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DEC Announces Public Process to Review Potential Impacts of Drilling the Marcellus Shale Formation

Featuring a series of public meetings across the Southern Tier and Catskills, the New York State Department of Environmental Conservation (DEC) has initiated a public process to supplement the generic environmental review for horizontal natural gas drilling activities in the Marcellus Shale formation, Commissioner Pete Grannis announced today.

At the direction of Governor David A. Paterson, DEC has begun the work to supplement what is known as the Department's Generic Environmental Impact Statement (GEIS) applicable to natural gas and oil drilling. This supplement will specifically address the potential environmental impacts of horizontal natural gas drilling in the Marcellus Shale formation, a natural gas reserve that stretches from West Virginia to New York. Drilling into the deep formation was long considered economically unfeasible but rising fuel prices have spurred new interest from energy companies who have been trying to secure land leases from property owners across a number of counties.

While the process of scoping and preparing the Supplemental GEIS is ongoing, any entity that applies for a drilling permit for horizontal drilling in the Marcellus Shale and opts to proceed with its permit application will be required to undertake an individual, site-specific environmental review. That review must take into account the same issues being considered in the Supplemental GEIS process and must be consistent with the requirements of State Environmental Quality Review Act and the state Environmental Conservation Law. Four drilling applications have been filed by companies at this point.

"New York State is committed to working with the public and local governments to make sure that if drilling in the Marcellus Shale goes forward, it happens in the most environmentally responsible way possible," Commissioner Grannis said.

Published in 1992, the GEIS guides the environmental review of the Oil, Gas and Solution Mining Regulatory Program at DEC. The document covers a wide range of issues and addresses the potential environmental impacts from a typical drilling operation, including the hydraulic fracturing process.

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With the potential increased use of horizontal drilling to tap into the Marcellus Shale, Governor Paterson has called for a supplement to the GEIS to address potential adverse impacts resulting primarily from the large volumes of water needed to hydraulically fracture the shale. These potential impacts relate to both the sources of water and any additives used to facilitate fracturing, and the recovery, handling and disposal of water during and after drilling concludes. In its review, DEC will also evaluate the full range of other environmental impacts that may result from this drilling activity.

The contents of the Supplemental GEIS will be determined through a public scoping process, which will be conducted in accordance with the State Environmental Quality Review Act and the Environmental Conservation Law.

By the end of this summer, DEC expects to make a draft scoping document made available for public review and comment. The purpose of the scoping document is to outline the factors that must be included in the Supplemental GEIS.

To develop the scoping document, DEC will hold a series of public hearings across the Southern Tier and the Catskills, anticipated to begin in September. “DEC is committed to an open, transparent process and welcomes the participation of local government officials, industry representatives, advocacy groups and the general public,” Commissioner Grannis said.

Following the public hearings and comment period, the DEC will release a final scoping document and then prepare the Supplemental GEIS. While dependent upon the final scope, DEC will seek to have a draft Supplemental GEIS ready for public review by early spring, 2009.

For more information, go to: www.dec.ny.gov

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