

***Gary Zuckett***

Interviewer: Michael & Carrie Kline

Date: September 5, 2013

Place of Interview: CAG office

Transcriptionist: Adept Word Management

Gary Zuckett: **0:00:01.4** Yeah, not it's good.

Carrie Kline: Okay. We'll send you the first copy if you like?

Michael Kline: Okay today is, what, September—

CK: Fifth, I think is it?

MK: Fifth. Beautiful, bright October—feels like—day here in Charleston and unusually clear air, and just a pleasure to be here at the CAG office, at the corner of Dixie and Ruffner. Would you please—I'm here with Carrie Kline, and would you please introduce yourself and—

GZ: Yes, my name is Gary Zuckett.

MK: And your date of birth?

GZ: 08/05/51.

MK: 08/05/51. And if you want to begin by telling us a little bit about your people, and where you were raised?

GZ: Well, I grew up in Pittsburgh, Pennsylvania, area. I come from mostly German stock, Heshizer's and the Blotzer's on my mother's side. And Sicilian and English stock on my father's side. So the last name Zuckett should be **0:01:21.1** (s/l Zuccherro), and got changed at Ellis Island. And I grew up in the suburbs—I was a city kid, but moved to West Virginia when I was 24—and been here ever since.

MK: What was your family life like in Pittsburgh growing up?

GZ: Pretty boringly normal. Like I say, grew up in the suburbs, I went to a rather large high school, graduated with a class of over 1100 kids. Went—started Penn State, but then that was in the middle of the Vietnam War, and I got a very low lottery number in that lottery draft that they ended up doing, because they were so desperate to get cannon fodder for the Vietnam conflict. And the other thing that is, I guess notable during that period, was that my college roommate was

a good buddy, high school buddy of mine. His cousin Alison was one of the students walking to class at Kent State that got shot by the National Guard.

**0:03:11.0** So that sort of radicalized me in the—between those two events—almost getting drafted—you know—and having that—the war hit so close to home, in my dorm room, made me decide to take some time off and see what—see what was going on in the world, rather than sticking my nose in a book for the next 4 years. Long story short—I ended up a hollow in West Virginia, in Richard County—with a wife and a stepson and just was going to do the—the homesteader, the—back to the land homesteader type of lifestyle and just let the rest of the world go on with its own way, and try to stay out of its way. But that didn't happen either, because we bought a place specifically because it had this thing called free gas. We were looking at different properties to purchase, and looking through the Stout Real Estate Catalogue and looking at the farms in West Virginia. We were in Virginia at the time and looking for inexpensive property in—a lot of the listings in northern West Virginia—the last line or two had these two words, free gas.

So I called up the real estate guy, I said, “What’s this free gas stuff?” He said, “Well, that means there’s probably a gas well on the property and you’re hooked up to it, and you don’t have to pay for your heat bill.” And we thought that was just the berries, jeez how could you beat that. And it’s true I haven’t—I lived up the hollow there in Richard County for 37 years, and never had to pay a heat bill. But as it turned out it really wasn’t free gas, because there’s the thing they sort of neglected to tell you was that you didn’t own the minerals underneath the property. You had the right to burn the gas off of any wells on the property, but you basically owned the property down to plough depth, and the water—you had the rights to the water. So when I moved—moved up there, the first summer I got a job planting trees for the soil conservation service. It was a great job because it kept me really fit, hiked all over the hills all day with a dibble and 1000 pine trees on my back and just making a hole in the ground, throwing those trees in and coming back, and doing it again the next day.

But one time—one day, I recall I came home from work and my wife was real shook up. She had had a visit by a representative—well actually from Ferrell Prior, who ran Prior Oil Company out of Parkersburg, West Virginia. And he came up to inform us that they were going to basically frac the well behind our house, up the hollow behind our house. And to get there they were going to have to drive right through our front yard. And this was in 1975 or ’76, so hydro fracking has been around for a while, it’s not a new technology, even though it’s new to the Marcellus shale. So the conversation with Ferrell Prior went something like—this is the way my wife relayed it to me, and what I can recall from that—but he basically told her that they’re coming through and we can’t stop them, and it doesn’t matter if we have guns, because they have guns too. And that was the end of that.

