

# THE NO FRACK ALMANAC

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VOLUME 1, NUMBER 4

*We're citizens, not subjects.*



## 6 QUESTIONS ABOUT FRACKING

- 1 If fracking is essential to America's energy independence, why aren't the frackers required to sell their gas in this country?
- 2 If fracking is safe for the environment, why did it need exemptions from the Clean Air and Clean Water acts?
- 3 If fracking is safe for human health, why is it being banned in the New York City and Syracuse watersheds?

- 4 If fracking hasn't been proven safe as of today, how could it have been proven safe in 2005, when it was exempted from major health and environmental laws?
- 5 Why would anyone exempt fracking from major health and environmental laws, if it wasn't proven safe?
- 6 Do the millions of dollars in advertising that the gas industry buys from the news networks suppress negative coverage of fracking?

**Our Statement of Purpose...** Many parts of the country have been opened up for natural gas extraction through a process of hydraulic fracturing, or "fracking," and New York may be next. Our area, the Finger Lakes, is also being targeted as a site for massive gas storage facilities. Many of us who live here think these industries are dangerous and will destroy our beloved countryside. We are trying to stop these projects, but it is an unequal struggle. The gas companies have spent literally hundreds of millions of dollars on lobbying and advertising to promote their plans. No one in the opposition has that kind of money, but we do have something the fracking companies don't have, and that's millions of people who love our area just the way it is. In *The No Frack Almanac* we will tell our side of the story, the side that's not advertised in 60-second commercials on TV. We hope we can tell you enough to make you want to find out more and, ultimately, to help keep our area, or any area, from being destroyed.

## REMEMBER...

No responsible authority warned the people living in the Gulf of Mexico, the Prince William Sound, Love Canal, Three Mile Island, Chernobyl, Bhopal, Minamata or Fukushima that they were in danger. No responsible authority warned the people living near countless other less well known industrial accidents and spills, including those in the gas industry. **No responsible authority will warn us either.** We have to figure it out for ourselves.



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# Fracking Comes to OHIO

Our journey through Ohio was like a scuba dive without much air. We were not in a position to stay longer than about a day and a half. This is important, because in just this one “dive,” we got close to answering an important question that has been perplexing us.

The question is one we raised in our last issue. When we introduced what we called, “Stories From Hell (aka Pennsylvania),” we prefaced it by saying that we didn’t think anyone really knew “how many stories there are like these.” Did the devastated people we’d met represent just a few isolated cases out of the thousands of people affected by fracking in Pennsylvania, or were they part of a large group of people being massively damaged by the industry?

In Pennsylvania, there was no way to know, but Ohio turned out to be a good laboratory for studying this question. According to the Ohio Department of Natural Resources (ODNR), at the time of our visit, fewer than 300 permits had been issued in the entire state, and only 14 wells had been “put into production,” to use the ODNR’s terminology. In Ohio, it would be impossible to hit upon a few bad stories unrepresentative of the many people who have been affected by the industry, because so far, very few Ohioans have been affected.

Before we heard any stories, though, we were welcomed to Youngstown, our first stop in Ohio, by Susie Beiersdorfer, an activist with Frack Free Mahoning County. Susie is an adjunct professor and her husband, Ray, is a full professor of geology at Youngstown State - “When I first learned about it,” Susie explains, “I really was taking a more neutral approach, just because we all use petroleum and that kind of thing, but as I researched deeper into it... [there] are such big dangers. My big thing is they’re not going to invest in safety technology. They’re going to invest in the latest technology to suck out as much gas and oil as they can.”

Susie drove us to see what may be the most famous fracking-related site in America, the Northstar One injection well, which caused a 4.0 earthquake on December 31st, 2011 and shook up the issue of fracking-related seismicity at the same time. Injection wells are supposed to bury fracking waste so deep underground that they can never contaminate the water table (by the way, much of the waste buried in Ohio actually comes from Pennsylvania). We were expecting to see some kind of a wellhead, but instead, what’s visible is a complex of tanks that makes it hard to see where the actual well is located.



That’s Susie in front of Northstar One.

Susie remembers that the quake “felt like a truck hitting the side of our house... People didn’t have a

## THE FACTS ABOUT HYDRAULIC FRACTURING



Production of the state’s shale gas deposits will help lower Ohio’s natural gas costs to consumers and grow our economy?

From the Ohio Department of Natural Resources website.

clue what was going on with fracking and injection wells or anything else before then. [For] quite a number of people, that earthquake was the one that really woke them up.”

In response, the ODNR closed down some injection wells and redrew its regulations before allowing the injection well business to carry on, but Susie doesn’t think that necessarily means the wells are safe now. That’s for three reasons.

First, she says, “There’s no definitive proof you’re not going to get a major earthquake,” by which she means six or above on the Richter scale. That’s because what’s critical is “the stresses on the rock that this fluid is moving through,” something that’s not always so easy to determine.

On the subject of regulations, Susie worries that no matter what is put into place, the ODNR is “very understaffed to inspect all the wells that need inspecting or to gear up for what could be coming in here.” And even if it had adequate staff, she doesn’t trust it, because it both regulates the industry and receives revenue from it, which she notes, is “a conflict of interest.”

She is also concerned about the problem of fluid migration, citing an injection well in Ashtabula County to the north. “They shut the thing down in ’94,” she says, but the “plume” from the well started moving through the earth until, seven years later, it reached a fault, and “they had a 4.6 earthquake up there.”

Shortly after we spoke with Susie, *Scientific American*, in conjunction with *ProPublica*, published an article by Abraham Lustgarten, that begins this way:

*“Over the past several decades, U.S. industries have injected more than 30 trillion gallons of toxic liquid deep into the earth, using broad expanses of the nation’s geology as an invisible dumping ground.*

*No company would be allowed to pour such dangerous chemicals into the rivers or onto the soil. But until recently, scientists and environmental officials have assumed that deep layers of rock beneath the earth would safely entomb the waste for millennia.*

*There are growing signs they were mistaken. Records from disparate corners of the United States show that wells drilled to bury this waste deep beneath the ground have repeatedly leaked, sending dangerous chemicals and waste gurgling to the surface or, on occasion, seeping into shallow aquifers that store a significant portion of the nation’s drinking water.”*

The article chronicled cases of fluid migrating from supposedly sequestered injection wells, dating back to 1967. In response, the EPA released a statement saying it “recognizes that more can be done to enhance drinking water safeguards.” But the ODNR doesn’t seem to have gotten the memo.

On its website, the ODNR assures the public that

“Class II injection well disposal is the safest, most environmentally friendly method of disposal...” (Class II is the class of well that takes waste from oil and gas operations.) No hint is given that anything has ever gone wrong with the process.

Similarly, the ODNR asks itself the question, “What is being injected into these deep wells?” and answers itself with, “The natural gas and oil drilling process creates oilfield wastes, often referred to as brine, fracturing fluid or flowback. It is this waste which is transported from drilling sites and injected into Class II wells.” From this, one would never know that these “oilfield wastes” might consist of lethal poisons.

When it comes to the fracking process itself, the ODNR website reads like an industry advertisement, saying, “Hydraulic fracturing has been used safely in more than 1 million U.S. wells.” Fracking’s opponents, including those of us here at the *Almanac*, would say that those statements are false\*. But the ODNR (which did not respond to our request for an interview) does not even acknowledge the existence of any controversy when it introduces fracking to readers, who may be going to the ODNR first to see whether or not they should sign that gas lease sitting on the kitchen table.

It is impossible to imagine how this agency would ever side with injured or endangered Ohioans against the gas and oil industry. As the old adage goes, “When the fox preaches, watch out for your geese,” and the fox is preaching through the ODNR.

Before we moved on, Susie drove us to the site of another injection well located, ironically, on a road partly dedicated to the most famous town ever destroyed by what one might call a “chemical spill” (of burning sulphur).



### South to Carroll County

From Youngstown, we drove south to rural Carroll County, home to fewer than 30,000 people and regarded by some observers as the current epicenter of efforts to frack Ohio. Reportedly, 75-95% of the land in the county is leased, but so far, only seven wells there have gone into production (or, more



properly, “extraction”), the earliest in July 2011.

Any bad stories in Carroll County would have to be bad stories that happened almost immediately with the commencement of fracking, inside a very small group of people who are directly affected, and within the context of broad support for the industry. We felt that, in such a small sample, if we found any bad stories at all, it would tend to confirm a view of the industry as a spigot of misery that merely has to be opened up to do harm.

