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Searching for Marcellus heaven

There are two visions of heaven when it comes to the Marcellus shale gas deposit. For the drillers, heaven's landscape is a checkerboard of 640 square acres, each graced with a drilling rig. In this heaven, the drillers have free access to all the water they want and can dispose of their wastewater in the nearest stream. The companies reap a 65 percent return on their costs and their shareholders and landowners who leased their gas rights are all millionaires. Pennsylvania's treasury is bursting with cash as the wealth percolates through the economy – no need for an inconvenient drilling tax.

For many people who have seen *Gasland* and concluded that all of Pennsylvania's rivers will be on fire and all the water in Pennsylvania's aquifers will be contaminated by gas or frack water, heaven is a place where the drillers have been driven out by an Egyptian-style popular uprising. And it's still a place where there's plenty of electricity that is magically generated without coal, natural gas, nuclear power or nasty wind turbines. And all the cars and trucks run on air.

But here on earth, we must work in an imperfect political system to make choices that will dictate how drilling will be done in Pennsylvania and who will pay to protect our land, water, and public health from drilling pollution and demands on government services and infrastructure.

So how can mere mortals conduct a rational conversation that results in the real-world compromises that will protect the air and water as the drillers produce the gas? By setting this goal for the outcome of the conversation: Pennsylvania will set the highest environmental protection standards for gas drilling in the country, and adopt a drilling tax to ensure that all Commonwealth residents benefit from the development of a valuable natural resource.

We are already deep into this conversation but it keeps getting hijacked by hyperbole on the one hand, and Super Bowl-sized naked political influence on the other hand. It is also happening as if natural gas does not need to be considered in the context of the entire energy picture and the dire need to move away from the fuel that is killing and sickening tens of thousands of people – coal.

Despite those obstacles, much has actually been accomplished. In 2009, the Department of Environmental Protection (DEP) raised the fees drillers must pay to apply for a permit by at least 1000 percent and generated more than \$10 million to more than double permitting and enforcement staff in its Bureau of Oil and Gas. In 2010, DEP pushed through regulations that set the strictest limits in the country on disposal of wastewater into state rivers and streams, over the howls of the gas drillers.

Also in 2010, DEP increased the standards for well construction to bring its vintage 1980s oil and gas regulations into the 21st century. The biggest failures of 2010 were the inability of the General Assembly and the Rendell administration to pass a drilling tax, and the continued leasing of the state forest for gas drilling.

The new regulations were a significant accomplishment that got us on the road to setting the world-class drilling standards that Pennsylvanians deserve. But much more needs to be done. Instead of wishing for heaven, we need to get busy setting the highest standards for gas drilling and insisting that the drillers meet those standards.

Here's what Pennsylvania needs to establish world-class standards for gas drillers:

- A drilling tax;
- A ban on further leasing of state forestland for drilling;
- Increased bonding to ensure proper restoration of gas well sites. The current \$2500 is a joke;
- Setbacks from waterways, wetlands and drinking water supplies;
- Prohibition on locating gas wells in flood plains;
- Increased fines for violations of environmental laws and regulations to motivate compliance;
- Tracking water use from withdraw to disposal;
- Testing drilling wastes and wastewater for radiation; &
- Preservation of local government power to control drilling through existing zoning powers.

If these rules went into effect tomorrow, heaven would remain out of reach for both the drillers who want unfettered access to the gas and for the people who just want the drillers gone. But here on earth, we could benefit from the natural gas resource under our feet without sacrificing our water, land and future to maximize driller profits.

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