So that seemed like a not-so-veiled threat. And so we tried to cooperate with them, and have them do their frac job in the way that could do the least amount of damage to our property. They had to bulldoze a new road up past the chicken coop that we had just built—we got them to put in some pipes for routing the stream underneath the road they were building, but in the end they had the—this is a very narrow hollow, there’s barely enough room to turn a truck around up there where the well—the old well that was drilled in the ‘50s, that they were going to re-

stimulate. And they had to dig a pit right beside the creek—the pit and the creek were about 3 feet apart, and the pit was at about the same water level as the creek was, just a little intermittent stream at the head of the hollow. And I remember one time coming home from work and seeing about a foot of gray soap suds floating down the little tributary running by our house, because they had—basically when they were done with the fracking, they had breached the pit, filled it in, pushed all the water out into the stream, and just let it run down the stream past our house.

**0:09:32.6** So that was my first experience with the oil and gas industry in West Virginia—and it went downhill from there. That was—I said like the mid-‘70s, ‘76—probably at the latest. And in the late ‘70s, early ‘80s there was a sort of a gas boom—drilling boom in northern West Virginia, don’t really know what caused it, but the lease on our property—the lease for the minerals was sold from Ferrell Prior I guess, to another outfit called Colorado Empire. They were actually out of Colorado—they were a bunch of cowboys out of Colorado.

And the only reason I found out about this transfer in ownership of the mineral lease under my property was that I was walking through our biggest hay meadow—this was a 50-acre piece of property we had gotten, and had about a 5-acre hay meadow on the ridge top above the house, which our farmhouse was down in the hollow. On the ridge top above our house there were surveyor stakes in the middle of the meadow, and I didn’t have a real good feeling about that, so I—no one had told me they were coming on my property to survey for anything. So I just pulled them up and threw them over the hill, but I came to find out that they were put in by this company that had intended to drill—not one, not two, but three new wells on my ridge top—this Colorado Empire outfit. And tried to dig two—

MK: The year was—roughly?

GZ: This was 1980/1981, during that—like I said that oil and gas boom that occurred back then. The oil and gas industry goes through boom and bust cycles all the time evidently. Not quite sure what that is attributed to, but we tried to negotiate with these cowboys because of course they wanted to get in and out as cheaply as possible—get the drilling done, get on to the next job, because they made their money drilling, they really didn’t make their money producing. So the less money they spent doing the drilling the more money they had in their pockets—after it was all said and done.

So where they wanted to put the well was right in the middle of my best hay meadow, basically my only hay meadow, it’s just a little tiny 5-acre thing, a triangular kind of shape. And I pleaded with them to put it off to one side or the other. There was some flat area in the woods next to this meadow, but that would have meant that they would have had to pay somebody to cut down the trees and haul the trees and pay us for the trees—whatever. Again this was before the oil and gas laws in West Virginia were changed to actually force the oil and gas companies to actually pay the land owners damages when they came on their property.

MK: There were no protections under the law at that point?

GZ: At that point the law was so bad that there was no way for me to—not only was there no way for me to have a say so in where they put the well, and that is true to this day, there is still

no way I can force—if they would come and say they wanted to put a Marcellus well on me, I still would have no—basically no right to tell them where to put it, because I don't think they would like where I would tell them where to put it. (laughing).

**0:14:05.6** Anyhow—excuse me, I am getting off track here—but we pleaded with them to put the well off to the side, so we still had a hay meadow left, but we failed in those negotiations—it wasn't really much in the way of negotiations there. They just told us to take a hike basically, and proceeded to put the well in the middle of the hay meadow. And then they built a road up to the well site, and then they—when they got done with that well, they ran their bulldozers along the ridge so they made a road away from that well, through the meadow to the next site.

