Internship Report: Earthjustice & the Fracking Battle in New York’s Marcellus Shale

John Byrne
ENVP 4000
Section I: My experience with Earthjustice

During the fall semester of 2011, I had the opportunity of interning with the Major Gifts & Development department for Earthjustice’s northeast office in Manhattan. To quote from its website, “Earthjustice is a non-profit public interest law firm dedicated to protecting the magnificent places, natural resources, and wildlife of this earth, and to defending the right of all people to a healthy environment” (Earthjustice). There are nine regional offices around the nation, each with its own unique focus. The northeast office has been primarily involved in clean energy projects, particularly fighting against the development of the Marcellus Shale region in Pennsylvania and New York for the purposes of hydraulic fracturing, a controversial method for extracting natural gas.

My direct superior was Gabrielle Mellett, who oversaw all of the northeast office’s Major Gifts and Development projects. Earthjustice is primarily funded by private donors and certain organizations, and her job is to bridge the communication gap between the source of funding and what those monies are actually being used for. Organizing events for donors to be introduced to Earthjustice’s executive team, developing personal relationships with donors, researching potential sources of funding, as well as many other responsibilities were included in Gabrielle’s work. I was able to help through drafting cover letters, researching background information on prospective donors, and aiding in organizational/administrative tasks such as mailing annual reports and creating nametags for the attendees of various events. I gained insight into the professional levels of fundraising and the importance of sound communication and public relations in non-profit organizations.
In addition to assisting Gabrielle, I also helped some of the litigation assistants in various tasks around the office dealing with spreadsheets and media clips. Earthjustice likes to keep records of their mentions and quotes in any media sources, and it was my job to update the clips file on a weekly basis. I would organize the articles by the cases they were in reference to, which forced me to become quite familiar with the statuses of the legal battles Earthjustice was currently involved in.

While there are a slew of environmental issues that Earthjustice is currently confronting, the one that has taken the most precedence is the development of the Marcellus Shale for natural gas drilling. Every week there were updates of new legislation, studies done, petitions signed and homeowner testimonies. Earthjustice’s battles against hydro-fracking in the Marcellus Shale are still unfolding, and my time in the office allowed me to witness these impassioned attorneys commit themselves to what they believed in. Since Earthjustice is a non-profit organization, the lawyers who work there make a relatively large sacrifice in terms of pay when compared to attorneys that represent private parties in opposition to Earthjustice’s concerns. Earthjustice’s attorneys are very highly qualified, and could easily be making significantly higher earnings if they chose to work for, say, a large oil company. Instead, however, they have dedicated their abilities and talents to fighting for a sustainable future. To watch them work so steadfastly towards what they care about was both remarkable and inspiring. It has given more meaning and relevancy to my work as an Environmental Policy major, and to see professionals deal with the topics I am presently studying was fascinating. Through conversations with the attorneys, the work I did in the office and research of my own, I have learned the ongoing story of fracking in the Marcellus Shale. For this report, I will
be approaching the problem of hydrofracking from a few different disciplines. Since I will be covering the stories of the legal battles that have been occurring over the last few years, environmental law will be a large focus of my research. Secondly, because many of the cases involve issues with local and federal legislation, environmental politics will also be widely incorporated. The mechanics of fracking, its potential risks and hazards in the Marcellus Shale, New York’s legislation regarding fracking and Earthjustice’s developments in the battle to safeguard the Marcellus Shale’s future will all be examined.

Section II: What exactly is fracking?

Hydraulic fracturing, often shortened to hydro-fracking or just “fracking,” is a method of natural gas extraction where a mixture of water, sand and chemical mixtures are injected into a drilled well, fracturing the deep shale and opening crevices that release natural gas for collection. Once a site has been chosen for drilling, a well pad is made, the area for the well is leveled off, gravel roads are assembled and pipelines are laid. Complications increase as the column of the drill pipe extends deeper into the earth because the rock hardness increases with depth, and the resulting shorter drill bit life from such extenuation makes controlling the placement of the cement casings, the removal of drill cuttings and the trajectory of the wellbore (the drilled hole) much more difficult (Kargbo et al, 2010). Once it is determined that the drilling and casing have been successfully completed, a perforation gun shoots holes through the casing and cement at predetermined locations. “Hydraulic fracturing is commonly performed in stages where operators (1) perforate the casing and cement, (2) pump water-based fracturing fluids (hydrofracture fluids) through the perforation clusters, (3) set a plug, and
(4) move up the wellbore. This process is then repeated at each fracturing location, of which there may be up to 15 in a given well” (Kargbo et al, 2010).

