

NY State Admits Ignoring Threat to City's Drinking Water

Officials Suggest Gas Drilling Technique is Safe, Then Acknowledge Lack of Evidence

NYC City Councilman Gennaro Demands Immediate Action from Albany

WASHINGTON – According to documents obtained by Environmental Working Group (EWG) through New York's Freedom of Information Law (FOIL), the New York State Department of Environmental Conservation (DEC) has not conducted a single test to determine if a controversial technique used to drill for natural gas upstate is a threat to New York City's drinking water.

The technique, known as hydraulic fracturing or hydrofracing, injects up to five million gallons of water laced with toxic chemicals into the ground at high pressure to fracture rock formations in order to create a natural gas well. This type of drilling makes it easier to extract natural gas, but at a potentially disastrous cost to the environment, particularly underground water supplies.

A 2004 report by the U.S. EPA identified diesel fuel as a common fracturing fluid and concluded that 30 percent of four toxic components of diesel fuel --benzene, toluene, ethylbenzene, and xylene -- remained underground after injection and were "likely to be transported by groundwater supplies."

Natural gas companies have expressed significant interest in using high-volume hydraulic fracturing combined with horizontal drilling to extract natural gas near upstate reservoirs that provide water to the estimated 14 million people who live in and around New York City.

In two documents released last October and earlier this month, the Department of Environmental Conservation declared that it "does not...find a significant environmental impact associated with [hydraulic fracturing], which has been in use in New York State for at least 50 years."

Yet when EWG sent a FOIL request asking the DEC to disclose details of tests of surface and underground waters for contamination by hydraulic fracturing chemicals, department officials responded that "the division of Mineral Resources does not maintain any records which are responsive to your request." EWG senior analyst Dusty Horwitt placed a follow-up telephone call to a state official, who confirmed that the state had done no testing and had no test results. [Link to DEC responses:](#)

"The Department of Environmental Conservation violates the public's trust when it says that hydrofracing is safe for the environment," Horwitt said. "New York's taxpayers and property owners have a right to know exactly what happens when tons of water laced with carcinogens and other toxics are blasted into the earth near their water supplies. Whether out of ignorance or deceit, the DEC's policy amounts to 'don't ask, don't tell'."

New York City Councilman James F. Gennaro, chairman of the council's Committee on Environmental Protection and a vocal critic of drilling near the city's water supply, yesterday afternoon [sent a letter to Pete Grannis](#), Commissioner of the State's Department of Environmental Conservation, calling for the state to acknowledge its lack of testing for contamination caused by hydraulic fracturing. He also demanded that the state require that natural gas companies publicly disclose the chemicals they are using and that the state perform tests to determine whether hydraulic fracturing has polluted water supplies.

"This cavalier approach to the science is unacceptable, particularly when the integrity of New York's drinking water is at stake," Gennaro wrote. "Contrary to the DEC's assertion, a consistent body of emerging science indicates that hydraulic fracturing can contaminate water supplies. Though natural gas is often billed as a 'clean' source of energy, the extraction process poses serious risks for water contamination. The state must conduct its environmental review in a thorough, transparent manner to ensure that the citizens of New York can count on clean, safe drinking water – now and for generations to come."

According to Congressional testimony in 2005 from the Interstate Oil and Gas Compact Commission, a group that represents governors from oil and gas producing states, hydraulic fracturing is used in 90 percent of all oil and natural gas wells drilled in the United States. But recent investigations by the EPA have raised disturbing questions about the industry's assertion that the process is benign.

Last summer, the U.S. Bureau of Land Management documented that groundwater in Sublette County, Wyoming, had been contaminated with benzene, a substance that has been linked to cancer and nervous system disorders. Sublette County is the site of one of the nation's largest natural gas fields and hydraulic fracturing is common there.

A 2008 investigation by EWG and The Endocrine Disruption Exchange, an environmental health group based in Paonia, CO, identified at least 65 chemicals used in gas drilling that were classified as hazardous or toxic under federal environmental laws. Many of the chemicals are used in hydraulic fracturing.

Despite this evidence, the federal government and most state and local governments do not require oil and natural gas companies to disclose what chemicals they are using in hydraulic fracturing or any other aspect of their operations, and that leaves government officials and citizens in the dark.

According to a recent [front-page story in The Denver Post](#) by Abraham Lustgarten of the New York-based non-profit investigative newsroom ProPublica, EPA scientists said they could not assure the public that the drilling process was safe, nor could they accurately measure its effects.

Joyel Dhieux, a drilling field inspector who handles environmental review at the EPA's regional offices in Denver told ProPublica that "I am looking more and more at water quality issues...because of a growing concern...But if you don't know what's in it I don't think it's possible."

New York's Department of Environmental Conservation has announced it is conducting a formal environmental review of "horizontal drilling and high volume hydraulic fracturing" that companies are expected to use for natural gas extraction in shale formations such as those near New York City's drinking water supply. State officials have indicated they may issue permits for such drilling once the review is complete

EWG recommends that New York state authorities decline all applications for hydrofracing permits until natural gas companies have publicly disclosed the chemicals they plan to use and until the state has conducted tests on whether past instances of hydraulic fracturing have contaminated New York water supplies. The state should also decline such applications until it obtains reliable tests from hydrofracing operations similar to those that may be conducted in New York, to determine whether those operations contaminated water supplies.

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EWG is a nonprofit research organization based in Washington, DC that uses the power of information to protect human health and the environment.

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