And then they made another road as a shortcut between the first two roads, so basically the whole 5-acre meadow was full of wells—a well site and a bunch of roads. It was totally useless to me after that. I continue to pay taxes on that property, I have for the last 38 years, and it's totally useless to me, as a hay meadow. So what's wrong with this picture? And that was the first well. The second well they drilled—they went around, drilled the second well, and then on the third well—the location they had was sort of right on the border between—ran on my property line, but it was a nice, real tiny meadow there, and there was a real big—

MK: I'm sorry.

GZ: A real big Sassafras tree—a very mature Sassafras tree that we really wanted to preserve, if possible, and our request to them was just, “Hey don't take that tree out,” but it was in their way, so it got bulldozed over the hill, along with everything else. And it was also above a small spring that was being used as a water source for the cabin that had gotten built up on the hill side there. We're sharing part of our property with another couple, who built themselves a cabin up in the woods, and had a gravity flow water system hooked into that cabin, and that water system got polluted—that spring got polluted from the drilling. And again there was no recourse—there was no legal recourse for us to collect any damages from any of this at that time.

This was before the law was changed in the early '80s, to help get that done. I have a lot of respect for David McMann, who's been working on this issue since the '70s. He was instrumental in getting the law changed, so that the oil and gas drillers had to pay damages to surface owners, and that's basically what I was. I owned the surface and not the minerals. But that's my early experience with the oil and gas industry—and I wasn't alone, back— all through that time other land owners in my area were experiencing similar problems with drillers, because there was just this attitude that if they bought the lease, if they owned the lease—the mineral lease on a place, that they had the right to basically go on a piece of property and do whatever it is that they damned well pleased to get to their minerals.

And the state code pretty much backed them up because, even to this day, the mineral estate is superior to the surface estate in regard to oil and gas law. So—and what it says in the code is that the company exploring for minerals can do whatever is “fairly necessary” to explore for their minerals and extract their minerals. Of course those two words, fairly necessary, are— there's a whole lot of different interpretations to that phrase, depending on whose side you're on. I guess in regard to the struggle to—for justice in the oil fields, sort of the next chapter of that, that I

would share with you today, is back in the late '80s, early '90s I joined a group of land owners in north central West Virginia, that got together to fight the oil and gas drillers and lobby for the legislature for additional restrictions and protections to the—when minerals are explored on their ground.

**0:19:31.1** This group that formed had a very interesting name. They were called the Land Livestock and Property Protection Association, LLAPPA for short. And basically they were a bunch of crusty old farmers who were pissed off at the oil and gas drillers because they—they're tearing down their fences, they were causing slips on their property, they were polluting their ponds, they were poisoning their livestock. The one fellow who was one of the leaders of the group, he lost about 20 or 30 head of livestock—all at once, one fall when they got in to—they either got into one of the pits that the drillers had left unprotected, or they had polluted one of his watering ponds—I can't remember which, it's been too long. But he was very much a thorn in the side of the drillers in the area and to the DEP, Department of Environment Protection, Oil and Gas Division—he was down here a lot. Eventually I was—I think I was elected vice president of that organization. I was probably one of the younger folks in that group at that point, and they actually—that was my first lobbying, paid lobbying job—was to come to Charleston to work with Dave McMann on what was called the Land Owners Bill of Rights, back then—and the Surface Owners Bill of Rights.