We got the feeling, though, that, whatever we might find, fracking Carroll County would not be the same as, say, fracking Greenwich Village. As for what gave us that feeling, well, coming into town, we saw a sign by the side of the road that we’re sure didn’t mean what it seemed to mean, but which, nonetheless, was unlike anything we’d seen before.



And the next day, when we got to Cathy’s Kitchen, a local diner where people were very nice to us, we saw two women and a man bow their heads, join their hands and say grace before eating sandwiches. A friendly and outspoken gentleman allowed that you can’t really help it if your party nominates Mitt Romney, but he was so pleased that the “great blessing” of fracking had come to their area that he could “hardly believe it.” And, speaking of signs, this one was in the window:



**Al**  
Al Kemerer was our guide. A retired mechanical engineer who worked for many years at a Ford plant, he says, “I’ve got to keep my hope up.” Unlike



many people, it wasn’t environmental concerns that made him take a closer look at fracking. He first got suspicious when he heard how Chesapeake – the main fracker of Carroll County – was constantly seeking new infusions of cash. “I thought, ‘in less than a year they’re needing another \$3.4 billion? That’s telling me that they’ve got something crazy going on.’” Now, not surprisingly, he says, “It’s about the environment as much as the money,” but the money, he maintains, is what they use “to play the game.”

Al isn’t the only one thinking this way. Industry

critic Deborah Rodgers, who serves on the Advisory Council for the Federal Reserve Bank of Dallas, has said, “the economics are questionable at best... reserve estimates are being slashed worldwide, revenues have not proved long lived or reliable, jobs have not proved long lived or as numerous as industry claims... and industry insiders readily admit that 80% of shale wells can ‘easily be uneconomic.’” She offers this quote from Platt’s Oil & Gas Reporter, an industry publication: “Perpetual expansion cannot forever disguise a serious problem with the bottom line.”

### The Morsheisers

Al introduced us to Russell and Phyllis Moresheiser (that’s them on the cover). Russell, who is 78, drove us around his property to look at the well pad currently under construction, and as he did so, he was able to explain every soil and drainage issue in sight. He wasn’t shy, either, about sharing his political views, volunteering, “We had Reagan for president. Then we had hope. Then we had cash. Now we’ve got Obama, and hope and cash are gone.” But when he was sitting at his kitchen table telling us why he was unhappy with Chesapeake, we had a hard time, at first, understanding some of what he was saying. We were half way through the interview before he told us a crucial piece of information: “I can’t read.”

Russell, who grew up on a farm, said he doesn’t “have much more than a fourth grade education.” Phyllis, who is 75, said that she can read but that she didn’t read the Chesapeake lease “thoroughly.” “Let’s put it this way,” Russell explained, “She can read but don’t understand it. Now if you read it to me at the right time of day, I can comprehend some of it.”

Unfortunately, it wasn’t the “right time of day,” when Russell sat across from the landmen. He was sinking into a depression for which he would soon be hospitalized. As he recalls it, they handed him a contract, which he sent to a lawyer to review. He didn’t sign, though, until they came back with a second contract. This one, Russell says, was more about “location... First one was just a whole agreement, but the second one was mostly on location.”

Russell’s lawyer never saw that second contract. Russell called him up and told him where the rig was going to go on his property. Russell knew where it was going to go, or so he thought, because the landmen had shown him a map of his property with the place for the rig marked on it with an “X”. Russell says his lawyer “went on my word,” just as he went on the landmen’s.



This is the map the Moresheisers say they were shown

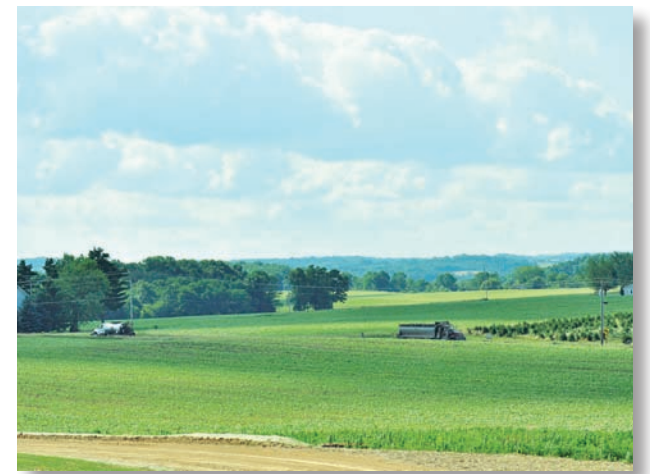
If Russell is to be believed, the landmen looked at an elderly man with psychological problems who was unable to read and at his elderly wife who had difficulty comprehending and, knowing that no lawyer had read the document, got him to sign it anyway. “I was in such bad shape... I didn’t know what I was doing,” Russell laments.

Even so, things might have gone smoothly if Chesapeake hadn’t started clearing a plot for the pad that wasn’t the one Russell and Phyllis thought they’d agreed to. “I think when they made this ‘X’ here,” Phyllis ponders pointing at the map, “I think they was summarizing your well pad’s going to be

here.” Russell isn’t sure. He thinks, the landmen might possibly have hedged about the placement of the well by saying “maybe,” when they showed him the map, but, he says, “I took this for honest-to-God’s truth... I take people at their word.” To complicate matters, Russell can’t find a copy of the contract he signed.



That bulge is where Chesapeake has piled up the Moresheiser’s topsoil to make the pad for their rig.

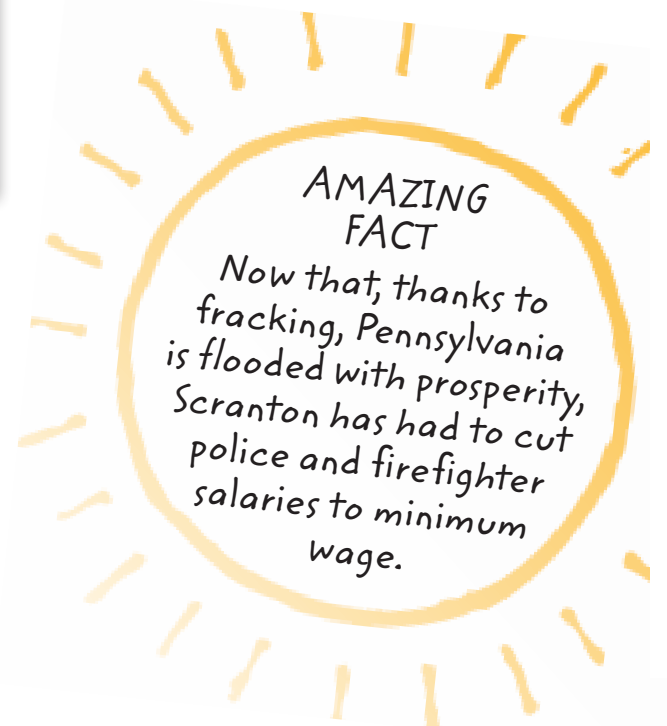


This is a view from the bulge.

Russell believes that Chesapeake changed the pad’s location closer to the edge of his property, so they could drill under adjacent properties instead of his own and pay less in royalties. Russell believes that, because of the change in pad location, as many as 20 acres of his property have been damaged, at a minimum cost of \$50,000, while he only got \$20,000 for the lease. And Russell says he’d like it if Chesapeake would “take everything back and just let me come out here and look at my bean field grow,” adding, “The neighbor down here says the same thing.”

When asked how she would summarize her experience, Phyllis said, “I don’t know exactly how to say it. They do things in such a way that you can’t believe them... and then these contracts and everything are beyond our comprehension. We’re just simple old folks, and we can’t understand them.”

When asked how he would answer the same question, Russell said, “I think they’re a bunch of crooks and liars.” Having them come to drill on his property, he says, “just tore my heart out.”





## A Brief Inspection

As we drove away from the Morsheiser farm, we passed a stretch of road where pipe was being laid. Because we have heard questions about the quality of poorly regulated (if regulated at all) pipeline work, we stopped to take a look. We don't really know enough to assess a pipeline, but we thought, who knows, maybe something will jump out at us. As it happened, something did.



We were confronted by security. A man and woman in a truck told us not to go near the pipe. As the pipe was on a public road, we told them they really didn't have anything to say about it, but actually, they did have one thing to say. The woman shouted, "We're just doing what we're told." As they left, they took down our license plate number.

## The Starkeys

From there, Al took us to see land owned by the Starkeys, another Carrollton County family with a pad being cleared on their property.



Just like with the Morsheisers, the fact that there's no rig yet doesn't mean there's no trouble. An hour or two before we arrived, the Starkeys took a manure truck and used it to block off Chesapeake's access to their property. If we'd have known, we'd have been there in time to get a fantastic shot, but two things anti-fracking journalists share with fly fishermen are a love of clean water and stories about the ones that got away.

