EPA Heightens Scrutiny of PA Gas Drilling

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DIMOCK, Pa. (AP) — Tugging on rubber gloves, a laboratory worker kneels before a gushing spigot behind Kim Grosso's house and positions an empty bottle under the clear, cold stream. The process is repeated dozens of times as bottles are filled, marked and packed into coolers.

After extensive testing, Grosso and dozens of her neighbors will know this week what may be lurking in their well water as federal regulators investigate claims of contamination in the midst of one of the nation's most productive natural gas fields.

More than three years into the gas-drilling boom that's produced thousands of new wells, the U.S. Environmental Protection Agency and the state of Pennsylvania are tussling over regulation of the Marcellus Shale, the vast underground rock formation that holds trillions of cubic feet of gas.

The state says EPA is meddling. EPA says it is doing its job.

Grosso, who lives near a pair of gas wells drilled in 2008, told federal officials her water became discolored a few months ago, with an intermittent foul odor and taste. Her dog and cats refused to drink it. While there's no indication the problems are related to drilling, she hopes the testing will provide answers.

"If there is something wrong with the water, who is responsible?" she asked. "Who's going to fix it, and what does it do to the value of the property?"

Federal regulators are ramping up their oversight of the Marcellus with dual investigations in the northeastern and southwestern corners of Pennsylvania. EPA is also sampling water around Pennsylvania for its national study of the potential environmental and public health impacts of hydraulic fracturing, or fracking, the technique that blasts a cocktail of sand, water and chemicals deep underground to stimulate oil and gas production in shale formations like the Marcellus. Fracking allows drillers to reach previously inaccessible gas reserves, but it produces huge volumes of polluted wastewater and environmentalists say it can taint groundwater. Energy companies deny it.

The heightened federal scrutiny rankles the industry and politicians in the state capital, where the administration of pro-drilling Gov. Tom Corbett insists that Pennsylvania regulators are best suited to oversee the gas industry. The complaints echo those in Texas and in Wyoming, where EPA's preliminary finding that fracking chemicals contaminated water supplies is forcefully disputed by state officials and energy executives.

Caught in the middle of the state-federal regulatory dispute are residents who don't know if their water is safe to drink.

EPA is charged by law with protecting and ensuring the safety of the nation's drinking water, but it has largely allowed the states to take the lead on rules and enforcement as energy companies drilled and fracked tens of thousands of new wells in recent years.

In Pennsylvania, that began to change last spring after The Associated Press and other news organizations reported that huge volumes of partially treated wastewater were being discharged into rivers and streams that supply drinking water. EPA asked the state to boost its monitoring of fracking wastewater from gas wells, and the state declared a voluntary moratorium for drillers that led to significant reductions of Marcellus waste. Yet a loophole in the policy allows operators of many older oil and gas wells to continue discharging significant amounts of wastewater into treatment plants, and thus, into rivers.

The state's top environmental regulator, Michael Krancer, says Pennsylvania doesn't need federal intervention to help it protect the environment. He told Congress last fall that Pennsylvania has taken the lead on regulations for the burgeoning gas industry.

"There's no question that EPA is overstepping," Katherine Gresh, Krancer's spokeswoman, told the AP. "DEP regulates these facilities and always has, and EPA has never before shown this degree of involvement."

The American Petroleum Institute urged the Obama administration last week to rein in the 10 agencies it says are either reviewing, studying or proposing regulation of fracking.

"The fact is that there is a strong state regulatory system in place, and adding potentially redundant and duplicative federal regulation would be unnecessary, costly, and could stifle investment," API Vice President Kyle Isakower said in a statement.

EPA says public health is its key focus and insists it is guided by sound science and the law.

"We have been clear that if we see an immediate threat to public health, we will not hesitate to take steps under the law to protect Americans whose health may be at risk," said Terri White, an EPA spokeswoman in Philadelphia.

The EPA investigations are being conducted amid reports of possibly drilling-related contamination in several Pennsylvania communities.

In recent years, methane migrating from drill sites into private water supplies has forced scores of residents to stop using their wells and rely on deliveries of fresh water. Some residents complain the state agency has failed to hold drillers to account.

In heavily drilled Washington County, near the West Virginia border, EPA staff are inspecting well pads and natural gas compressor stations for compliance with water- and air-quality laws. In Dimock, a village about 20 miles south of the New York state line, EPA stepped in after a gas driller won the state's permission to halt fresh water deliveries to about a dozen residents whose wells were tainted with methane and, the residents say, heavy metals, organic compounds and drilling chemicals.

Dimock holds the distinction of being Pennsylvania's top gas-producing town, yielding enough gas in six months to supply 400,000 U.S. homes for a year. Some residents contend their water wells were irreversibly contaminated after Houston-based Cabot Oil & Gas Corp. drilled faulty gas wells that leaked methane into the aquifer 7/87/8— and spilled thousands of gallons of fracking fluids that residents suspect leached into the groundwater.

Cabot first acknowledged, then denied responsibility for the methane it now contends is naturally occurring. It also asserts that years of sampling data show the water is safe to drink.

The EPA looked at the same test results and arrived at a different conclusion.

The well water samples "led us to conclude that there were health concerns that required action," White said. EPA said its tests showed alarming levels of manganese and cancer-causing arsenic and that Cabot's own tests found minute concentrations of organic compounds and synthetic chemicals, suggesting the influence of gas drilling.

Cabot says its drilling operations had nothing to do with any chemicals that have turned up in the water. It points to a Duke University study last year that found no evidence of contamination from fracking.

Yet the company racks up state violations at a far higher rate than its competitors in the Marcellus — 248 violations at its wells in Dimock alone since late 2007 —

most recently last month, when the company was flagged for improper storage, transport or disposal of residual waste. State regulators levied more than $1.1 million in fines and penalties against the company between 2008 and 2010. And it is still banned from drilling any new wells in a 9-square-mile area of Dimock.

While EPA agreed last month to deliver water to four homes along Carter Road, the agency said the tests did not justify supplying water to several other residents who had been getting their water from Cabot and who have filed suit against the company.

The plaintiffs still don't trust their wells, instead relying on water from the nearby Montrose municipal supply.

Twice a day, six days a week, Carter Road resident Ray Kemble drives about eight miles to a hydrant in Montrose, fills a 550-gallon tank strapped to the back of a donated truck, and delivers water to as many as five homes — including his own. Anti-drilling groups are footing the bill, estimated at $500 per week.

Kemble said his well water turned brown and became unusable in 2008, shortly after the gas well across the street was drilled and fracked.

At his home, he filled a large plastic container dubbed a water buffalo from the tank on the truck.

"Never had a problem before until Cabot came in," Kemble said.

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