And we just, we wanted basically protections from the drillers for our property and our farms. And we're still fighting that fight to this day. It's now 2013 and now we have this whole new drilling on steroids in the Marcellus shale formation, and the hydro fracking on steroids with this chemical soup of toxic ingredients that they inject—using millions of gallons of water per frac job. It's quite amazing—what we have, and what we're fighting now is 10 times/100 times worse than the old ma and pa gas wells that these small local companies used to drill. Now we've got multinational companies in here, and instead of 1 or 2 acre well pad, we're having a 10 and 20 acre well pads—where they're drilling half a dozen holes in the ground, horizontally going miles—going a mile down and a mile out, using enough water in each frac job to fill an Olympic swimming pool, and really upping the ante in a number of ways.

And fortunately we were sort of prepared for the onslaught—even though we didn't know it was coming, because it was back in—I don't know, Julie probably told you the exact time, but here at Citizen Action we started the organization that we're working with now, the West Virginia Surface Owners Rights Organization, prior to the Marcellus shale boom—several years prior to that boom, because even though the Marcellus fracking is now the—events taking the headlines and having the most attention paid to it, this basic tension between the surface owner and the driller has been ongoing over the decades and has not really stopped. There's just—we have hundreds of members of the SORO organization—that's what we call it, SORO, Service Owners Rights Organization, from all over the state, wherever there's oil and gas in the ground. And we hear the same stories over and over again—people call us up, they say, “Oh, I was just walking on my hay meadow and I found these surveyor stakes in my best hay meadow.” Been there, done that, it just keeps going on.

The law was made a little better a couple of years ago, as a result of the outcry from landowners and the response from some of the legislators that are not in the pocket of the oil and gas

industry. So we did get some relief, but it's on very basic items like how far they can—how far they can drill a hole from your front porch. Basically they've had to set it back a little further. They have to test the water in your water well if it's within 1000 feet of where they drill the hole, there's certain protections now—but it's still not enough. There's still not enough—a good balance of justice between the rights of the mineral owners and the rights of the surface owners. They're still very unbalanced.

**0:26:05.0** So I was very glad that Norm Steenstra and Julie Archer and Dave McMann and I and a couple of pissed off surface owners got the Surface Owners Rights Organization up and running and started before the Marcellus boom came. Because we had a base—a grassroots base of people that knew the issues—that had been harmed by the existing inadequate legislation that was in place, and were willing to fight for something better. And we've taken the battle to the legislature, ever since—for the last 6, 7, 8 years—on a pretty steady basis. We worked hard on the Marcellus legislation that got—that did not pass in during the regular legislative session, and then got put into a special session. I'm sure Julie probably told you a lot of the ins and outs of how that all happened. She would be better at doing this than me, because she remembers dates better than I do. But we did have a major push for landowner protections included in a rewrite of the oil and gas legislation to include some of the new regulations needed for Marcellus—for the sort of bigger and badder Marcellus wells.

And basically Governor Tomblin sold us out—I'm just going to say it like it is—on that legislation because he told leadership in the senate—in the house, if they came together and could agree on a bill, that he would then call a special session and run that bill. Because the session before that—I don't remember if it was 2012 or 2011—we worked all through that session, very hard with our allies in the legislature to get a fairly decent bill put together, but it did not make it through the process—the whole legislative process. And the session ended—timed out—before we got any legislation passed. And so there was immediately a call for a special session on this, and as I said the governor indicated to legislative leadership that if they came together—worked together—and had an agreed to bill, that he would then run it through a special session, call a special legislative session and have that be the topic of that session.

And the legislature in good faith, they did that—they held public hearings all over the state, took testimony from the public on the problems that they were having with the oil and gas exploration. And worked through the interim process to put together a bill that they all could agree on, that we we're totally happy with, but was a step forward in the regulatory process for this new technology of shale drilling—horizontal drilling. And damned if the governor basically didn't take that bill, hand it to the oil and gas lobbyists with a black magic marker, and basically the bill that the governor introduced was a mere shadow of the bill that the legislature gave him. So at that point then we had to fight to get the things that we had already put in the bill, back in the bill. And not very much of that got put back in.

CK: I bet those hearings were interesting?