We did have a stroke of luck, though. Just as we were surveying the property, Bruce Starkey, one of the owner's two sons, came driving by on a big piece of farm equipment. He agreed to stop and talk with us. We asked him if he was related to Ringo Starr



(aka Richard Starkey). To our surprise, he answered, "Yeah, we're related, distant relations," but his life has been nothing like Ringo's. "My brother and I grew up farming. My dad's taught us a lot."

We asked him about the morning's blockade, and we found out that here, too, the issue was over the siting of the well pad and the way Chesapeake was conducting itself. "My dad was supposed to have some say on where the well went and the

equipment... He gave them three sites and none of them were even considered." Instead, according to Bruce, Chesapeake has "taken out the very top of the farm, and blocked us off of our back end... There was nothing said about doing this much damage."

It was the Chesapeake blockade that led to the Starkey blockade. The Starkeys were demanding access to their own land. "The people what was doing that work, we stopped them, and they were polite enough... There's a guy with a dozer making that access road for us right now," but, Bruce says, "It's gonna be a little thing, and I'm scratching my head on how I'm going to get back there with the combine."

The Starkeys signed their lease about seven or eight years ago with Patriot Energy Partners, which subsequently sold their lease to Chesapeake. Like many, Bruce says, "We were under the impression [that it would be] the same old thing, like an acre or two, a shaft going down, that was it." No one in the family thought any different until about two years ago, when Bruce went to a meeting "up there in Columbiana.... That's when I got the first impression of what they were gonna do. And that's when I was told there was gonna be seven or eight acres tore up, but there's a lot more than that tore up here." He estimates that Chesapeake has damaged "at least 17 acres," but "the way they went about doing it, turns and twists and circles, you can't get it down measured perfect."

The Starkeys had a lawyer, but Bruce says, "we got the feeling that he had some other agendas." Now they have a lawyer who tells them that the lease they signed with Patriot wasn't legal in the first place. "A notary cannot notarize his own work. He's not allowed to," Bruce recounts what his lawyer has said. "Patriot, when they got the first lease [and] started gathering up these leases around here, they made *themselves* notaries."

Two weeks before we arrived, the Starkeys filed a one million dollar lawsuit against Chesapeake, citing the notarization issue, among others, and shortly after we left, they were granted an injunction that prevents Chesapeake from drilling on their land or even from contacting them (because the Starkeys alleged that Chesapeake was making constant threats). At least another 75 Carroll County landowners, with a total of over 3000 acres, are jointly suing Chesapeake. They too claim that their leases are invalid, but in this case, their leases were originally signed with Anschutz Exploration.

One family is suing, claiming that a well was drilled on their property even though they hadn't leased their surface rights (the fracking equivalent of a surgeon amputating the wrong limb). And another Carroll County couple sued Chesapeake, alleging, in an echo of the Morsheisers, that they were given two contracts to sign, that they weren't left with a copy of the second one, and that a document purporting to be that second contract was filed with the County Clerk, but the signatures were notarized by someone who wasn't present when they signed. They also allege that Chesapeake has been cheating them on royalties.

In February of this year, a lawsuit with more than thirty plaintiffs was filed against Chesapeake and five landmen in neighboring Columbiana County where, according to the ODNR, there are still not any operational wells extracting gas. That suit has fifteen counts, including "unjust enrichment," "civil conspiracy," and "fraudulent misrepresentation" (because, allegedly, landmen assured property owners they were getting top dollar for their leases, when they knew it wasn't true). There haven't been any reports of water contamination yet in either Carroll or Columbiana County, but two couples in nearby Medina County filed a lawsuit requesting that the court order medical testing for them after fracking chemicals got into their wells (the industry contests their claims).

Like Russell Morsheiser, Bruce believes that Chesapeake's alleged shenanigans about pad

placement are all about money. "The property lines run north, south, east and west... and they are going catawampus across them. I think it's all on purpose to mess everybody up and basically steal a certain amount of gas and oil off of us..." His suspicions were fueled when Chesapeake came around with some kind of royalty allocation statement for the Starkeys and the other landowners in their "pool" (the group of landowners who, put together, own the land for a "drilling unit") "That percentage should add up to 100%, but... they started coming around and there was a ten percent, nine-something, that wasn't accounted for."

This wasn't the Starkeys only problem with the pool. "They're trying to turn our neighbors against us," Bruce contends. "They're telling us that we're depriving our neighbors from getting their royalties." The peculiar thing about this is that, according to Bruce, they're only in the pool to begin with because Chesapeake insisted on it.

"When the lease was drawn up," Bruce recalls, "we was supposed to have a 640 acre unit. That was it. Our unit." With over 690 acres -- currently in corn, soybeans, hay and dairy cattle -- the Starkeys believed there was no reason they couldn't have a unit entirely on their own property. "Our unit, our unit only, was the way we told the guy, and my father would not sign anything but that, and they turned him around and just -- It makes you sick the way they tell you, well this is how it is, not the way you say, and that's -- It just makes you really mad."

Bruce also alleges that, after refusing to allow the Starkeys to be in a pool by themselves, Chesapeake went aggressively looking for small landowners to put in the pool with them. "They went out and everybody that has two or three or maybe five or ten acres, they offered them big money for their little lot."

Artificially jamming drilling units together may be common practice for Chesapeake, which, according to the Columbus Dispatch, invoked a little used state law to force 23 landowners into a drilling unit in Portage County, though none of them wanted to lease (there is a similar law which could be invoked in New York). Because the State of Ohio, itself, isn't immune from the law, Chesapeake was even able to forcibly pool four acres of Quail Hollow State Park, a nature reserve near Canton, into a drilling unit.

Theoretically, the Starkeys could have been manipulated into a pool, precisely so they would be subject to community pressure if they got out of line. It's just a theory, and we may be grateful that the good farm folk of Ohio don't right away think up a theory like that the first time a stranger with a proposition extends his hand. But that doesn't mean they don't do some thinking later, and when it comes to Chesapeake, Bruce has done lots of it.

"We're really dissatisfied. We thought they would treat us a whole lot better, and like I say, we tried to negotiate and tried to work something out. You know, we can all benefit if you work together. But they just want to roll over us. Just roll right over. You don't matter. Everything that was in the lease that was for us, it just doesn't matter. It was like it was toilet paper. And what was for them, *that* was right on."

"We would like our lease back and [we'd like to] tell Chesapeake to get out... We can't trust 'em in what they've done. How can we trust them underneath, doing what they do? ... They lied to us. They lied to us. Flat out.... My eldest son, Dwayne Starkey is in the Air Force, serving this country protecting our rights, and I don't see them rights being protected by our government. It really gets to you."

We asked Bruce if he was a communist or maybe a tree-hugger. "I'm not that way," he chuckled, "I understand we have to have oil for this country... And I ain't agin' that, but they need to do it right, and if it's going to ruin people's water and destroy, how shall I say, the natural way of things forever, there's gotta be a limit."



“Everybody’s starting to see it,” he continued. “Everybody’s starting to talk to somebody and the word is getting around.” His advice to others in his situation is simple: “Try to get out of your lease. Send them down the road... It’s almost unbelievable, but when you start seeing stuff, and you start seeing how they treat people, I don’t think you want any part of that. Everybody likes to be rich, but if you can’t live there, what’s the use of being rich?”

### The Neiders

Our final visit was to property owned by the Neiders. Unlike the Morsheisers and the Starkeys, the Neiders do have a rig on their property. We weren’t able to meet them on our scuba dive through Ohio, but thanks to Al pointing it out, we



were able to retrieve the eloquent letter below from the Carroll County Free Press Standard. It was written by John M. Neider, one of the family’s sons.

When we got home, we spoke by phone with John T. Neider, the letter writer’s father, and asked if he endorsed the letter’s contents. He answered, that it “tended to be most of our [the family’s] sentiments,” and that he is proud of his son for writing it. He acknowledges that he’s made a “significant” amount of money from the drilling on his land, but says that the way Chesapeake broke its word to them and harmed their property “showed absolute and total disrespect for us.” Now, he says, “we trust no one connected with the gas and oil industry” and that he has “nothing good to say about the whole process.”

This letter was published about nine months before we arrived:

#### TO THE EDITOR:

Something has been taken from Carroll County. Land, water, air, peace of mind, and even silence are being torn up and carried away on a daily basis. Our roads are full of trucks and even the views are filled with the looming form of the gas drilling rig.

