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Oil, gas board's makeup bashed



Written by

[Anne Paine](#) | [The Tennessean](#)

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Tennessee's oil and gas industry successfully opposed passage of a law this spring to regulate fracking, the controversial practice of cracking the rock deep underground to more quickly release natural gas.

And as the state is poised to update its mining regulations, the industry has firm seating on the board that will make the final decision on any rules, a fact that environmentalists say is part of a too-cozy relationship between regulators and those regulated.

Fracking is growing nationwide in areas with gas-rich shale, and it's been blamed in some areas for tainting well water. Questions also have arisen about possible links to earthquake tremors.

But so far, fracking is not on the table as the state Department of Environment and Conservation proposes changes in mining rules.

"One of our concerns is that TDEC reached out to the oil and gas community and

basically asked them to help write the regulations and never asked us," said Renee Hoyos, with the [Tennessee Clean Water Network](#). "They're silent on fracking."

The state provided its draft regulations to the [Tennessee Oil and Gas Association](#) "as a normal course of business," according to TDEC spokeswoman Tisha Calabrese-Benton.

"Once environmental groups expressed an interest in fracking, which is unrelated to the draft regulations, we have included them in our ongoing review of that issue," she wrote in an email responding to questions.

The state set up two hearings for the public to comment.

Tennessee League of Women Voters, Sierra Club, United Mountain Defense and Statewide Organizing for Community eMpowerment are among groups that have called for controls and transparency on

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fracking.

“The department is currently reviewing the issue of fracking to determine how to best address the practice in Tennessee,” C alabrese-Benton said. “The U.S. Environmental Protection Agency is studying the issue, and those results will be important.”

Fracking in Pennsylvania and New York can involve millions of gallons of water, but in Tennessee a mixture of nitrogen and chemicals with less than 1,500 gallons of water is generally used.

The type of shale in Tennessee is not as deep or thick. Use of 200,000 gallons or more has proved to be inefficient here, said geologist Jim Washburn, president of the Tennessee Oil and Gas Association and an industry consultant.

Still, the industry objected to wording in the proposed law to limit the amount of fluid shot down a well to 1,500 gallons.

“That amount of fluid is adequate for the majority of frack jobs in this state, but it might not be for every application,” Washburn said. “There’s no practical reason to limit us.”

Ties to industry

Washburn is one of three on the six-member Tennessee Oil and Gas Board with industry ties.

Sandra Goss with [Tennessee Citizens for Wilderness Planning](#) said of the companies

that frack: “They’re trying to make a living. It’s human nature to try to make one’s costs as low as possible.”

But the public needs to know if a well is going to be fracked, by including that information in a permit, her group says. Other requests to the state are to require disclosure of chemicals used and to test downstream waters and nearby drinking water wells before and after fracking.

Washburn says the technology is safe. Metal casings are used all along the pipeway when rock and aquifers, which hold ground water, are drilled through.

As to the specifics of the fracking material, that’s kept confidential by contractors, he said:

“Most of that stuff that’s in there is pretty innocuous — foaming agents. It’s a lot of the same things you find under your kitchen sink, just in large quantities.

“I’m not sure why they would want to know

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since none of it will come up and be in contact with the public. The only exposure will be to the people working for the companies.”

Any recaptured fluid can be reused, he said. For disposal it can be shot into what is called a deep-injection well.

Such wells are being looked at in connection to a series of about 1,000 earthquakes in northcentral Arkansas over about a half a year, according to The Associated Press. Two natural gas exploration companies have shut down two wells as researchers study the issue.

Washburn said companies “don’t want to have any problems with contaminants leaking anywhere. It costs us money if we damage the environment.”

Proof that a well does harm could be difficult, environmentalists say, because water is not tested beforehand to compare.

Calabrese-Benton said state regulations, not specific to fracking, protect water resources from well drilling.

Permits decline

Tennessee has about 1,200 oil and gas wells, of which about 60 percent are natural gas wells, according to TDEC. New permits have dwindled from 419 applications in 2005 to 105 in 2010.

Hoyos objects to the fact that there are only two inspectors for the state’s oil and gas program.

“It’s another case where TDEC is underfunded,” she said.

A review team, made up of state, environmental and industry representatives, among others, concluded in 2007 that the state’s oil and gas environmental regulatory program was underfunded and understaffed but was well managed.

An attempt to up the permit fee to fund more staff did little because the number of permits has fallen off.

Washburn doesn’t see a problem with staff: “I believe they’re adequately funded for what they’re doing. They tend to add more work onto themselves than they need to.”

He said 20-30 pages have to be filled out to get a permit to drill a well.

Changes go to board

The proposed rule changes are coming

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before the oil and gas board next month.

Some parts, even though not related to fracking, won praise from Goss with Tennessee Citizens for Wilderness Planning, which is concerned about past oil well explosions.

Those include defining what an abandoned well is and increasing the required distance from streams and lakes.

Other parts, she said, would significantly weaken today's controls, including allowing a year rather than six months to plug and seal wells after drilling ends.

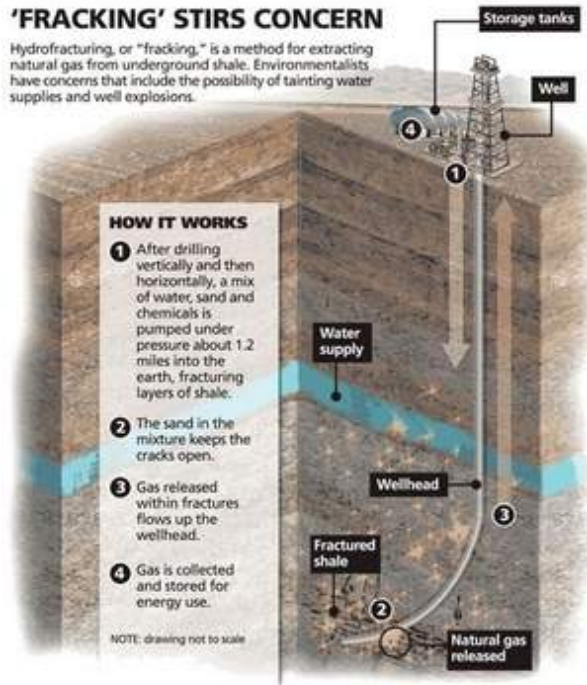
Jim Washburn, oil/gas industry representative, president of the Tennessee Oil and Gas Association
Bill Ray, oil/gas property owner
Ken Haislip, mineral industry representative
Charles Scarborough, Conservation Commission
Chuck Head, Environment and Conservation
Brian Hensley, Economic and Community Development

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[Graphic: What is 'fracking'?](#)

'FRACKING' STIRS CONCERN

Hydrofracturing, or "fracking," is a method for extracting natural gas from underground shale. Environmentalists have concerns that include the possibility of tainting water supplies and well explosions.



Zoom

Tennessee Oil and Gas Board

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