

## **Elaine Ulman: The Monster of Minisink – a cautionary tale for fracked gas era, April 5, 2016**

<http://www.gazettenet.com/Opinion/Columns/Elaine-Ulman-The-Monster-of-Minisink-%E2%80%93-a-cautionary-tale-for-fracked-gas-era-1302383>

**By ELAINE ULMAN**

For the Gazette

Tuesday, April 05, 2016

Once upon a time back in 2011, Minisink, a small New York town about an hour northwest of Manhattan, faced a big problem. That may sound like the start of a fable, but rest assured: All names, dates, and events in this commentary are real, as is the Monster.

That summer the Millennium Pipeline Company LLC proposed to run a 30-inch fracked gas pipeline through town and install a 12,000-horsepower compressor station.

Millennium owned a large parcel of land in a quiet section of town surrounded by dairy farms. Two hundred homes stood less than a mile away, some within 600 feet of where the company wanted to put its compressor station, which some called the Monster.

When the 4,500 good citizens of Minisink heard about the proposal, some couldn't understand why a company that claimed on its website to be "New York's Hometown Pipeline Company" and said its goal was "to contribute to an enhanced quality of life for our friends, family, and neighbors" was so eager to put a compressor station there.

The townsfolk had heard that compressor stations in Pennsylvania and other states were noisy beasts and blew out foul smelling gases that weren't very neighborly.

**Citizens awake**

A group of citizens decided they didn't want a compressor in their midst, so they wrote letters to the newspaper and called their state legislators for help. They learned that FERC (the Federal Energy Regulatory Commission) had the power to approve or deny Millennium's proposal, and citizens could let their opinions be known by intervening with FERC.

So the Minisink townsfolk intervened. They said having a compressor in that location would devalue their homes and property and permanently destroy farms and farmers' livelihoods. They hoped FERC would listen and snuff out the Millennium pipeline plan.



Just in case, worried local officials intervened and suggested an alternative. If Millennium replaced a seven-mile stretch of the pipeline known as the Neversink segment with a larger pipe, then a compressor station less than half the size of the proposed one could pump just as much gas at lower cost, burn less fuel to run the compressor, reduce emissions by half, affect fewer homes and avoid destroying prime agricultural land. If Millennium needed a bigger pipeline and a compressor station, that would be the best way to do it.

Millennium's engineers and lawyers submitted a rebuttal. They claimed that pulling out the Neversink segment would be more costly, and construction would damage the environment and disturb more landowners. They ignored the long-term savings and other benefits of reusing the Neversink site. It seemed that Millennium preferred putting in new pipes to digging up and replacing old ones.

The five FERC commissioners read the reports. They had not turned down a pipeline in decades and almost always gave unanimous approvals, but this time they argued. Two commissioners strongly favored the town's plan, but the final vote was 3 to 2 against it. Neversink was sunk. In July 2012, a year after the town first got wind of the project, FERC approved Millennium's plan.

The townspeople organized "Stop MCS." They rallied and demonstrated, held protest marches and vigils hoping to keep out the compressor station. They linked up with fractivists across New York State and wrote letters to their governor. In March 2013, Gov. Andrew Cuomo announced a temporary halt to hydraulic fracturing in New York State to give officials time to assess the effects of fracking on public health.

Fences go up

But that did not save Minisink.

New York State agencies had given all the necessary approvals. Fences had gone up around the Monster's future den. In October 2012 opponents blocked access to the site and managed to stall the bulldozers and excavators for a few weeks. The U.S. Court of Appeals even issued a rare temporary stay of construction. Despite the arrests and the temporary court order, by May 2013 the job was done. The new pipeline was hooked up to the compressors and FERC gave its approval to start up the Monster.

In the course of startup, multiple "blowdowns" cleaned out the pipeline, venting gas at high pressure at the compressor station. Residents more than half a mile away noticed

a dramatic increase in noise and noxious smells during these blowdowns. They worried about their children playing outside that summer.

The Minisinkers filed a lawsuit in the U.S. Court of Appeals in Washington, D.C. They asked the court to overturn FERC's ruling, pointing out that Millennium had deceived them by not providing full information in a timely manner. They said FERC had failed to protect the common good and had denied the community its due process rights. The Appeals Court judges refused to hear the case. On Aug. 15, 2014, they responded that FERC had done its job according to the law, so FERC had to be right.

Even if some people in Minisink became impoverished, homeless, and sick, the Monster could keep running. "Given the choice, almost no one would want natural gas infrastructure built on their block," wrote Judge Wilkins. "But given our nation's increasing demand for natural gas ... it is an inescapable fact that such facilities must be built somewhere."