The Safe Drinking Water Act excluded the regulation of fracking by the EPA, meaning drilling companies are exempt from disclosing the fluid formulas they use in their fracking processes (something Earthjustice has addressed, which will be discussed). However, it is generally understood that most often it is an aqueous-based fluid containing a proppant to keep fractures from closing completely. This is done to reestablish the appropriate geostatic pressure after the hydrofracturing pressure is released. Furthermore, a fluid that initiates and propagates the fracture by transmitting hydraulic pressure to the formation and transporting the proppant into the created fracture is introduced into the target formation. Gels also may be added to the mixture to increase viscosity of the fluid so that the gas may be extracted effectively and the fluids removed easily from the ground (Kargbo et al, 2010). Still, much of what composes these fluid mixtures remains unknown to the public.

Natural gas has been heralded as a bridge fuel for the U.S. as more sustainable and renewable energy sources are developed. Proponents of fracking claim that this process will effectively make the vast domestic resources of natural gas readily available and will decrease dependence on foreign oil. Natural gas is efficient, cleaner burning than coal, high in energy and applicable in many situations. However, there is increasing evidence that the process of hydraulic fracturing is fraught with potential health and environmental risks. Earthjustice has made it clear that until there is much more established scientific data on the effects of fracking on groundwater, ecological systems and many other areas of concern, no more land should be developed for drilling. Weak
legislation, conflicting interests among stakeholders, homeowners and environmental advocates, plus a lack of transparency in communication from drilling companies are all matters that Earthjustice is continuing to address.

Section III: The risks of fracking the Marcellus Shale

The Marcellus Shale is the most expansive shale gas in the U.S.; as a result, drilling companies and government have found it a very attractive location for developing infrastructure for fracking. It stretches across a large portion of Pennsylvania, as well as parts of West Virginia, New York and Maryland. The gas is conveniently located near many existing pipelines, and due to its proximity to the major urban centers of the northeast, the potential profits of drilling there are quite high. Unfortunately, the opportunity for economic boom has blinded many people to the serious hazards that may result from fracking.

In general, there are three main concerns in regards to fracking. Firstly, how much damage is being done to water wells and underground aquifers from methane migration and the chemicals mixed with water and then injected into fracking wells under high pressure? Secondly, what kind of damage is being done to the rivers and streams—a source of water for many homes and businesses—as a result of the leftover fluid that escapes the fracking wells in large volume? Lastly, and arguably most importantly, a boom in natural gas extraction would leave less incentive to develop truly low-carbon sources of power such as wind and solar energy because of the abundance and relative cheapness of natural gas (McKibben, 2012).
There are also particular geological and ecological characteristics of the Marcellus Shale that raise concerns for fracking such an area. The deep areas of the shale that are drilled regularly see temperatures between 120-150 °F. These conditions make cementing the exploration wells exceedingly difficult, as poor mud displacement and circulation increase with depth, leaving higher chances of contamination. Natural gas generated is captured within the tiny, poorly connected pores of the Marcellus Shale. Because of this, there is always the risk of hitting permeable gas reservoirs, which may lead to shallow gas and underground blowouts. Furthermore, the processes of fracking the Marcellus Shale may even result in small-scale earthquakes (Kargbo et al, 2010).

Once the drilling has been completed and the fracking is finished, drilling companies extract the gas and fluids that were used during the process. The aforementioned viscosity of the fluids as a result of gel additives is not really as reliable as drilling companies claim it to be, and most always a residue is left behind in the flow-back water once the gel has partially decomposed. In addition, much of the fracturing liquids sometimes become trapped in the reservoir, impeding the flow of gas. It is said that up to 80% of the injected fluids may not be recovered prior to placing the well in production (Kargbo et al, 2010).