I was born and raised in Carroll County on a dairy farm. I went to school for natural resources and have since moved away for work related reasons (there isn’t much for a wildlife biologist to do in Ohio, let alone the county). I had not visited the county in only 7 short months and in that time a transformation took place. Upon a visit last week I was, to put it bluntly, appalled as to what I found.

The family farm had been defaced, covered in a well pad, compressor station, and pipeline. I had grown up hunting and hiking these hills and to see the silence disturbed and the land trodden over was very disturbing to me. Land has a very high value to me because it gives life to everything. Every plant and animal, including people, are given life in some respect by the land. It gives us clean air, clean water, a place to get away from the meaningless trivialities of human society and back to the way things should be; a tree over your head, grass under your feet, and a cold stream to cool your tongue. However, the real value of land has seemingly disappeared as the smell of money (something that only holds perceived value to humans; see how well \$100 helps you in the woods) has wafted into Carroll County.

The land that has already been taken cannot be replaced; no dollar amount can undo the damage that has been done. For me, the land has lost the luster that it has had for me over all these years. I can no longer sit in wonderment of what is around me; rather I sit and ponder the future of the place that was once my home. How can people sit idly on the sidelines as this atrocity marches its way through the community? There are few local jobs in the industry and of the billions of dollars that will be made if this drilling proceeds, only a very miniscule amount will actually see its way into the hands of the county. You received \$4000 an acre for your lease? Well, Chesapeake Energy had \$9.366 billion in revenues last year. Do you really think they care what happens in Carroll County? Who would be willing to sacrifice their land just to make themselves a little money and to pad the pockets of an already extremely wealthy company? I believe, unfortunately, that question has already been answered.

People should stand up for their land, not line up to sign it away. Your land is yours. It is your place to call home, your place to breathe in a breath of fresh air. How can no one see the value in this? Someone needs to stand up for this land. It cannot speak for itself, for it has no voice. If it could, it would cry out to stop the abuse and to be saved. It has been sacrificed in some places, such as my parent’s farm, to show the rest of the public to not let this happen where they live. Not just to their own land, but to the county itself. The first wells were drilled because of a lack of knowledge; not knowing the full ramifications of what would happen. Now that it is clear as to the scope of the matter and it’s true form being laid forth to the community, the remainder must ask themselves; do I value money more than my air, water, soil, crops, cattle, deer, quiet, and peace of mind?

You must know that although what is happening here truly is despicable, if it was not here it would be somewhere else. Be it mountaintop mining in West Virginia, processing tar sands in Alberta, or gas drilling in Carroll County, Ohio the energy to power our consumer society must come from somewhere. Maybe the underlying theme here is that we should all stop being consumers and just try to slow down a little. Maybe buy eggs down the road and not at the grocery store, maybe make your own loaf of bread instead of buying one. Trading with your neighbor, building a community, planting a tree, turning off the lights. All possible solutions to the problem. Because someday that disastrous resource extraction may not be in someone else’s backyard anymore, it may be in yours.



### An Accident

When we left the Neider property, we came upon an accident. The presence of a gas company truck next to an overturned 18-wheeler is just an ominous coincidence. The truck was carrying pallets of Maxwell House coffee. We asked people standing around if this was the first truck that had wiped out on this curve. They laughed.

Such is the infrastructure that is now going to handle thousands of fracking trucks. The rest

of Carroll County’s infrastructure may not be up to the task either. According to a May 12, 2012 report posted on Cincinnati.com (the web home of the Cincinnati Enquirer), the number of traffic accidents in Carroll County doubled in a year; crimes like breaking and entering, vandalism and domestic violence shot up by 25%; and some rents have tripled.

Fittingly, that accident was our last official stop in Ohio. We headed for home the next morning.

### The Shape of Things To Come

They’ve barely begun fracking in Ohio, and already there are more than 100 people suing Chesapeake in just two counties. An old man who can’t read is saying he was duped and calling the frackers “crooks and liars.” A lifelong farmer is outraged that his country isn’t protecting the people who protect it. The son of another affected family writes that what’s happening is an “atrocity” and “despicable.” And these are the *winners!*

There are complaints all over America from people who believe that their lives are being ruined by fracking operations from which they stand to make nothing. But the angry people in Carroll County are landowners who stood to profit. As fracking operations in Ohio cause more and more collateral damage to people who won’t gain a thing, what will the reaction be?

What will happen in just three years when, mainstream analysts project, the number of fracked wells in Ohio will be three or four *thousand*? How will people feel as this juggernaut plunges ahead, when the industry has already alienated Ohioans with such blinding speed?

If the stories we heard represent more than just getting off to a bad start, and we believe they do, the industry won’t be on its good behavior, because it doesn’t have any. But will that be enough to make Ohioans put a stop to fracking? John T. Neider thinks that whatever bad word is getting around about the frackers hasn’t made much difference yet. He says that when people hear the landmen talking money, “their eyes glaze over and they lose all sense of rationality.” He also feels that, to some extent, people have “let their guard down,” because so far there haven’t been any “water issues” in the county. But for how long will that hold true?

We are told that Ohio’s anti-fracking movement is growing every day, and the pace of anti-fracking demonstrations certainly seems to be quickening. To give just a few examples, in mid-June, about 75 students rallied against fracking at the Kent State University Stark campus and hundreds of people demonstrated outside the state capitol in Columbus. At the end of the month, around 30 activists knelt in prayer outside a well site in Mercer County, and activist Madeleine Fitch chained herself to two barrels and blocked the site of an injection well near Athens, Ohio. In mid-July, three people were arrested protesting an injection well near Vienna, Ohio; protesters marched on the City Hall of Canton, Ohio; and Susie Beirsdorfer and others protested outside the entrance to that injection well on Sodom-Hutchings Road.

These are all still relatively small actions, just as the industry’s presence in Ohio is still relatively small. It looks like a bigger confrontation is looming. *NJE*

\*The claim about thousands of wells being fracked for decades without problems is the same claim that, as we reported in our first issue, the Advertising Authority of South Africa forced Shell to withdraw because it was “unsubstantiated and misleading.” We also might ask, why—if this is really the same process that was used for decades and not a substantially different one—the industry all-of-a-sudden needed new exemptions from health and safety laws in 2005, that it didn’t need before?



## A few chosen words...

*“We’ve discovered that well pad and pipeline construction can actually benefit wildlife in the long run.”*

—Pennsylvania Game Commission Press Secretary Jerry Feaser explaining why the state is opening up state game lands to gas drilling.

*“One conclusion from the workshop was that it will probably not be possible to promise a leak-free well... There is clearly a problem with well bore integrity in existing oil and gas production wells worldwide.”*

—From the summary report of the 2nd Well Bore Integrity Network Meeting, March 2006.

*“The biggest problem is that half or more [of] the wells drilled leak due to improper cement jobs or [because the] industry is not following best practices.”*

—Karlis Muehlenbachs, a professor in the Department of Earth and Atmospheric Sciences at the University of Alberta and a recognized expert on methods for identifying water contamination from gas drilling.

*“We document systematic evidence for methane contamination of drinking water associated with shale-gas extraction.”*

—From Osborn, Vengosh, Warner and Jackson, “Methane Contamination of drinking water accompanying gas-well drilling and hydraulic fracturing,” Proceedings of the National Academy of Sciences of the United States of America

*“It used to take me five minutes to get from one end of the town to the other and across the bridge. Now it takes 20 minutes to a half hour... The traffic increased tremendously and the roads fell apart.”*

—Mary Ann Harris, administrative staff, Towanda, PA, Water and Sewer Department.

*“[H]ere, in a region rich in natural resources, where oil and gas jobs form the bedrock of the local economy, the boom has dried up. Energy jobs have flowed to Wyoming, Texas and Pennsylvania. Main Street businesses are struggling...”*

—June 28, 2012 NY Times profile of Meeker, Colorado, an oil and gas boom town now gone bust.

*“Nationwide’s personal and commercial lines insurance policies were not designed to provide coverage for any fracking-related risks. Insurance works when a carrier can accurately price the coverage to match the risks. When information and claims experience are not available to fully understand the scope of a given risk, carriers aren’t able to price protection that would be fair to both the customer and the company... From an underwriting standpoint, we do not have a comfort level with the unique risks associated with the fracking process to provide coverage at a reasonable price.”*

—July 15, 2012 statement from Nationwide Insurance, making it the first major American insurer to say it won’t cover damage from fracking.

