

Marcellus Shale Permitting Issues

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Permits Required

- Traditional Vertical Drilling
 - No permit due to <30 day exemption
 - Temporary operation
- Horizontal Drilling
 - NYS has 3 levels of permits: Title V, State Facility, and Registration
 - Need to Determine Facility Boundary and Non-exempt Sources



Facility Boundary

- Source Aggregation of noncontiguous surface sites forbidden by CAA for Section 112 (MACT rules)
- Aggregation suggested by EPA
 - removal of Wehrum Memo
 - Anadarko Kerr-McGee permit decision
 - PSD and Title V purposes
- Covering HUNDREDS of Square Miles



Limitations of Generic EIS

- Too many possible combinations
- Since level of aggregation must be case by case, SGEIS cannot provide definitive answers