These issues only scratch the surface of the potentially problematic consequences of fracking the Marcellus Shale. High concentrations of radioactive waste were found in the Marcellus Shale back in 2009. The New York Department of Health found levels of radium-226 and related alpha and beta radiation in wastewater samples that were up to 10,000 times higher than drinking water standards (Wilber, 2009). This incident led to increasing concern over the handling and disposal of wastewater from fracked areas of
A study done by Duke University found that methane levels in groundwater near areas in the Marcellus Shale where fracking wells had been drilled were 17 times higher than areas where no drilling had occurred (Clayton, 2011). The presence of methane was likely due to shoddy drill casings. Natural gas industry lobby groups, who claimed that the findings were not reliable because they lacked base-line data to ensure that the levels of methane were a result of fracking and not naturally occurring, immediately attacked the study. In their own defense, the researchers argued that despite the lack of base-line information, the levels of methane were statistically correlated so strongly to a one-kilometer proximity to fracking sites that hardly anything else could be attributed for causing it (Clayton, 2011). Indeed, the lobbyists’ comments on unreliability were masked by their own set of dishonesties—how are scientists supposed to do base-line research when drilling companies aren’t required to disclose the formulas of their fracking fluids? Deborah Goldberg, the passionate and outspoken managing attorney at Earthjustice’s office remarked, “The gas industry has made it virtually impossible to do base-line testing because in order to do that, researchers need to know what they’re testing for—not just methane, but the variety of other contaminants being injected into the ground” (Clayton, 2011).

Another instance that testifies to the precarious nature of fracking in the Marcellus Shale occurred in Allentown, Pennsylvania in April 2011. A blowout in a fracked well caused the release of thousands of gallons of chemical-laced water, pouring out and contaminating a stream. Seven families were asked to evacuate their homes and nearby farmers were instructed to have their cows not drink groundwater (nytimes.com, 2011). Although there were no reported injuries, damage to fish supplies or release of natural
gas into the atmosphere, the mere existence of such accidents should raise red flags all over the nation as we continue to experience a boom in natural gas extraction. The financial benefits have outweighed the potential costs to human health and environmental integrity in many people’s minds. However there are those, like many of the people I worked for at Earthjustice, who refuse to accept such a near-sighted, quick-fix of a solution to the energy crisis and who continue to implore both federal and local governments to cease all development of hydraulic fracturing operations until more is known. Their battles are primarily waged in New York and Pennsylvania—two states with different policies and legislative approaches to the recent spike in interest of the Marcellus Shale region. I will focus on New York’s tale, as we are currently in the midst of crucial policy-making with Governor Cuomo’s relatively recent assumption of office. Earthjustice was mentioned in most every article I researched pertaining to fracking in the Marcellus Shale. In fact, I had to upgrade to larger binders twice last semester to accommodate the never-ending clips to be included for the case. They are on the forefront of the fracking issue and their voices continue to be heard in every development of the story.

Section IV: The DEC and the SGEIS

Since 2008, there had been in place a hold on new permits for natural gas drilling in New York until the Department of Environmental Conservation (DEC) finished a review on the potential effects of fracking Marcellus Shale on the environment. The companies that already had permits for fracking continued to do so, but no new permits were issued. In September of 2009, the New York State Department of Environmental
Conservation issued a Draft Supplemental Generic Environmental Impact Statement (SGEIS) that addressed conditions for granting permits for drilling in the Marcellus Shale. The public, including environmental groups such as Earthjustice, was able to submit comments for revision to the SGEIS. Deborah Goldberg of Earthjustice voiced opinions on the suggested conditions for permits that echoed many in the environmental community—there is still too much room for drilling companies to maneuver around. Permit conditions are not nearly as enforceable as formal rules in protecting the environment, and Goldberg feared that drilling companies would continue to exploit the legal system to find loopholes for drilling without environmental considerations with the suggested conditions set out by the Draft SGEIS.

One permit condition that was being considered would require drillers to test wells for baseline information in advance of drilling, and to allow for ongoing monitoring of private wells. While this may sound like a positive development, Goldberg pointed out that the DEC could, for instance, remove the permit condition on a well provided that the company showed that other mitigation measures had been taken. It goes without saying that those mitigation measures would be put in place with much more consideration to profit potential than they would to environmental impact, and New York would have seen more of the same harmful drilling practices. Goldberg was quoted as saying “Real rules are binding equally on everybody; they’re the product of an open, transparent rule-making process in which there is public participation, and you can be sure that they will be applied consistently to everybody or there could be legal challenges, and they can be enforced because they’re mandatory” (Mayer, 2008). The lack of transparent and enforceable rules are what many environmental activists have
cited as the reasons for drilling lobbyists to be able to circumvent proposed drilling conditions.

Furthermore, the Draft SGEIS ignored critical issues linked to drilling, including “air emissions, increased traffic, or the so-called secondary impact from drilling, including all the ancillary services that would be needed for the industry to deploy throughout the state” (Mouwad & Krauss, 2009). The ancillary services that were mentioned are a crucial component to successfully halting the development of fracking in the Marcellus Shale. The DEC is an agency that is strapped for cash, and may not have the resources to enforce regulations on a permit-by-permit basis, which is the method they originally suggested in the SGEIS. These are the type of issues that Earthjustice and other groups want to address before final policies are decided in New York, and so the comment period for revisions to the SGEIS was extended to the end of 2009.

