

Comments on

Preliminary Revised Draft
**Supplemental Generic
Environmental Impact
Statement**

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Major Omissions

- Cumulative Impacts
- No Control of Pace of Drilling
- No integration of Transportation, Socioeconomic, Pipelines, Processing Plants and Compressor Station Impacts
- **No REGULATIONS**

No review of Cumulative Impacts

- SGEIS lists numerous impacts from drilling and related activities.
 - **Mitigation proposals usually relate to a single occurrence of an individual impact**
- No discussion of long term cumulative impacts of repeating an individual impact over many years
- No discussion of how all of these impacts interact with each other, either immediately or over many years

Incomplete Review

- Draft SGEIS was issued with no review of:
 - Transportation Infrastructure Impacts 2.4.12
 - Socioeconomic Impacts 2.4.13
 - Visual Impacts 6.8
 - Noise 6.9
 - Roads 6.10
 - Community Character 6.11
 - Pipeline, Gas Processing Plants and Compression Station Impacts (PSC jurisdiction)

Each Well Treated as Separate Project

- DEC treats each well as a separate permit without regard to other permits or projects in the area

appendix 5 & 6

- Permitting several wells, time-staged to reduce overlap with other wells or related facilities, could significantly reduce intensity of local impacts.
- **DEC rejects regulating the pace of drilling** 9.2
 - Will only limit pace to DEC capabilities 9.2.4
 - Does not consider what localities can absorb

REGULATIONS

- There are NO Regulations in the SGEIS
- Permits would be issued under permitting conditions until Regs are written 3.3
- Regs were never written for the 1992 GEIS
 - DEC staff makes up permit conditions as they go
- Clear and transparent Regs should be in place before permits are issued.

Frack Fluids

- Material Data Sheets required 8.2.1.8
 - But DEC will not disclose “Trade Secrets”
- Better control at well pad
 - Double containment 7.1.3.3
- Alternative fracking (less risk) additives to be used
 - Unless “not equally effective or feasible” Appendix 6
 - DEC needs to push harder

Flow-Back Treatment

- Driller must have source to treat flow-back before a permit to drill is issued 6.1.8.1
- **Municipal plants - capacity limited** 6.1.8.1
- Private Plants uncertain 6.1.8.2/3
- Injection Wells - require SEQRA 6.1.8.4
- Transported as Commercial Waste 6.1.7
 - **Should be Hazardous**
- Transportation Tracking System 7.1.7.1
 - **Self Reporting ???**

Open Pits

- Open Pits prohibited for frack and flow-back fluids
 - Closed containers and secondary containment 7.1.3.3
- Open pits allowed for fresh water
 - Prior to mixing with frack chemicals 5.7.2
- Open Pits allowed for some **drilling waste** 7.1.3.2
 - Contains chemicals similar to frack fluid
 - **Should be prohibited**

Municipal Water Source Setbacks

- NYC/Syracuse
 - Reservoir to watershed **PLUS** 4000 ft 7.1.5
- Elsewhere
 - Reservoir +2000 ft 7.1.12.1
 - Tributary stream +500 ft
or aquifer + 500 ft 7.1.3.5
 - Effectively 500 ft but could be reduced
- Rationale
 - NYC/Syracuse unfiltered.
 - But dissolved chemicals pass right through filters

Other Water Source Setbacks

- Municipal wells 7.1.12.1 2,000 ft *
- Personal wells 7.1.12.1 500
- Livestock wells ?
- Primary Aquifers 1.8 2,000 **
- Principal Aquifers 1.8 500 **

can be reduced after * 3 years

** 2 years

Multi-well Pads

- Far less surface disruption
- Easier to manage and monitor
- Industry moving in this direction
- DEC should give priority over singles
 - Establish greater setbacks from homes due to longer construction period.

DEC Staff

- Current staffing cannot possibly handle increased work load
 - DEC says permits will be limited to what staff can handle 9.2
- Alternative – Limit by law the number of wells that each DEC inspector can handle

License Drillers and Sub-Contractors

- DEC does not Require
 - Experience for company or key personnel
 - History of safe operations
- Water well drillers need to pass test.
 - Why not gas drill rig operators and frackers?

Performance Bonds

- Not mentioned in GEIS
- Driller should not be able walk away from problems
- Multimillion dollar bond on each well until plugged and abandoned
 - Currently \$5,000 max per well

<http://www.dec.ny.gov/energy/1622.html>

Relative Safety

- IDEAL SAFETY LEVEL
- BEST COMPANIES
- CURRENT REGULATIONS
- WORST COMPANIES
- CURRENT ENFORCEMENT

Power Point available at

www.otsego2000.org