The sad story of Minisink was shared during a talk this February in Deerfield when Dr. David Brown and a team from the Southwest Pennsylvania Environmental Health Project presented their findings on the health effects of living near fracked gas compressor stations.

The team was invited because Kinder Morgan, another pipeline company, has applied to FERC for approval to run a 30-inch fracked gas pipeline named NED (North East Direct) through Deerfield and nine other western Massachusetts towns. Plans call for putting 41,000-horsepower compressor stations, more than three times larger than the Minisink Monster, in Windsor and Northfield.

The researchers' report on Minisink was chilling. Brown's team had evaluated environmental conditions and health impacts on eight families about six months after the Minisink compressor station began operating. Though average monthly emission levels from the compressor were within EPA guidelines, many people living a mile or less away reported disturbing symptoms that came and went unpredictably: headaches, nosebleeds, rashes and nausea.

In addition to health surveys, the researchers examined air quality and took round-the-clock hourly readings of tiny particulates for 32 days inside and outside the eight homes within a mile of the Monster. They collected samples of airborne volatile gaseous chemicals on four occasions.

#### Air samples

The results showed that Minisink's compressor produced emissions spikes many times above EPA limits as often as twice a week, but could stay within the "safe range" by reporting only the daily averages the EPA required. Air samples also showed continuous low levels of toxic gases like benzene, methane and toluene.

The health problems found in Minisink had also appeared in southwestern Pennsylvania among people who lived in areas dense with fracking operations, but the data from Minisink proved that a compressor station alone could harm people living within a mile of it. Geography and weather conditions could produce even higher concentrations of pollutants for longer periods of time as much as six miles away. Pregnant women, children, the elderly and those with compromised immune systems or asthma were

most at risk. The public health team advised Minisinkers to stay inside when air conditions were bad.

Dr. Brown admitted that nobody knew what the health effects of long-term exposure to low levels of toxic gas and intermittent spikes of polluted air might be. It could take decades to determine what cancer rates would be and which reactions would become chronic or life-threatening.

No one knew how to protect land, livestock and farm crops from the pollution. The stress on families affected the community. After six months of trying to sell a home less than a mile from the Monster, the first family gave up to foreclosure and moved away.

In the half-empty school auditorium in Deerfield, the researchers warned of the imminent threat now faced by Windsor and Northfield. They advised residents to gather baseline data on air and water quality that would be useful for research, but they couldn't offer any advice about how to avoid becoming guinea pigs in a fracked gas public health experiment or how to safeguard their homes and the environment from the approaching Monster.

At the end of the question period, a woman in the audience stood up and spoke. "I come from southern New Hampshire, near where the NED pipeline would re-enter Massachusetts." She said. "People where I live need more information. Many don't understand the danger. Our states need to work together to educate people."

On the other side of the hall, a man from New York State rose. "Local officials and boards of health can't stop a pipeline. Single communities can't stop one. Pipelines can only be stopped at the state level. State agencies can create delays and make it more difficult and expensive to build a pipeline, and so can a governor."

If the NED pipeline can be stopped in New York State, he said, it would never reach Massachusetts or New Hampshire. "We — citizens of New York State — are flooding our governor with letters and phone calls about stopping this pipeline. Please join us," he said.

More needed

And so here ends my cautionary tale of Minisink. Something more than town boards, public demonstrations, intervenors and court cases was needed to stop the Millennium pipeline.

People in western Massachusetts are just as angry, organized and determined as the citizens of Minisink were, but we have an advantage.

Kinder Morgan does not own the land it wants to build on. Much of the land is private. Landowners and town boards can make access difficult, though state agencies can override those efforts. However, over 80 parcels on the pipeline route are protected by state law. Under Article 97 of our state constitution, taking any parcel of public land requires approval of two-thirds of both houses of the state Legislature. An argument over rights of eminent domain could take years and go all the way to the Supreme Court.

At this point, our state agencies cannot be relied on to act as allies or protectors of the public interest, and the house leadership has turned a deaf ear to our fight. But more groups across the state are realizing that their clean energy future is linked to ours.

We have strong advocates in the state Senate; our western Massachusetts representatives are speaking out; and our U.S. senators and representatives are shining a spotlight on FERC.

If we can create enough resistance statewide and all along the proposed pipeline route, we can at least put off the project.

That may, in the end, be enough to defeat the Monster. If we succeed in this struggle, we will have opened a path for other communities around the country to protect themselves from fracked gas pipelines and the Monsters that run them. That will save far more than our own backyards.

Elaine Ulman says she winters in Northampton and lives in the Hilltowns.