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**Savage River Watershed Association**

Marcellus Shale Follow-up # 9

Good News:

**Governor O'Malley Announces Study of Marcellus Shale Drilling**

On June 6, 2011 Governor O'Malley signed an Executive Order (Order) establishing the Marcellus Shale Safe Drilling Initiative <http://www.governor.maryland.gov/executiveorders/01.01.2011.11.pdf>. The Order requires the Maryland Department of the Environment (MDE) and the Department of Natural Resources (DNR), in consultation with an advisory commission made up of a broad array of stakeholders, to undertake a study of drilling for natural gas from the Marcellus Shale in Western Maryland. "While we are mindful of the potential economic and energy benefits that could arise from the production of natural gas from the Marcellus Shale reserves in Maryland, we are also very concerned about an array of issues that have been raised regarding the use of hydraulic fracturing to extract this fuel," said Governor O'Malley. "Our decisions must be guided by scientific knowledge about the effects of this type of drilling to ensure that we protect public safety and health, groundwater, surface water, and the rural lifestyle and natural resources in Maryland."

Under the Executive Order, the study will be conducted in three parts:

- A presentation of findings and related recommendations regarding the desirability of legislation to establish revenue sources, such as a State-level severance tax, and the desirability of legislation to establish standards of liability for damages caused by gas exploration and production. These findings and recommendations will be made by December 31, 2011.
- Recommendations for best practices for all aspects of natural gas exploration and production in the Marcellus Shale in Maryland by August 1, 2012.
- A final report which will include findings and recommendations relating to the impact of Marcellus Shale drilling including possible contamination of groundwater, handling and disposal of wastewater, environmental impacts, impacts to forests and important habitats, greenhouse gas emissions and economic impact. This report will be issued no later than August 1, 2014.

The Study will also include a review of available results from studies on the issue being done by the U.S. Environmental Protection Agency, the U.S. Department of Interior, the U.S. Department of Energy, the State of New York, and the Delaware River Basin Commission, among others. Membership in the advisory committee is designed to ensure that the study includes individuals from the drilling industry, Western Maryland where Marcellus Shale reserves are located and members of the environmental community. The advisory commission will include: an expert on geology or natural gas production from a college or university; a private citizen from Western Maryland; representatives from the gas industry and an environmental organization; and representatives from Western Maryland local governments and business.

The production of natural gas from the Marcellus Shale involves deep wells with long horizontal sections and a process known as hydraulic fracturing. Advances in technology have helped spur a dramatic increase in the use of this process in the United States. Exploration for and production of natural gas from the Marcellus Shale in nearby states have resulted in injuries, well blowouts, releases of fracturing fluids and methane, spills, fires, forest fragmentation, road damage, and evidence of contamination to groundwater and surface water. Other states have revised or are

reevaluating their regulatory programs for gas production or assessing the environmental impacts of gas development from the Marcellus Shale. State law allows MDE to specify conditions that the Department deems reasonable and appropriate in a permit to ensure that an operation fully complies with the law and to provide for public safety and the protection of the State's natural resources. Maryland law requires that the proposed activity be subjected to a formal public review and comment process prior to any permit decision.

Upcoming Events:

Thursday June 23 at 6 pm at Penn Alps Restaurant in Grantsville, MD

**Private Property Rights, Public Policy and Community Health and Welfare with a Focus on Eminent Domain Use by Government and Industry**

Eminent domain is the public taking of private property for the public good. Nationally companies have used economic arguments for enforcing eminent domain takes that would provide the retailer with space to develop. In PA and NY industry has created public utility arms to be able to influence the siting of infrastructure and the use of eminent domain in natural gas extraction and production. These uses of eminent domain may or may not produce the promised economic results, may or may not benefit the public good.

Speakers include Mike Benard of Spectra Energy Watch and Dr. Bill Anderson, of Frostburg State University. Referring to eminent domain as "legal theft," Spectra Energy Watch, based out of Bedford County, Pennsylvania, was established by landholders forced to give up their land to public utilities to support the infrastructure of extraction industries. Bill Anderson, Associate Professor of Economics at Frostburg State University, has written extensively on topics of environment versus business development and private property rights versus eminent domain.

**Reservations for this event are not required, but attendees are encouraged to arrive early and be willing to share table space with others. Individuals with specific questions for panelists are encouraged to submit those questions ahead of time to Dr. Kara Rogers Thomas, [krogerstthomas@frostburg.edu](mailto:krogerstthomas@frostburg.edu)**

Links to important research:

<http://www.biology.duke.edu/jackson/pnas2011.pdf>

**Methane contamination of drinking water accompanying gas-well drilling and hydraulic fracturing**

*Based on our groundwater results and the litigious nature of shale-gas extraction, we believe that long-term, coordinated sampling and monitoring of industry and private homeowners is needed. Compared to other forms of fossil-fuel extraction, hydraulic fracturing is relatively poorly regulated at the federal level. Fracturing wastes are not regulated as a hazardous waste under the Resource Conservation and Recovery Act, fracturing wells are not covered under the Safe Drinking Water Act, and only recently has the Environmental Protection Agency asked fracturing firms to voluntarily report a list of the constituents in the fracturing fluids based on the Emergency Planning and Community Right-to-Know Act. More research is also needed on the mechanism of methane contamination, the potential health consequences of methane, and establishment of baseline methane data in other locations. We believe that systematic and independent data on groundwater quality, including dissolved-gas concentrations and isotopic compositions, should be collected before drilling operations begin in a region, as is already done in some states. Ideally, these data should be made available for public analysis, recognizing the privacy concerns that accompany this issue. Such baseline data would improve environmental safety, scientific knowledge, and public confidence. Similarly, long-term monitoring of groundwater and surface methane emissions during and after extraction would clarify the extent of problems and help identify the mechanisms behind them. Greater stewardship, knowledge, and—possibly—regulation are needed to ensure the sustainable future of shale-gas extraction.*

Links to other reports:

<http://documents.foodandwaterwatch.org/frackingFINALweb.pdf>

**Not So Fast, Natural Gas: Why Accelerating Risky Drilling Threatens America's Water**

<http://www.bctwa.org/FrkBC-Collection-EnvHealth.pdf>

**Compilation of 2,238 Media Internet References Concerning Natural Gas "Fracking"**

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**Savage River Watershed Association, Inc.**

**PO Box 355, Frostburg, MD 21532**

**301-689-7156**

[srwadirector@gmail.com](mailto:srwadirector@gmail.com)

*SRWA is a group of local landowners and other citizens dedicated to preserving and enhancing the rural nature and natural resources of the Savage River watershed by assisting interested landowners and public land managers with environmental stewardship efforts and educational outreach.*

*Board Members: Kenny Braitman, Annie Bristow, John Fritts,  
Ed Gates, Carol McDaniel, Liz McDowell, Rich Raesly, Tom Wolfe*

*SRWA is a 501c3 non-profit charitable organization. Please consider joining or making a donation.  
For more information visit our web site at [www.savageriverwatershed.org](http://www.savageriverwatershed.org)*