GZ: They were, and somewhere I have some recordings of those. I would have to—somebody's got recordings of those. That might be something you might want to check—ask around about, because they did have hearings all across the state, hundreds of people showed up. In Clarksburg

they filled up a whole high school auditorium, like standing room only. With TV stations, and the whole nine yards, it was quite an event. And we've done that also. I mean the thing that we did with the West Virginia Surface Owners Rights Organization, is we were to hold town hall meetings in Spencer, West Virginia, in Buckhannon, West Virginia, in western—I don't think we ever had one in Glenville, because that's sort of like oil and gas central. But anywhere we would have a town hall meeting on the oil and gas issue, we never got less than 100 people.

Sometimes—I remember Doddridge County meeting we probably had 300 people in the room. And these weren't tree huggers, these were just regular citizens who had been run over by the oil and gas industry and were angry and wanted to see some justice. And so yeah we did meeting after meeting, and you know hearing the same stories over and over again, and we took these stories to the legislature, built a grassroots pressure on the legislature to get something done. So it was really—really disheartening too, at the end of that process, after we had a fairly decent product—not anything perfect by any means. That's the *modus operandi* up there at the capital. You compromise and you compromise until you get something that can pass. So we had something that we felt could pass, and the legislative leadership felt could pass, and then the government went and basically gutted it—so that still leaves a really bad taste in my mouth.

MK: What was the presence—what was the company presence at these meetings, did they—?

GZ: At the legislative meetings?

MK: Uh-hunh (affirmative).

GZ: Well they—they had their people there and we had our people there—they had the oil and gas workers there. They were telling basically their workers—the oil and gas drillers were telling their workers that we were after their jobs. It was like job blackmail. So they had these people scared, had them standing up and saying, testifying that, "I make a good living with the oil and gas industry and I can feed my family, and if I didn't have this job I don't know what I would do." And the real—you can hear the violins playing.

CK: So they were West Virginia workers in sort of the—?

GZ: West Virginia workers, yeah. The thing is this was—again as the Marcellus was just getting started, and we weren't seeing hordes of out-of-state license plates all over Marshall County and Wetzel County and Doddridge and Harrison County. This was—we have that problem now with a lot of the out-of-state companies coming in and bringing their workers from down South, from Oklahoma and Texas and Arkansas and wherever.

MK: So the argument that this new industry is going to provide jobs is not a very deep argument, because it won't—at least it won't be jobs for West Virginians?

GZ: Well, I think that's too much of a blanket statement. There are jobs being created, and there is wealth being created in the oil and gas fields, I mean I can't deny that. I mean, I know land owners in my county that have gotten big—really big checks for leasing their property. And I was just back up in Richard County a few weeks ago and—right on the little bulletin board as

you walk in the doors to the grocery store there was an 8½ by 11 sheet of paper—water truck drivers needed, starting pay \$16 an hour—with the little tear offs at the bottom so you can pull the phone number off. So it is creating jobs for the local people, but it's also creating potentially a huge environmental problem with all of the—with the millions of gallons of toxic waste they—basically that's been generated by the drilling process. Where do you put this stuff? I mean, they tried running it through the—actual water treatment plants, sewerage treatment plants in Clarksburg and Morgantown until Pennsylvania started crying foul because the dissolved solids in the water supplies for municipalities on the Mon River leading up to Pittsburgh, weren't able to handle—the filter it out. And everyone's water was turning cloudy up there—their drinking water, because the rivers were so polluted with this frac fluid.

MK: **0:37:03.9** The water was coming from West Virginia but—?

GZ: Water was coming out of West Virginia going into Pennsylvania.

MK: So those folks were down stream?

GZ: Uh-hunh (affirmative).

MK: A whole state away?

