

Hydraulic Fracturing

Applicants Seek Drilling Permit to Bypass New York State's New Fracking Ban

Landowners in the southern tier of New York have applied for a permit to drill for natural gas using a method they contend would bypass the state's ban on fracking.

The Snyder Farm Group, in conjunction with Tioga Energy Partners LLC, submitted a permit application July 8 to use liquefied petroleum gas to drill for natural gas on 53 acres of land in Tioga County.

The state officially banned fracking in June (125 DEN A-9, 6/30/15).

The permit applicants said the ban doesn't cover using liquefied petroleum gas (LPG) in a process that injects gelled propane and sand into drilling wells.

Application Made Under 1992 Rule. The application was made under a Generic Environmental Impact Statement (GEIS) on oil and gas drilling issued by the state Department of Environmental Conservation (DEC) in 1992. Adam Schultz, an attorney for the applicants with Couch White, LLP, told Bloomberg BNA.

Schultz, who said he expects a response from the DEC within 30 days, said the application was not filed under the recent environmental impact statement that effectively banned fracking (93 DEN A-1, 5/14/15).

"As required by law, we will review the permit," Thomas Mailey, a DEC spokesman, told Bloomberg BNA in an e-mail. "DEC will follow the mandates in the State Environmental Quality Review Act (SEQRA), which could include requiring an environmental impact statement."

Gelled Petroleum, Sand Used. Fracking normally refers to the high-pressure injection of water, sand and chemical additives into geologic formations to create fractures through which natural gas or oil can flow. The Snyder Farm Group, in a statement, said using gelled petroleum and sand in a similar process is safer because it uses no water, flaring is minimal and the propane is inert.

In a statement, Kevin Frisbie, a member of the Snyder Farm Group, said DEC had already indicated its position on using LPG.

"By excluding gelled propane technology from the ban on high-volume hydraulic fracturing, the New York State Department of Environmental Conservation has affirmed its earlier stance that gelled propane technology, combined with horizontal drilling techniques, is considered to be a more environmentally friendly approach to natural gas collection," he said.

The application is supported by Republican state legislators from the region and the Joint Landowners Coalition of New York.

In a statement, Julia Walsh, campaign director of Frack Action, said she was opposed to the plan.

"This is another outrageous industry attempt to frack New York State," she said.

"The vast majority of New Yorkers have made it clear that we do not want fracking and all of the negative environmental, public health, and community impacts that it brings," she said. "This proposal should and must be denied."

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