*“Our operations are subject to inherent hazards and risks, such as fire, explosions, blowouts, formations with abnormal pressures, uncontrollable flows of underground gas, oil and formation water and environmental hazards such as gas leaks and oil spills.*

*Any of these events could cause a loss of hydrocarbons, pollution or other environmental damage, cleanup responsibilities, regulatory investigations and penalties, suspension of operations, personal injury claims, loss of life, damage to our properties, or damage to the property of others...”*


—SEC disclosure filing for XTO Energy (now a subsidiary of ExxonMobil)

## One Reason We Can’t Put Our Trust In Regulations Or Regulators

The following excerpt is from a July 2001 “Special Report” in the Austin American-Statesman, entitled, “Pipelines: The Invisible Danger”. It concerns the trial in a lawsuit brought by Danny Smalley against Koch Industries, charging that Koch was responsible for the deaths of his teenage daughter and a friend in the explosion of a pipeline carrying liquid butane:

*Just two years before the rupture near Smalley’s trailer, corrosion contributed to a 90,000-gallon crude oil spill that fouled miles of shoreline along the Texas Gulf Coast, according to a report by pipeline regulators with the Texas Railroad Commission. Workers warned the company about problems in the line two years before the oil spill. And in its lawsuit against the company stemming from that case, the U.S. Justice Department documented 300 leaks involving Koch pipelines between 1990 and 1997 that it said were caused mainly by unattended maintenance problems...*

*Kenoth Whitstine, a former Koch area manager, testified in a pretrial deposition that he received a response that upset him in 1994 when he showed a supervisor a pipeline in the East Texas pines that had been exposed by erosion. A logging truck could cause a fatal rupture, Whitstine said he told the supervisor. The supervisor replied that the company “could come back and pay off a lawsuit from an incident and still be money ahead,” Whitstine said. Another supervisor told him that it was more efficient to spend money on projects with a better financial return and run the risk of fines that “usually didn’t amount to very much,” Whitstine testified.*

Danny Smalley had sued Koch Industries for \$100 million, but in October 1999, he was awarded \$296 million instead (the parties subsequently settled for an undisclosed sum before appeal). That was how a jury of regular American citizens assessed Koch’s culpability for one accident. Three months later, in January 2000, the Justice Department and the State of Texas settled charges relating to all 300 leaks and spills with payments for damages and a fine totaling only \$35 million. According to the American-Statesman, in the Smalley case, “Koch fared considerably better when its actions were reviewed by the federal Office of Pipeline Safety, the agency responsible for enforcing laws intended to protect the public against pipeline hazards. The agency ordered Koch to conduct more testing, correct corrosion problems and step up public education. The company did not have to pay a fine.” 

# IT'S A WACKY-FRACKY WORLD!

- **TOO BAD THEY DIDN'T DO THIS FOR ZYKLON B:** Germany’s ministers for the economy and the environment have jointly opposed fracking.
- **WHAT'S THIS GOT TO DO WITH HIM?:** Austria’s finance minister has warned that fracking would be “extremely harmful” and called shale gas “no alternative.”
- **THAT'S AUSTRALIAN FOR “BRILLIANT”:** Despite pleas from the Western Australia Farmers Federation, the three biggest parties in the Western Australia legislature voted down a fracking moratorium on a tri-partisan basis.
- **YOU'RE ONLY FORBIDDEN IF YOU DON'T WANT TO:** The financially pressured Italian government announced that its 2010 ban on fracking within 12 miles of protected coastline wouldn't forbid drilling by companies that had applied for licenses.

**If you want to learn more, you might want to watch the documentary, “Gasland” or visit any of these web sites:**

## Learn more!!!

[coalitiontoprotectnewyork.org](http://coalitiontoprotectnewyork.org)  
[fleasid.org](http://fleasid.org)  
[frackfreemahoning.blogspot.com](http://frackfreemahoning.blogspot.com)  
[gasfreeseneca.com](http://gasfreeseneca.com)  
[neogap.org](http://neogap.org)  
[responsibledrillingalliance.org](http://responsibledrillingalliance.org)  
[shaleshock.org](http://shaleshock.org)  
[un-naturalgas.org](http://un-naturalgas.org)  
[waterdefense.org](http://waterdefense.org)



# THE EMPEROR'S CLOTHES

## “Appropriately Managed” Risk

On August 3, 2011, Dan Whitten, Vice President of Strategic Communications for America's Natural Gas Alliance, released a statement that said, “All forms of energy development come with some risk. The issue is whether those risks are appropriately managed.”

When we first read this statement, we thought surely there'd be a prize for whoever could name the most things wrong with it, but we couldn't figure out where to send our entry. So we are publishing it here.

If we thought Mr. Whitten was just an idiot, we would wish him well and not bother with him. But we believe that his remarks, which are reflected in industry ads, are really part of an ongoing campaign to bamboozle the public and, as such, must be dissected.

Here's some of what's wrong with Whitten's assertion:

**1 Discussing risk is a distraction from discussing certainty.** If the industry is allowed to do what it says it wants to do, potentially trillions of gallons of fresh water will be disappeared from the surface of the earth at a time when as much as a sixth of the world's population already lacks access to safe drinking water, and many countries, including the United States, are suffering from drought. This loss of water will inevitably occur as more and more wells get fracked, and the poisoned frackwater is subsequently injected into much deeper wells in the questionable hope of sequestering it. In other words, the industry's “responsible” technique for protecting surface water is, itself, a threat to the well-being of our planet. That's one reason many people conclude there's no such thing as “responsible” fracking.

By focusing on “risk,” Whitten effectively erases from consideration the bad effects of fracking that are guaranteed to occur.

**2 When assessing forms of energy development, what's important is not the universality of “some” risk but the vast differences in degree of risk.** By way of illustration, the “appropriately” managed risk of accidentally exploding a nuclear bomb in New York City is much greater than the poorly managed risk of exploding a firecracker in an open field.

By saying there's risk in all forms of energy development, Whitten diverts attention from the fact that some forms of energy development – including hydraulic fracturing -- are exponentially more dangerous than others. We have every reason to take these differing degrees of danger into account when we make choices about what energy direction to pursue.

**3 Some risks cannot be managed “appropriately,” because the only “appropriate” way to manage them is not to take them in the first place.** If fracking is allowed to proceed, some of its most extreme risks may never materialize. That's why these are risks, not certainties, but that doesn't mean that these risks should be ignored. People make decisions about extreme risks every day.

For example, some people consider the risks involved with driving drunk to be too extreme to take, even though they know that many people have driven drunk and made it safely to their destinations. Other people consider the risks associated with driving drunk to be acceptable risks to take. Some of them make it safely to their destinations and some of them don't, but we consider all of them to be criminals. Similarly, we have the right to condemn the entire enterprise of fracking as too dangerous, even if we cannot be absolutely certain that its most extreme dangers will materialize.

A decision to proceed with fracking is a decision to ignore its most extreme risks before the debate about them has been settled (indeed, at a time when concerns about fracking seem to be multiplying, not diminishing). These extreme risks include:

- Possibly rendering vast swaths of land physically or psychologically uninhabitable and displacing millions of people, if a trend already visible in Pennsylvania goes worldwide (the industry is fracking or poised to frack more than 25 states and dozens of other countries).

- Possibly contaminating drinking water for millions or even billions of people around the world, if the growing reports of contaminated wells and aquifers prove to be inseparable from shale gas development.
- Possibly helping to destroy life on earth through global warming if, as some scientists allege, fracked gas is more of a climate threat than even coal.
- Possibly creating targets for terrorists who would be attracted to an expanding network of highly explosive gas pipelines and facilities.

Mr. Whitten's remarks make it seem as though these risks can be “managed,” but where is the evidence that the industry has got these risks under control, when so much evidence is piling up to the contrary? Mr. Whitten's remarks would seem rather to reflect an industry strategy of sweeping these risks – and the choices associated with them - under the rug.

**4 Talking about “appropriately managed” risks is misleading, because the industry isn't actually interested in managing its risks at all.** We must never forget that the oil and gas industry went to Congress, before the public knew what was happening, and got itself exempted from major health and environmental laws. This means, among other things, that fracking operations are subject to less inspection and less accountability than they would have been.

Here at the *No Frack Almanac*, we can think of times when downgrading the amount of inspection and accountability was a formula for disaster, as was recently demonstrated when financial deregulation was followed by financial collapse. We cannot, however, think of a single instance where downgrading the level of inspection and accountability ever made for better risk management.

Since its initial move to disable major federal laws enacted to protect the public, the industry has continued relentlessly to assault any attempt to impose limits and accountability at the state level. Thus, its allies in the Pennsylvania legislature passed a law stripping local communities of the ability to rein in fracking or keep it out completely (the law was subsequently struck down by a Pennsylvania court, and the decision is being appealed).

