

Fracking in the

AIR DOES NOT RESPECT CITY LIMITS

by Alice Canestaro-García

Most people get this — that “those hell-bent on making money must not then negligently unmake the earth: thus, no industry is above federal clean air and water laws, nor has the right to inflict cancer with its paycheck, nor devastation on treasured community resources.”¹ Robert S. Becker said that this essential, common sense idea was held by “True political mavericks like Diane...” referring to Diane Wilson, the Texas environmental activist who has put her life on the line many times for her shrinking community / Mother Earth. Becker concludes: “Is this logic too hard for chemical companies and public officials — or what?”

Evidence shows that the stampede against the fouling of Mother Earth / Pachamama is building. Here are a very few examples of this trend, with more appearing daily:

Inaction on environmental & energy standards being replaced by some action:

Note President Obama’s June 2014 stand on climate change, wanting a price on the cost of carbon emissions, and his proposal to strengthen Environmental Protection Agency rules to curb carbon emissions; also, his awareness of the people being more aware of climate change than their elected leadership, and people’s willingness to “reward politicians who talk ... honestly and seriously about this problem.” Although our country lags behind others, notably Costa Rica and Germany, in energy wisdom, Thomas L. Friedman says, “change America, change the world” and adds ... “when awareness of climate change is becoming more pervasive, this E.P.A. ruling should give a real boost to clean power and efficiency innovation and make our country more resilient, healthy, secure — and respected.” Also note that President Obama spoke of “the quadrennial defense review — [which] the secretary of defense and the Joint Chiefs of Staff work on — *identified climate change as one of our most significant national security problems.*”²

Sealed settlements / sealed

lips: Fracking fouls water, damages property, and

ruins human health, but because the norm is that settlements silence those who protest, people are not coming forward; “According to Matt Sura, an environmental attorney in Boulder, Colorado, ‘Because they [energy companies] have bought everyone’s silence, they often state that they haven’t damaged anyone.’”³ But, in April 2014, a ... “\$2.95-million civil verdict by a six-person Dallas jury is thought to be the first of its kind in the nation.” This could be the beginning of a trend to publicly award hefty damages against those who flaunt sensible regulations that preserve public health, potable water and breathable air— even if, according to the letter of the law, they are exempt.⁴

Drawing the line for Pachamama:

To quote Diane Wilson, “We’re losing ground. This planet is losing ground. So things need to happen and they need to happen quick. Our message should be — loud and clear — there comes a time when the home needs protecting and the line needs drawing and anybody that dares cross it acts at their own peril.”⁵

Fracking in the Eagle Ford Shale, Air does not respect city limits

was one of the themes cited during the tour of Eagle Ford Shale⁶ fracking sites and was reinforced the following day in the San Antonio offices of

Congressional Representative Pete Gallego. Both events were organized by Dani Neuharth-Keusch, Field Associate with Environment Texas.

That Sunday morning, we gathered and were soon driving through the heaven that is the countryside and small towns of South Texas. Throughout the day, our tour guide, who has watched the changes occur in their home region as fracking has “boomed” on their landscape, and studied to understand the industry since 2009, told what is happening in towns such as Cuero, Cheaptown and Nordheim via real peoples’ life stories. What is most effective is speaking truth to power, getting a good lawyer, shining a spotlight on frackers shameful behavior aka bad publicity.

We saw flares that quiet Sunday, and there was truck activity going to dump sites and disposal wells. We saw various kinds of color-coded trucks used in the fracking process (condensate trucks, waste disposal trucks) and noted their roughening effect on the roads we travelled. But not only the roads are damaged in the fracking process.

Disclaimer: I am an ecocritical visual artist, not a scientist; still, I strive for accuracy. This is a very brief, basic account of a nearly 12-hour tour, touching on some



Eagle Ford Shale

of the major questions that we had, and some concepts new to us, such as The Land Man, surface rights, mineral rights, set-backs, flare / dirty flare, condensate, salt water / saltwater disposal well. And the promised, much-vaunted, jobs.

We asked, "Where are all the jobs?" We asked about workers' rights, legal protection for the water and air. Laws that protect our lungs. And property rights, the effect of fracking on livestock.

