

N.Y. Senate Approves Fracking Moratorium

Mireya Navarro, New York Times, 8-5-10

The New York State Senate voted 48 to 9 Tuesday night to issue a temporary moratorium on a type of natural gas exploration that combines hydraulic fracturing with horizontal drilling and the injection of millions of gallons of chemically treated water underground. The aim of the measure is to ensure an adequate review of safety and environmental concerns.

The state Department of Environmental Conservation is currently reviewing the environmental impact of drilling in upstate New York, where natural gas companies are buying up leases and applying for permits to tap the Marcellus Shale, one of the largest natural gas fields in North America.

The moratorium proposed in the bill would prevent new drilling permits from being issued for the Marcellus Shale until May 15, 2011. While the measure cannot become law before the state Assembly passes a similar bill, and that chamber is not expected to take up the issue until September, environmentalists said the vote was significant in that it gave state officials more time to examine safety issues. They noted that a new administration will be taking over after the November elections because Gov. David Paterson is not running for re-election.

“This is the first action in the country to put the brakes on this type of drilling to give New York the time we need to assess the risks if we’re going to move forward responsibly,” said Katherine Nadeau, a program director with Environmental Advocates of New York.

New York City officials, who oppose drilling anywhere near the watersheds that supply drinking water to the city, welcomed the vote. Councilman James F. Gennaro, head of the City Council’s environmental protection committee, called it “a historic victory for all New Yorkers.”

“Speaker Quinn and I urge the Assembly to follow the lead of the Senate and for Governor Paterson to sign this historic first-in-the-nation hydraulic fracturing moratorium bill,” he said, referring to Christine C. Quinn, the City Council speaker.

Officials with the Independent Oil and Gas Association of New York, a trade group, had no immediate comment on the vote. They have argued that delays and more regulation of gas exploration only serve to stifle an energy source that the nation sorely needs.

Brad Gill, the association’s executive director, said Wednesday that the moratorium is delaying the jobs, tax revenue and other benefits the state would attract with more drilling. “We have companies that want to come to New York, but in this regulatory and legislative climate and instability they’re going to Pennsylvania,” he said. “We’re just losing out on this economic opportunity.”

Horizontal hydraulic fracturing, or fracking, is controversial because of the chemicals and vast amounts of water it requires and the risks that opponents say it poses to groundwater. The Senate bill noted both the “risks of accidents” and “potential effects on the communities in which shale gas production is located, including traffic, noise and an influx of transient workers.”

The Environmental Protection Agency is currently holding hearings on the effects of hydrofracking as it conducts a national study.