In May, California State Senator Fran Pavley introduced Senate Bill 1054, which required that, thirty days before a well was to be fracked, notification had to be given to such interested parties as the regional water quality control board, the municipal authorities, and the neighbors. The Western States Petroleum Association argued that the bill imposed “unnecessary and burdensome requirements,” and it was voted down.

In June, Ohio State Representative Mark Okey proposed an amendment (to SB 315) that would have required frackers to test the ground water before and after drilling and notify the landowner(s) of any contamination. That too was voted down.

Mr. Whitten's remarks make it sound like the industry is working hard to keep everybody safe, an image the industry promotes unceasingly in many forums. Saying it over and over again not only obscures the many reasons for recognizing that the industry isn't really trying to keep us safe at all, but also obscures the many reasons for concluding that the industry knowingly endangers us. 

## How Much is Too Much?

**Fracfocus.org**, the industry's voluntary disclosure site, says, “the concentration of additives in most slickwater fracturing fluids is a relatively consistent 0.5% to 2% with water making up 98% to 99.5%.” We just have the industry's word for it that that's the “relatively consistent” percentage of chemicals they're injecting. The real percentage might be higher, but for the sake of argument, we'll take the industry's word for it. Fracfocus assures us that this is a “relatively small volume of additives,” but just the same, we might ask what exactly that .5–2% represents in terms of safety, which is the underlying concern.

What amount of potentially lethal chemical would you trust a fracking company to handle safely, if it was drilling on your property? None? An ounce? A gallon? Would you start to get nervous if they drove up in a tanker truck with 8000 gallons of stuff that could kill you and everyone you live with and everyone who lives in your house for maybe the next 100 years?


Though the amount of fluid required can vary from well to well, Chesapeake (at its hydraulicfracturing.com website) gives a standardized figure to the effect that wells require 4.5 million gallons. Again for the sake of argument, we'll take Chesapeake's word for it. By combining their figure for the amount of fluid with the fracfocus.org figure for the percentage of chemicals in the mix, we can come up with an *industry* estimate for how many chemicals are being injected into each well.

If .5-2% of that 4.5 million gallons of fluid is chemicals by volume, that means that 22,500 to 90,000 gallons of chemicals are used per well. If, for no particular reason, we just assume that only 10% of these chemicals are highly toxic, that means that each well represents 2,250 to 9,000 gallons of stuff that can hurt you and your loved ones. But ten or more wells can be on a single well pad, meaning the actual figure could be ten or more times higher.

If, again for no particular reason, we assume that a well pad has only eight wells, each pad could represent 18,000 to 72,000 gallons of poison. But each well can be fracked ten or more times. If we assume that wells are only fracked eight times, each pad could actually represent 144,000 to 576,000 gallons of hell.

That's like having a veritable tanker truck jamboree, in which a parade of 18 to 72 8000 gallon tanker trucks, with chemicals that can kill, unloads on your property, and there's maybe a similar toxic tanker parade driving onto your neighbor's property, and your other neighbor's and your other neighbor's too. Would you trust a fracking company to handle *all of that* safely?

To top it off, maybe a third to two-thirds of these chemicals *cross your property twice*, once when they go into the well, and once when they come back up, accompanied by heavy metals and radioactive substances flushed from below. They cross your property twice, that is, if they make it across at all and aren't leaked, spilled or left in a retention pond.

This is what the industry is referring to when it says that it uses only “a relatively small percentage of additives.” 





# You're NOT Supposed To Know About This

In our last issue, we reported on the plight of the Riverdale Mobile Home Park in Jersey Shore, Pennsylvania. The residents of this surprisingly benign Shangri-La on the banks of the Susquehanna first learned from the newspaper that Aqua America, a company planning to pump water for the fracking industry, had bought the property and was putting them out. The residents were offered financial assistance if they moved quickly, but the proposed payments were so meager that some of them said they could not afford to move at all. They vowed to stay and fight for their homes instead, and they proved true to their word.

This is what one entrance to the park looked like when we first visited:



This is what it looked like when we returned:



This “blockade,” as it was called, did not actually represent an attempt to physically prevent entry into the park. The other entrance wasn’t blocked at all.

Signs of devastation were everywhere. Because many of the trailers were too old to move, their owners had stripped them and sold what they could for scrap.



Kevin June and Deb Eck, who we met on our first visit, had stayed on as leaders of the rebellion. But we were told that Betty Wynne and her husband, who had lived in the park for 40 years, had moved into a “retirement home.” What exactly that meant we never found out.



This is how Betty’s home looked when she said of her husband, “I don’t know anybody who goes to work



on their trailers as much as he did.”

This is how it looked when we came back:



But this wasn’t just a scene of devastation. Something new had taken the place of what had been lost. Dozens of young volunteers had flocked to the support of Riverdale’s remaining residents.

They camped,



caused,



and cooked



amid the ruins, and brightened things up with protest signs. Instead of going away quietly, the remaining Riverdale residents had touched off one of the biggest anti-fracking protests to date, and it was having an effect.

We were told that, the very next day,



Aqua America was supposed to make a new offer, and there was

real hope that the problems of Riverdale’s residents—both recently evicted and tenaciously hanging on—would be resolved. But the next day, when we left a message for the volunteer spokesperson for the Riverdale protest movement, we got a call back from Henry, a volunteer from Vermont. Here is some of what he told us:

“They were in the middle of negotiations... with [Aqua America] and then... the security guards came in, they showed up and said that they were going to erect a temporary fence and anybody who was inside the fence they would call the state police and the police would come and arrest us. We, people there at Riverdale, the volunteers, blockaded the road, both entrances. The state police were called. There was a confrontation of a couple of hours, wherein the residents and the volunteers were trying to exercise the residents’ right to have guests under the Pennsylvania Mobile Homes Park Residents Rights Act. But the cops tried to intimidate us out of exercising those rights. When that didn’t work, Aqua America put pressure on the residents to not exercise their right to have guests or they would renege on the negotiations and not offer them financial compensation...”

Henry told us that the crisis ended when the volunteers left the park at the request of the residents, and that they were no longer in contact with the remaining residents at all. “We were talking to them even as we were moved out. We were singing together and holding hands, and there’s still really good feelings, but we’re in the position of adamantly not trying to pressure them for contact, because we don’t want to jeopardize their deal. They need to be able to get out of there in whatever way can work for them... Our hands were tied.”



Henry said that the residents had agreed not to talk to the press either, and indeed, after the volunteers were expelled, Deb Eck and Kevin June did not respond to the *Almanac's* attempts at contact by phone and e-mail. The Riverdale protest had been silenced—almost.

When we made that second visit to the Riverdale Mobile Home Park, we asked a number of volunteers how old they were, where they were from and why they were there. In honor of defying the silence, we proudly present their voices here. These are some of the people Aqua America wanted gone:

**Katie, 30, from Athens, Ohio**

*When I read that a working poor community had been dispersed through the landlord seeking profits from the hydraulic fracturing industry... I realized that, if it could happen here, it could happen anywhere, and I immediately called the people in my community, farmers and working poor, and told them of what was going on, and their immediate response was take them a gift. So I came here with a car filled with food and love from my community, so that the people, the seven families out of the 32 that were still living here knew that they are seen, that they are heard and that they are loved. And we understand that wealth is not found in money, but it is found in community, so that is why I am here today.*



**Sarah, 26, from Baltimore**

*I'm concerned about the communities that seem to be targeted by this, which obviously seem to be poorer communities with limited resources, and they're in areas that are remote, therefore the stories aren't always getting out, and I think that the larger population doesn't really know what's going on. So I've come here, mostly to try to help get this story out.*



**Dierdre, 26, from Benton, PA**

*I'm here because I've been part of the movement to defend communities from extractive industries for years now in central Pennsylvania, and when I heard that our neighbors here in Jersey Shore were being forcibly displaced from their homes by the gas industry, I felt it was my duty to come help, because it's only a matter of time until something like this happens*



*to my home. So if one person is getting forced out of their home by the gas industry, everybody is getting forced out of their home by the gas industry, and that's solidarity. Pennsylvanians, historically, are great at supporting our neighbors, supporting our communities, and I'm here to show that we can do that, even through the boom and bust cycle of the gas industry.*

**Cameron, 28, from the eastern shore of Maryland**

*I am here to support the residents of Riverdale as they try and figure out a way to assert their rights in the face of pressure to leave this space by Aqua America and PVR, which is Penn Virginia Resources... This is a chance for people to come out and see all the complexities that are going on in Pennsylvania... It's really a learning experience. That's part of the reason to be here...*



**Lauren, 23, from New Hampshire**

*I am here to lend my support to this community, because I think it is absolutely unfair and disgusting that this industry thinks it can come in and take advantage of people and destroy communities. These people don't have a voice. They don't have the time to actually fight for themselves, because they have jobs, they have families, they have children and the industry took advantage of that... These folks were like a giant family and such a tight knit community, and they came in here and absolutely destroyed that, and I think that's the saddest thing in the world.*



**Nick, 23, from Lancaster, PA**

*I am here because I live downstream from here. Lancaster County borders the Susquehanna river, and 40% of Lancaster City's drinking water comes from the Susquehanna. So we need that water to be clean. And friends of mine have farms that use the Susquehanna River for their agriculture, and without clean water, a large portion of Lancaster County's economy would not function the way it does currently, and also because this story is such a compelling one... Residents self-organizing against corporate power and not having much to lose and realizing that and wanting to stand up to save their homes and their well being is a really compelling story.*




**YOU CAN'T GO HOME AGAIN**

Three weeks after the volunteers were expelled, we returned to the Riverdale Mobile Home Park for a third time.