Section V: Positive, yet not completely satisfactory developments

What I found most striking during my time at Earthjustice and in the conversations I had with attorneys was their unwillingness to settle for policies and legislation that were not state-of-the-art or informed to the highest degree. It seemed that people like Goldberg were never satisfied with decisions made by environmental agencies; but I think this is what makes Earthjustice so successful. They are aware of the influence that big business is able to wield, and they know that without relentless pursuit of justice for the environmental systems and human health, money-minded individuals will always prevail. Thankfully, their persistence paid off, as the over 13,000 comments
to the original SGEIS and pressure from all corners of New York produced two huge victories.

Firstly, in October of 2009, one of the largest drilling companies active in the Marcellus Shale Region, Chesapeake Energy Corporation, announced that it would cease drilling in the New York watershed. The watershed is an area that provides unfiltered water to approximately 9 million people, most of whom live within the New York City metropolitan area. They stated that they would not develop the leases they already possessed for that area and would not seek to acquire anymore. The chance of damaging New York City’s water system and the troubles that accompanied it did not seem worth the profit, especially when Chesapeake had permits to drill in so many other areas of Marcellus Shale. Nevertheless, Deborah Goldberg, true to form, was hesitant to rejoice in the news. While it was a sigh of relief to have such a large company withdraw from drilling in the watershed, it did not mean that other companies would not continue to do so. She, along with other environmental groups, suggested that Chesapeake should sell its leases to New York City to ensure that no other companies could purchase them for development. In a statement Goldberg issued, she said, “That way, we can make sure this protection is permanent. Otherwise, these leases could be sold to other drilling companies that won’t keep the promise” (Mouwad & Krauss, 2009). While this development was far from adequate in terms of addressing the eminent boom in drilling, it was a significant victory because it brought the safety of New Yorker’s water to the forefront of the fracking debate.

The next major development in New York occurred in December of 2010, when Governor David Paterson vetoed a bill that would have extended the hold on issuing new
permits and instead made an executive order prohibiting all high-volume hydraulic fracturing of horizontally drilled wells in the state until July of 2011 (Esch, 2010). This seven-month moratorium on fracking was celebrated in the environmental community as a temporary victory because there was still much legislation and review to sort out.

Advocacy groups such as Earthjustice, while happy with the progress, also pointed out a fundamental flaw in the policy that created a loophole for drilling companies. Paterson’s order specifically banned fracking horizontal wells, meaning the companies could continue to extract natural gas from vertical wells. Vertical fracking is used to extend the life of an existing well, sort of as a last resort. According to Anthony Ingraffea, a professor of civil and environmental engineering at Cornell University, the concept of vertical wells is based in the fact that there are no real horizontal components to the drilling. Horizontal wells, on the other hand, can stretch laterally along a shale formation for up to two miles. The amount of fracking fluid required for vertical fracking is at the maximum 80,000 gallons per injection, whereas horizontal fracking can require up to 100 times as many gallons per injection (Levitan, 2010). While it may be clear the Governor Paterson came down hardest on the type of fracking that injects the most fracking fluid into the earth, vertical fracking is far from a safe alternative. Vertical wells were responsible for a fracking accident in Dimock, Pennsylvania that ruined 9 square miles of aquifer and poisoned the drinking water of over a dozen families (Esch, 2010). So while it was a positive step in the battle against fracking, it was just that—a step. It did not signal complete victory.

On January 1st, 2011, Governor Andrew Cuomo assumed office. Paterson’s moratorium on fracking was up for review in July of 2011, and the DEC issued a series of
recommendations that month that were designed to set the basic framework for future fracking regulations in the state. The recommendations included policies that would require natural gas drillers to “use three layers of well casing to help prevent flammable gas underground from leaking into local water wells” (McAllister, 2011). Once again, the DEC introduced a concept that sounds good on the surface but is quite flawed in nature. While casing can prevent gas leakage, wells have been contaminated with more than three layers of casing. In Pennsylvania, whose situation is much more dire as government officials are rolling out the red carpet for big drilling companies as opposed to regulating them, multiple companies already use more than three layers of casing in wells, yet accidents have continued to occur. The DEC recommended a regulation that they assumed would safeguard New York’s water wells, even though there was strong evidence from neighboring Pennsylvania that such preparations were not always sufficient. Although the idea of preventing gas migration is very good in principle, narrow-minded and lazy solutions such as this would do little to mitigate the problem.