GZ: Yeah, across the state lines. And so now they're trying—and actually it seems like the way they have figured out to dispose of this stuff now is to use the old wells that are played out and re-inject the fluid back into the ground, the produced fluids that come out of the fracking process. So that's another fight that we have on our hands is, is this safe? What kind of regulations are—what kind of monitoring is done with these wells? There have been earthquakes in the Buckhannon area that they feel has been caused by pumping this fluid down into the strata under extreme pressure, lubricating the plates down there, causing earthquakes.

They've had earthquakes over in Ohio, because a lot of this frac fluid is going across the river into Ohio, and being disposed of in Ohio. But we're fighting right now—fighting a disposal well permit in Richard County—in my county. My neighbors and friends in the county have organized themselves into a Watershed Association, and have asked the DEP for a public hearing on this well permit—this disposal well permit—because they have a lot of questions, a lot of unanswered questions about this process including—and this is sort of the sleeper here in West Virginia—including the fact that the Marcellus shale is known to be radioactive.

So what we have is, we have fluid being pumped down into the Marcellus shale to fracture the formation to stimulate the flow of the gas. So to produce the gas, in that process about two-thirds of the water that's injected comes back out—comes back out with what's called NORM's in it, Naturally Occurring Radioactive Materials. So you've got hot water coming out and so what do you do with this stuff? Well, unfortunately a lot of it they're using—they spray it on the road up to the well site to keep the dust down. The tank trucks, they dump it into ponds beside these injection wells, and then try to pump it back into the ground. But are these holding ponds—are they leaking? They've had problems in Fayette County where these holding ponds have been polluting the local streams. And radioactivity is—to me is one of the, like I said, one of the



sleeper issues, because right now the DEP isn't even acknowledging that this stuff is radioactive. They're just like sort of—well if we ignore it, it will go away kind of thing. You can't see it, you can't feel it, you can't taste it, it doesn't smell, so why bother with it.

CK: **0:40:42.5** Does that go into your thinking when you consider whether it's viable employment for West Virginians?

GZ: It's dangerous employment for West Virginians. And it's dangerous to be in the oil and gas fields now. Because one thing we do know is, since there is a shortage of water truck drivers, that they've got these guys out running—I mean there's no such thing as an 8-hour day if you're a water truck driver. You're working 10, 12, 14, 16 hours a day, driving these trucks that are loaded—full of water, either going to the well, or hauling the water out of the well. And there've been a number of accidents—there was an accident in Clarksburg this spring that killed 2 children, when the water truck—supposedly lost its brakes coming off the 4-lane, and flipped over on top of a car, whose mother was carrying 2 children in the back. It killed the 2 children immediately.

In my county—in Richard County, just this summer, a water truck pulling out on to the 4-lane, Route 50, creamed a mother and her daughter—killed them instantly. It was a woman that my wife—who is a substitute teacher, and had worked up there in the county school system—knew and had worked with. And her daughter was somebody my daughter went to school with. So yeah, it's dangerous for both the workers, because they're overworked, they're working in a dangerous—they're working with toxic chemicals—they're working with explosive gasses, and it's dangerous for the local citizens because you've got these overworked and very tired drivers driving this heavy equipment everywhere—on these roads that aren't designed for it.

CK: I'm just trying to follow up on your radioactivity comments?

GZ: And the radioactivity—unless you have a Geiger counter, you don't have a clue. Like I said, because it's tasteless, odorless—you need specialized equipment. So that's one of the things that we hope we can crack open in this public hearing that is coming up, hopefully this month, on this disposal well permit. They are going to raise the radioactivity question—they're going to ask for monitoring, by competent professionals, of the radioactive elements that are in this water that they're proposing to inject into the ground in our county. And—

MK: In Richard County?

GZ: In Richard County. So the Watershed Association is going to be spearheading that. And we're hoping to crack open the radioactivity—the silence on the radioactivity issue, so that—we're keeping our fingers crossed on that. The other situation on the safety—puts the environmental protect and the safety—is that the DEP, Division of Oil and Gas, that is supposed to be enforcing the law, is understaffed. They have—well I don't know somewhere, maybe at this point between 20 and 25 inspectors to cover the thousands and thousands of wells that are being drilled and fracked and serviced all over the **00:44:39** (???) (inaudible) part of the state.

