

Marcellus Round-Up

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Pennsylvania Lawmakers Look to Protect Landowners

With the rush to exploit Marcellus reserves, some Pennsylvania lawmakers are concerned landowner rights may be trampled. Especially in situations where the surface owner does not have the mineral rights.

Right now PA law allows a drilling company holding a lease agreement with the subsurface mineral rights owner to move onto a property with little or no interaction with the surface landowner. Drillers are required to follow all state and local laws, but there is nothing requiring them to notify the surface-only landowner about drilling operations. Nor are there any laws regarding compensation for surface owners.

So, Senator Richard Kasunic is writing a bill to protect surface owner interests. According to reports, the bill will most likely require drillers to notify surface owners before they begin any oil and gas operations; require drillers to describe the proposed operations so that surface owners can evaluate the property impact of the work; and require a surface use and compensation agreement.

DRBC Orders Treatment Facility to Stop Taking Drilling Waste Fluids

Upon learning that hundreds of truckloads of drilling waste fluids were dumped into the Delaware Watershed, the Delaware River Basin Commission (DRBC) ordered a Montgomery County wastewater-treatment operation to stop accepting liquids from a Marcellus Shale natural gas driller. Close to 1.8 million gallons of waste fluids had been trucked to a private industrial treatment facility and the Hatfield Township Municipal Authority. Much of the liquid, contaminated with hydraulic fracturing chemicals, was discharged into Neshaminy Creek after it had been treated.

The treatment process removed some solids but did not purify the waste. Regulators were concerned that the high volume of total dissolved solids (TDS) would make the wastewater many times saltier than seawater. Now the DRBC is considering regulations that would prohibit discharges altogether in the Delaware.

Executive Order Halting Fracking Until July Still in Effect

On his first day in office, NY State Governor Andrew Cuomo issued a continuation of Executive Order 41. Initially issued by Governor Paterson in early December, Order 41 directs DEC to complete its review of public comments and revise the draft SGEIS in a way that “comprehensively analyzes the environmental impacts associated with high-volume hydraulic fracturing combined with horizontal drilling and ensures that such impacts are appropriately avoided or mitigated.” The order also directs DEC to ensure that regulations will protect public health and the environment, and demands the agency publish a revised Draft SGEIS on or about June 1, 2011, accept comments, and consider holding public hearings on the revisions.

The executive order continues the prohibition on issuing permits for high-volume horizontal hydro-fracking until a Final SGEIS is completed.

WV and PA Watershed Groups Want Drilling Regs

The West Virginia, Pennsylvania Monongahela Area Watersheds Compact wants legislators to adopt gas drilling standards in West Virginia – standards they hope will limit the negative impacts of drilling. They also want to see more local citizens hired to work on gas drilling job sites.

At least one lawmaker is listening, but the chances of getting anything passed are pretty slim. Previous attempts to create a state water quality standard, as well as new standards on gas drilling, have failed in the WV state legislature.

“Marcellus Round-up” is a bi-weekly review of news in the Marcellus shale region. Items are taken from government and industry press releases, wire and media reports. If we've missed something, please contact candorwriter@yahoo.com.