Aside from the faulty casing recommendation, there were other positive results from the DEC’s suggested regulations. It was also recommended that the major watersheds that supply New York City’s remain untouchable by drilling companies, and that no drilling could occur until the Draft SGEIS had been finalized after a 60-day comment period beginning in August. Members of the environmental community welcomed these developments, but once again, there was a degree of skepticism that the DEC had the wherewithal to potentially enforce such regulations. "You can have great regulations on the books but if there are not armies of people watching and ensuring
compliance and taking vigorous enforcement actions when there are violations then those regulations don't mean anything,” said Goldberg on the DEC report (McAllister, 2011).

**Section VI: TSCA Petition**

The next major improvement in the battle on fracking came when the EPA granted parts of Earthjustice’s petition filed under the Toxic Substances Control Act. The petition was filed on August 4th, 2011 by Earthjustice on behalf of more than 100 advocacy groups. The petition was multi-faceted and encompassed a few sections of the TSCA. The first request was under section 4, wherein Earthjustice wanted chemical manufacturers and processors of oil and gas exploration or production (E&P) to develop toxicity test data for the substances to be used in fracking. The EPA deemed that this request was not necessary to issue because Earthjustice had not provided enough facts that such testing was needed. Since oil and gas E&P chemicals may cause an excessive risk of harm through exposure, there would need to be heavily sufficient data that such testing was absolutely necessary. The second request, filed under section 8(a), essentially requires chemical manufacturers and processors to “submit broad and detailed reports on all aspects of chemical manufacture and use, including chemical names, molecular structure, category of use, volume, by-products, existing environmental and health effects data, disposal practices, and worker exposure” (Waeckerlin, 2011). Lastly, the petition included a request under section 8(d) of the TSCA, basically stating that manufacturers and processors must submit all existing health and safety studies that they are either aware of or that they have initiated for any substance of mixture they plan on using. Fortunately, the EPA granted both section 8(a) and 8(d) requests of the petition in a
significant display of exerting power over the seemingly omnipotent gas and oil industry. It was an encouraging step forward for environmental advocacy groups such as Earthjustice to witness the EPA coming to their aid so strongly. It reiterated the argument that no further development for the purposes of fracking should occur without an informed awareness of all potential risks to the environment and human health.

**Section VII: The MARC 1 Pipeline**

Kansas City-based energy company Inergy has had plans in place for several years to develop a 39-mile natural gas pipeline called MARC-1 that would stretch throughout northern Pennsylvania. This plan includes a storage facility near Watkins Glen, New York that would store billions of cubic feet in natural gas (Mantius, 2011). By December 2012, Inergy wants to link up MARC-1 with its existing pipeline and the existing Millennium Pipeline in southern New York. Thousands of homeowners throughout the Marcellus Shale region have received condemnation proceedings from Inergy and its subsidiary companies as the Federal Energy Regulatory Commission, which regulates interstate pipelines, approved the project without need for and Environmental Impact Statement.

The storage facility in Watkins Glen saw fierce opposition from local businesses, as they feared increases in trucking traffic, damage to local streams and the transformation of their community into an industrialized energy hub for the Northeast. Their pleas were heard but not acknowledged, as local politicians saw the opportunity for jobs and economic growth as more important to the wellbeing of the town. However, Schuyler County, where the storage facility exists, is not seen as a hotspot for potential
drilling. Furthermore, the facility only produced ten permanent jobs after construction, making the economic argument invalid (Mantius, 2011).

As New York is still currently in the process of deciding its future with fracking, the existence of such an expansive pipeline system could be potentially be disastrous. The connections that would be made through the miles of pipe would undoubtedly encourage development of more areas of the Marcellus Shale for development in Pennsylvania. The situation is much more dire in Pennsylvania, where fracking is essentially an open-season affair. The approval for construction of MARC-1 will have serious implications for homeowners in Pennsylvania, and pending a decision by Governor Cuomo in New York, could have just as severe consequences for New Yorkers. If it becomes the source of a fracking boom, it will be difficult to stop drilling companies from trying to extend MARC-1 into New York.