Some Answers & Vocabulary Defined

The Land Man is likely the first person property owners meet in the fracking process. He offers money for mineral & surface rights. As I understand it, these rights in turn are sold to a broker. These middle men can make much more money than the property owners. Some landowners' surface rights and / or mineral rights had been bought up a generation or two ago, so they made no money and had no say.

"Jobs?" "Driving through," was the answer. Not local people. Trained crews, living in man camps, are moved around as sites are set up / depleted. Workers wear hardhats but they don't wear masks or breathing apparatus. Concerned about our own lungs (since, to quote from a Fracking Kit fact sheet, "... test results show fracking flowback emissions are dangerous toxins, not 'steam'"), we kept the van windows rolled up most of the time, and only got out three times: for a restroom / lunch break; to meet a land owner; and only once, to walk near an interesting site taking photos. As the van drove up to another site, Dani began to roll her window down to take a photo, but instantly rolled it back up as a harsh smell blew in.

Water: Millions of gallons of water are used for each well. According to Dani, "110 billion gallons of freshwater have been used in Texas since 2005, which is 141 times the volume of the Cowboys' Stadium. And 260 billion gallons of waste water were produced in 2012 alone." See "Fracking by the Numbers" from Environment Texas for additional information.⁷ Dani issued us Fracking Action Camp Activist Kits. My "favorite" fact from that is: **Texas fracking has produced 40 million metric tons of global warming pollution since 2005.**

There ARE requirements for oil pipelines going through aquifers: a steel pipe encased in another steel pipe encased in concrete. There is no law requiring oil & gas companies to test their waste to see if it is toxic, so technically, nobody "knows" how toxic it is or if it is radioactive ... nobody is required to know.

Set-backs

state the distance a fracking site must be from buildings designed for human occupancy. It is important to have set-backs so that a fracking site is not able to be legally built at the city limits or across the street from a school. Otherwise, you'll see flares outside of your town's high school window.

Condensate can cause damage to the nervous system when inhaled. Hydrochloric acid eats asphalt. Condensate is forbidden from spilling onto streets ... but it does. The identity of chemicals in proprietary chemical mixes are protected by law. Lungs, not so much. Little flags along the roads mark where pipelines were laid. But pipes shift as the lands shift. One way to dispose of some wastes is to pump them into the ground, rather deeply (6k feet), but not encased in anything.

"Salt water" sounds innocent enough, but it can explode. According to about.com⁸, a saltwater disposal well is where the water from oil and gas well production is discarded. Called "saltwater" euphemistically by industry, this fluid is considered hazardous waste because of its high salt content, hydrocarbons, and industrial compounds.

We heard about the earthquakes in Azle, Texas.⁹ For some operators, it is cheaper to operate illegally than to retrofit. They just pay the fines & keep on going. They don't pay city taxes. We wondered why the towns don't protect themselves better by just moving their "Welcome" signs farther out and get deeper set backs.

We visited a landowner whose family's and property's health were threatened by two proposed large open-pit waste disposal sites. Of concern is the potential spread of toxicity from the waste site to the family's property. Educational displays made by the landowner showed maps and labeled photos of rainfall. According to one picture of rainwater flowing in rivulets, just 1.1 inches of rainfall within one hour could be problematic — and rains of 5 inches per hour had fallen in the recent past. Deep concerns for grandchildren were voiced.

As our tour wound down, the guide said, "I'm pleased to see that there was NOT ONE dirty flare today." There were a number of flares photographed during the tour. Still we had to ask about fracking: Why? Answer: Money.

In Conclusion: Closing Loopholes and Ending Arbitrary and Needless Evasion of Regulations

We went to Pete Gallego's office as a follow-up to the tour, having seen with our own eyes and smelled with our own noses the state of the Eagle Ford shale areas, to encourage the representative to support HR 2825, The CLEANER Act [which stands for Closing Loopholes and Ending Arbitrary and Needless Evasion of Regulations]¹⁰. Gallego's staff told us that the Representative's hometown, Alpine, Texas had clean air ... until recently. After all, air does not respect city limits. □



Photo: Kathy Glass, 350SanAntonio.org