The remaining residents (and some of them did remain at this time) were living under almost prison-like conditions in a construction zone:

When we moved in closer to take a look, we were challenged by an Aqua America security guard, even though we were not on Aqua America property (we held up the press credentials that we were already displaying anyway and gave no other information).

The signs of protest and affirmation were gone now. In their place, we saw the Alan A. Myers sign below, draped over a fence topped with barbed wire.

Aqua America's idea, it would appear, was to make the Riverdale Rebellion and everything it stood for disappear from public consciousness, by pressuring the remaining residents to get rid of the volunteers and sequester themselves from the media. The residents clearly felt this was the best deal they could get. They've all left the park now. We hope it worked out for them. 



**This just in...**

On August 3rd, Louisiana Governor Bobby Jindal declared a state of emergency, because of a growing, slurry-filled sinkhole that is toppling trees. The slurry is possibly (but so far not proven to be) associated with the Magnolia salt cavern gas storage facility near Napoleonville, LA. At least 150 homes have been ordered evacuated and, as we go to press, the possibility of a major catastrophe has not been ruled out. About 20 homes were evacuated in December 2003, when leakage was discovered at the Magnolia facility, which is similar in purpose to the one Inergy, L.P. is building in Reading, NY.

**YOU'RE NOT SUPPOSED TO KNOW ABOUT THIS EITHER**

Here's a question we really never gave much thought to:

**COULD BASIC INFORMATION ABOUT AN AREA'S SEISMICITY EVER BE A SECRET?**

When we contemplated it, we thought yes, there could be a circumstance. For instance, suppose mind-reading, flesh-eating mole people were assembling deep underground for an attack, and if anyone knew where the fault lines were, the mole people could tap into their thoughts and map out the best route to the surface. In such a circumstance, information about local seismicity would be a big secret, right?

We are struggling with these thoughts because of this June 15th dispatch by Peter Mantius, from the non-profit DC Bureau via the Environmental News Service:

*Rubble 200 feet deep covers the floor of a former brine cavern now slated to hold up to 600,000 barrels of highly pressurized liquid butane near [Watkins Glen].*

*The company that seeks regulatory permission to use the cavern and several others like it for hydrocarbon storage argues that they are ideal repositories for explosive material, immune to collapse or leakage due to a protective layer of stable, impervious salt.*

*But the presence of rubble at the base of each proposed storage cavity raises questions that neither the company nor environmental regulators are willing to air in public. The Environmental Protection Agency claims to hold documentation showing that the roof of the cavern now earmarked for liquid butane storage once collapsed in an earthquake, causing a previous owner of the well to abandon plans to store natural gas there. However, the EPA refused last month to disclose the date of that earthquake and roof collapse or the identity of the company that abandoned its hydrocarbon storage plans, denying DCBureau's requests under the Freedom of Information Act. An appeal is pending.*

*Inergy L.P. of Kansas City needs formal approvals from the EPA and the New York State Department of Environmental Conservation to reuse the salt caverns as underground warehouses for liquid petroleum gas, or LPG.*

*Like the EPA, the DEC has construed Inergy's right to confidentiality broadly. In November 2010, the state environmental agency upheld the company's assertion that the history of the caverns is a "trade secret." Denying DCBureau's formal requests and legal appeals, the DEC withheld as confidential sections of an Inergy report entitled, "Well construction and well history," and, "Suitability of caverns to store LPG," among others...*

*Richard Young, a geology professor at the State University of New York at Geneseo, disagrees. "That's ridiculous. What's confidential about it? The fact that they won't discuss (geologic) events is ridiculous..."*



# Letters to the editor...

In our last issue, we invited readers to write and make their own suggestions about how the anti-fracking movement should proceed. We received two responses:

*The anti-fracking movement should take steps to assert its will. Go door-to-door and educate all. There's ways to sue your fracking neighbor. Don't keep quiet. Out the frackers any chance you get. Scare them back and stop shopping anywhere Koch Industries gets profits. There's an online Koch Industries boycott list. Koch Brothers are very pro-fracking. They make Angel Soft, Sparkle paper towels, etc.*

—Annette Bailey, Syracuse, NY

*Your paper did an excellent job of explaining and illustrating the risks of fracking and the dangers it poses to the water supply and our environment, and its potential adverse health consequences... I also want to commend you for the polished writing and editing, and the effective design work... Bravo!*

*I am a critical reader, and there was only one point made – a tangent, in fact -- that I would take issue with... That is the brief mention of the litigation against Chevron in Ecuador. I would not be surprised to learn that Chevron had in fact polluted the area, but the conduct of the plaintiffs, their expert witnesses, their attorneys and the judge is one example of documented fraud and bribery after another... Plus, the case was old – the operation was closed in 1992. Plus, it wasn't Chevron that operated the facility; it was a subsidiary of Texaco, and Chevron took on liability as a result of the subsequent merger, so this doesn't yield much insight into Chevron's safety culture, which is the point of your discussion. I'm sure there are other examples of dangerous or destructive behavior by Chevron that you could bring up, but this one is bogus.*

*I also bring up this detail because it strikes me that, as a tactic, it would be a mistake for the anti-fracking movement to drift into a broad argument against energy companies or energy development. Frame the discussion in those terms, and you immediately alienate a large portion of the public... There is no need to convince people that gas development is wrong, just that this extraction technique should not be used...*

—Mike Scholtz, Ithaca, NY

**THE EDITOR RESPONDS:** We cannot answer for the anti-fracking movement, but we would like to address the two letters above from the standpoint of what we publish in the *Almanac*. Ms. Bailey's point about a boycott is well taken, and we're thinking we'll look into the possibility of publishing a boycott list, which surely would include more than Koch brothers' enterprises.

Regarding Mr. Scholtz, it would be almost impossible to disagree with a reader whose insight, wisdom and vision have been so amply demonstrated by his appreciation of our paper. These are all judgment calls, and maybe he's right about everything.

With regards to the case against Chevron in Paraguay, it is true that there is much more to this case than we reported in our profile, though as he notes, none of it necessarily touches on the question of Chevron's guilt or innocence. Everything we printed, even if limited, was factually correct, and it doesn't make sense to us why this case, even if it's about an old incident, has no bearing on Chevron's safety culture. Chevron must have taken in thousands of Texaco employees who would surely have had an impact. Besides, we wonder, is there such a surfeit of corporate accountability that we should deny Chevron the accountability it actually bought and paid for?

As for his broader point, that the anti-fracking movement should not broadly criticize the energy companies but should only focus on fracking, at least as far as the *Almanac* is concerned, we're not sure. Many people, ourselves included, feel that fracking is related to a host of issues having to do with the direction America is going, a direction that poll after poll shows most Americans feel is the wrong one. How much of that should we discuss? So far, as Mr. Scholtz recommends, we have stayed pretty focused on just the evils of fracking, but that could change. We're feeling our way along, trying to balance the fear of saying too much against the fear of saying too little.

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**AMAZING FACT**

According to a study, only about 43% of the chemicals used to frack Pennsylvania are actually disclosed on [fracfocus.org](http://fracfocus.org), the industry's voluntary disclosure site.





# FRACK ATTACK:

## FIGHTING BACK

by Maura Stephens



PHOTOGRAPHER UNKNOWN

You may have signed petitions for a ban or moratorium, or written to a politician or newspaper. Perhaps you've watched a documentary, attended a forum or donated money. Maybe you're on an antifracking group's e-mail list. Perhaps you display a bumper sticker or lawn sign.

If so, you may think you're doing all you can. But you can do more! This movement needs *you*—especially if you're already engaged in protecting nature, stemming global climate change, advocating for children, conserving energy, promoting renewable energy, safeguarding health, advancing indy media, championing human rights, securing economic justice, denying corporate personhood, ensuring electoral equity or fostering economically and environmentally sustainable communities.