Section VIII: New York’s uncertain future

Governor Cuomo has said that he plans on making a decision on whether or not to allow high-volume fracking in New York within the next several months. In the meantime, Earthjustice and other environmental advocacy groups have been working hard to make their voices heard in Albany for an official ban on fracking. A coalition of groups presented more than 12,000 comments, 500 letters and a 20,000-plus-signature petition to the agency of the governor (Earthjustice, 2012). Earthjustice, Citizens Campaign For the Environment, Earthworks, Environmental Advocates of New York, National Wildlife Federation and the Sierra Club Atlantic Chapter joined forces to express their concern with flaws they found in the revised Draft SGEIS. Members of
these groups claim that the DEC’s revised environmental review still fails to provide the facts and science needed to demonstrate that fracking can be done safely. They argue that they still cannot see how allowing fracking would be an overall positive for New York’s economy and its communities of the Marcellus Shale region. Kate Hudson, the watershed program director of the Riverkeeper advocacy group and member of the coalition that issued the comments to Governor Cuomo, stated that the DEC “has admitted that its socioeconomic impact study is so flawed that it must be revised. There are good reasons to believe, based on the experiences of other states across the country, that fracking would do real and significant damage to New York’s environment, public health, community character, and even economy. Unless and until these concerns are fully addressed, fracking should not be allowed to move forward in New York.” With such pressure from so many New Yorkers and national attention of the Marcellus Shale, Cuomo could face legal scrutiny for the state and would be seriously risking the health of his citizens should he choose to lift the ban on fracking.

Recently, there have been two victories in small towns upstate that have shown promise to New Yorkers’ commitment to safeguarding a clean energy future. In Dryden, New York, the Anschutz Exploration Company sued the town in an effort to force citizens to accept industrial gas drilling in its town limits. This came after the town board tried to pass a zoning ordinance prohibiting fracking. Fortunately, the judge ruled in favor of the town, granting it the right to prohibit fracking, and the multi-billion dollar corporation was defeated. Similarly in Middlefield, New York, State Supreme Justice Donald Cerio ruled in favor of the town claiming its right to prohibit drilling within its borders after a landowner who had leased for gas drilling sued the town (Earthjustice,
2012). While these victories were of a very low-level court system, the ability of citizens to band together and overcome the pressures mounted by powerful individuals is testament to New York’s dedication to preserving a way of life that is void of fracking. Speaking on these matters, Deborah Goldberg said, “For the second time in a week, a court has ruled that local municipalities have the right to decide what industrial activities are appropriate for their communities. This is terrific news, not only for the people of Middlefield and the people of Dryden, but for communities across New York State trying to defend their way of life from destructive gas development. The people went toe-to-toe with the oil and gas industry. And this week, the people won” (Earthjustice, 2012).

Hopefully, this trend of forward thinking and active participation by local governments in New York against the development of fracking will continue to grow and help to influence policy-making decisions in the future.

If nothing is done to stop the advancement of drilling companies to New York’s Marcellus Shale, unprecedented amounts of fracking will occur. While much research is still to be done before we can be sure about the true risks of hydraulic fracturing, the potential costs to human health and the environmental systems of New York are currently too great to risk reissuing drilling permits. The MARC-1 pipeline will ensure that a fracking boom will come upon New York wherever the Marcellus Shale will stretch, and money-hungry drilling companies will jump at the opportunity to gain access to the vast resources of natural gas that lies underground. Governor Cuomo cannot afford disasters such the loss of watersheds, emergency responses to contamination outbreaks, loss of historic tourism, loss of threatened or endangered species and the clearing of miles of forest to make way for new pipeline systems. Proponents of fracking argue that it will
create jobs and increase economic wellbeing, and because they do not see the potential risks of the process as immediately threatening, they view fracking as the way to a second gold rush. It is true that the supply of natural gas in the Marcellus Shale is quite vast, and yes, this technique is a cleaner form of energy than burning coal. But fast-tracking ill-advised solutions like fracking will only delay New York’s opportunity to become a model state for a clean energy future. The process of hydraulic fracturing, if not regulated, will spread throughout the world and rip apart the planet. The opportunity to exploit this financially promising energy will be too attractive for many to ignore. In fact, big energy companies have found shale deposits in over 30 countries worldwide, proving that this matter will not remain domestic for long (McKibben, 2012). It is crucial for government agencies and local politicians to set the tone in places like New York that continuing to frack cannot be tolerated. “In any event, it should be clear by now that fracked gas is not a “bridge fuel” to some cleaner era, but a rickety pier extending indefinitely out into a hotter future.” New York is presently facing a critical decision to make. I can only hope that the work that groups like Earthjustice have done (and will continue to do) can invoke a sense of urgency in policymakers to halt all future development for fracking in the Marcellus Shale region.
Works Cited


