaster is comparable to describing the history of aviation in terms of airplane crashes.

Critics serve an important function. They underscore potential problems and focus our attention on solutions. Aside from outright banning which will never happen, there is one solution and two avenues to safe gas production.

LOCAL GUEST COLUMN

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The solution is proactive vigilance by the landowner and the regulatory authorities.

New York state environmental conservation law charges the Department of Conservation "to maintain reasonable standards of purity of the State's water consistent with public health and enjoyment, propagation of wildlife, and the industrial development of the state."

The Susquehanna River Basin Commission is a tri-state commission managing water usage along the 444-mile Susquehanna River until it discharges its 20 billion daily gallons of

water into the Chesapeake Bay.

The mission of the SRBC is "to enhance public welfare through comprehensive planning, water supply allocation, and management of water resources of the Susquehanna River Basin." These two government agencies have both the mandate and the real power to shut down operation of any gas company breaking the law.

Last summer the DEC seemed slow in responding to the gas industry's rapid development. Since then, they have created a draft supplement to the Generic Environmental Impact Statement.

That document outlines 62 areas of concern, ranging from well site operations, water withdrawal and disposal, cumulative impacts, effects on community character, and the permit process with special emphasis on local government coordination.

The DEC has held hearings throughout the state, indicating they are aware of concerns and problems that can arise from natural-gas exploration. Estimates vary about when the

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Drill

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revised regulation will be implemented but the consensus opinion is late 2009. Until then, no permits are being issued for horizontal drilling.

The SRBC controls water usage in gas drilling and the disposal of spent fluids through the permit process. The Commission has been updating and clarifying their regulations in much the same manner as the DEC.

A gas company disobeying the SRBC regulation loses its water permit. No water, no drilling. No drilling, no gas. No gas, no money.

Last summer a gas company was caught siphoning water illegally from a SRBC source. The companies permits were rescinded. The next day there was a \$1 billion dollar loss in the company's market value.

"They are very compliant nowadays," said Deputy Executive Director Tom Beauduy at the Commission's October hearing in Binghamton.

Locally, the power to protect our land and force compliance rests with

the landowner's lease. A lease created by and for the gas company can work against the individual and the community.

Unfortunately, many landowners signed leases directly with the gas companies without fully understanding the lease terms. Skimming the legal jargon, they headed straight for the sign-on bonus.

Bad move.

They are now truly "dependent on the kindness of strangers." Landowner Associations are crucial in creating leases that protect our land and our communities.

Associations work with lawyers who are familiar with gas lease law and, more importantly, gas field practices. Association create their own leases which are proactive in protecting individual property rights and defining the conditions and penalties necessary for safe gas extraction. Only through our lease can we be assured our interests are primary.

Association members concur with our environmentalist neighbors that

there may be hazards in gas drilling. Any large-scale industrial project has hazards. The solution is proactive vigilance, not prohibition.

The DEC must learn from mistakes in other states and formulate appropriate regulations. They must be provided the necessary personnel to enforce these regulations. The SRBC must fulfill its mission to allocate water wisely by controlling growth through the permitting process. Our legislators must provide oversight to ensure that regulations are enforced. So, let's continue to move forward in a careful manner.

Support our local landowners associations and let everyone prosper. For more information, call the Unatego Area Landowners Association at 988-9116 or Dave Parker and Bruce Hollenbeck of the Worcester Area Landowners Gas Lease Coalition at 397-8231.

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