Fracking and related industries encompass and eclipse all these issues. Fracking affects just about everything.

If it were to happen in New York State, this dangerous and dirty fossil-fuel industry would transform one of the most beautiful, livable places in the USA into a contaminated industrial zone. This would happen quickly; within a decade, the Southern Tier, Finger Lakes, Leatherstocking and other lovely regions would be unrecognizable, without tourism, wineries, orchards, farmlands and recreation areas. I've no doubt many of us would be environmental refugees elsewhere (I'm not sure

## Join Up—the Antifracking Movement Needs YOU!

***If you sit by and wait for others to stop the industrialization of our area, we've already lost.***

where, because few states are not already fracked or poised to be fracked, or suffering from drought or threatened by rising ocean waters, and many countries around the world are also bowing to the fracking onslaught).

Yet all is not lost. New York can stop this corporate-state invasion; if they didn't believe this, thousands of antifracktivists wouldn't be spending so many of their waking hours fighting it.

But without you, they can't stop fracking. Without you, they can't make New York the first threatened state to do so. It will take massive public resistance to defeat the megabillion-dollar industry.

It's time for *everyone* to step up from armchair activism.

Start by attending meetings of your local antifracking group. They'll put you to work organizing public forums, tabling at events, making signs, writing op-eds, speaking to media and attending protests. And most important of all, going door-to-door in your community with a petition—or, if yours already has a fracking ban, helping immediately-threatened Southern Tier

communities, whose town boards are often pro-fracking and stand to gain personally. Many people are frightened to speak against these aggressive boards and pro-fracking neighbors. They will welcome helpers.

There are endless ways to get involved. You don't need political experience; I'd wager that 75 percent of antifracktivists had never engaged in activism, and many would never have even called themselves environmentalists, until they realized the gravity of fracking's threat to their own health, property and community. They're from all walks of life and all political persuasions.

It's time to join them and get actively engaged. Find a group in your area by writing [info@coalitiontoprotectnewyork.org](mailto:info@coalitiontoprotectnewyork.org).

We're all in this together, and we must win this fight. Because we're fighting for our very future, and losing that is not an option. **MF**

*Maura Stephens is a journalist and cofounder of Coalition to Protect New York and other antifracking groups. She lives in Tioga County.*

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## Something to Think About!

**Q:** Which of these nations—Australia, Austria, Bahrain, Belgium, Bolivia, Brazil, China, Costa Rica, Cuba, Denmark, France, Germany, Ghana, Greece, Iran, Ireland, Israel, Italy, Japan, Kenya, Mexico, Netherlands, New Zealand, Pakistan, Poland, Russia, Singapore, South Korea, Spain, Switzerland, Taiwan, Turkey, United Kingdom, Venezuela, Vietnam—consumes less energy per capita than the United States?

**A:** All of them.

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# A visit with Jim and Virpi

**Our preference is to present hard-hitting stories about the threat posed by fracking, and there's no shortage of bad news to cover.**

So the idea of publishing optimistic stories about alternative energy futures seemed too namby-pamby to us. After all, we don't think that when the radio announced Hitler's invasion of Holland, the next story was about the tulip harvest. But we've changed our minds for the simple reason that good news about energy alternatives is an inseparable part of the fracking story.

We present here photos of an energy-efficient home in Van Etten, New York, belonging to Jim and Virpi Loomis. It's not one of the biggest, newest, or most expensive systems in the country, but it is one that a lot more people would already have, if they had ever wanted it.

Virpi didn't work outside the home, and Jim is a retired university administrator. They drive a Subaru that's more than a decade old, and according to Jim, they currently live on less than thirty thousand dollars a year, in part, thanks to their energy savings. All the energy-efficient devices they've installed in their home since 1978, when they moved in, cost them around \$50,000, with much of it offset by government incentives. Any of the millions of people who bought a new Mercedes, Porsche or Lexus during those years, could have had a less luxurious car and what Jim and Virpi have instead.

So, besides demonstrating one approach to alternative energy, Jim and Virpi's home shows two big things. First, that our national energy policy has not just been driven by powerful industries rolling over round-heeled politicians, but also by the individual choices of millions of Americans. And second, that we don't need the gas to begin with.



Jim and Virpi's home energy system starts with a three thousand watt solar array on their roof. A NYSERDA (New York State Energy Research & Development Authority) program available at the time paid \$12,240



of the initial installation cost, plus the state kicked in a \$2133 tax credit and there was also a \$2000 federal tax credit (Jim urges New Yorkers to call NYSERDA and find out what programs are available today).

The solar panels generate what Jim calls, "the purist, cleanest, best electricity money can buy," without the "noise" and "trash" that comes off the grid (who knew?). Their power comes off the roof as direct current and is fed into an inverter, which converts it to alternating current.

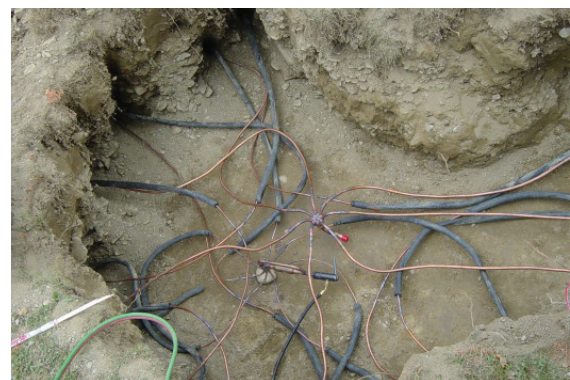


*The red box is the inverter*

Jim and Virpi aren't survivalists, and they didn't want to deal with an array of batteries. Instead of living off the grid, their power is synched up with NYSEG (New York State Electric and Gas) and fed into the grid, before reentering their house in pretty much the same way as anyone else's power does. Jim says that in a prolonged outage, he could jury-rig his system to run without NYSEG, but for now he's paying \$26 a month for the "pleasure" of being connected to it. In return, he and Virpi are paid the retail rate for the electricity they generate. Their system was designed to operate at the break-even point, with their payments to NYSEG balanced by NYSEG's payments to them, but that stopped being the case when they changed their method of heating.

Originally, they heated their house using a wood stove of Jim's design, with a catalytic converter that was cutting edge when it was installed in 1980. They still use that stove as a non-electric back-up, but as they got older (and Jim got a touch of arthritis in his "splitting arm"), they realized they would have to rely on something a little less taxing. That's when they installed their direct exchange geo-thermal heating and cooling system.

As Jim explains it, buried six to eight feet in the ground, "There are seven copper fingers that go off at 45-degree angles for forty feet each, and the coolant goes down and back, down and back." The coolant



heats up to the 52-degree temperature of the earth at that depth and is circulated up to Jim and Virpi's basement, where it passes through a heat pump and a heat exchanger.



*Above: The big box is the heat pump; the box on the wall is the heat exchanger.*

*Right: This is the view looking down into the heat pump. The round component at the bottom left is the condenser. The rounded component at the upper right is the compressor. The rectangular structure in the lower right is the control box.*



dissipates it, and disperses it into the ground. (If you can't fully visualize that, neither can we, but it works.) It provides both central heating and central air conditioning through a network of well-insulated ducts. The system also produces a nearly unlimited supply of hot water, when "coolant" is drawn through a hot water tank.



*Their hot water tank looks like most hot water tanks, except for the red pressure release tank on the side.*

Because the geothermal system requires a lot more electricity than the wood stove, which required none, Jim and Virpi's electric bill got out of balance with the payments they receive from NYSEG for the excess power they deliver to the grid. But even so, their entire energy cost – for heating, hot water, electricity and cooking (on an electric stove) – comes to well under \$100/

month. And not long after we visited them, they began a process of remodeling that will add solar panels to their roof and bring them back toward paying nothing.

The part of their system that Jim calls "the least glamorous but most important" is insulation. When they bought their house, they had treated cellulose blown into the walls, put 16 inches of fiberglass batting in the attic and wrapped or tightened whatever needed to be wrapped or tightened.

We want this newspaper to be interesting, so we're not showing pictures of the insulation, but after seeing Jim and Virpi's set-up, we did have one overriding question: "Could just anyone install and use this kind of a system?" According to Jim, the answer is yes. The system was installed by a certified installer, so no effort was required of them for that, and Jim and Virpi pay a small maintenance fee to have someone come out, inspect the system and make adjustments, so they don't have to do any work on that either. As for the relative ease of day-to-day operations, Jim says, "I don't know of anything out there that's more reliable. You don't have to do anything." **DNF**