**0:44:46.1** There was a DEP person that was at a citizens' meeting just last—sometime this summer that said, it's only 1 in—basically 1 in 10 wells where there is an inspector present when

they do what they call the cementing, when they cement the well casing in. This is a very critical aspect in the protection of the ground water, because obviously when they drill a mile down they go through the water table—the local water table. And at some point they put an outside casing in that hole, and they force cement down into the hole and supposedly up around the outside of the casing, to seal that casing off from the water table.

Now—then they're supposed to allow 24 hours for that cement to harden, to set up. And of course the drillers are always in a hurry—right? They always hurry, hurry, hurry, because they've got 30, 40, 50 guys on a site waiting for the cement to dry. So if there's no inspector around, who knows how long they wait for the cement to dry? And that's one of the critical points in the whole process of drilling that can really make or break the seal and affect the water table. I mean, we had—we have stories from all over the state where people's water wells have been affected when a Marcellus well has been, or any kind of well has been drilled near there—on their property or near their property line.

We have known families up in Jackson County, the **00:46:45** (s/l Aggies) that had moved out there, raised 3 boys—3 healthy boys. They grew up and moved away. They basically retired on their property until the Marcellus wells got drilled on their property, and then they started getting sick and they started having rashes. And they had their water tested and the—they were told not to drink their water basically, that it wasn't safe to drink. So they stopped drinking their water and started buying gallons of water at the grocery store and bringing it in. But they were still getting rashes, weren't feeling well, and were really not right. So they had their water tested again, and basically they were told to not even bathe in this water—the water from the well that they had raised 3 healthy kids from.

So they had to move off their farm, because they didn't have any water. You know, water to wash—you probably shouldn't even wash clothes in water that you can't bathe in, so they just—they rented a place in town, and sued the gas people. I forget whether or not they ever got their water replaced, but once you pollute the ground water, it doesn't do any good to drill another well, you're sort of stuck.

MK: Oh, you mean another drinking water well?

GZ: Yeah. If it's not potable it's not potable, no matter if you drill 6 holes, you would be in the same—unless you can possibly drill deeper into a deeper level of water that hasn't been polluted.

MK: So tell me about the clean air and clean water legislation passed? I believe during the Nixon Administration?

GZ: Clean Water Act, Clean Air Act.

MK: Aren't these restraints of any kind for this new fracking that's going on?

GZ: Well, they would have been had not Vice President Halliburton—I mean—Cheney—

MK: **0:49:06.4** Say that again?

GZ: Vice President Halliburton—I mean Vice President Cheney, got legislation passed to exempt part of the—parts of the hydro fracking process, from both the Clean Air and the Clean Water Act. He did his company proud.

MK: So there's no refuge there either?

GZ: It's tough, I don't know the ins and outs. It's not a total exemption, but it gives them the wiggle room to do what they are doing right now. Yes, Dick Cheney convened an energy study committee—I can't remember exactly what they called it, it was a long time ago. It was during the first term of Bush the second. And these were all secret meetings. Nobody knew who was in them, or what they were saying, but they rolled out this legislation and rolled it right through Congress. And that opened the doors for all this Marcellus drilling, all this horizontal hydro fracking. So yeah, we've been led down the primrose path by our leaders.

MK: What are some of the other public health consequences of all of this?

GZ: Well, you mentioned the Clean Air Act. And there are a lot of volatile organic chemicals that are emitted in both the fracking processes and the production process, post fracking. There's just a lot of air pollution from all the diesel generators. If you ever go and look at a fracking site—a drilling site—they've got a big row of these humongous diesel generators that run 24/7. And depending on the weather conditions, I mean if the wind is blowing the other way, then the farmer that has house 200 or 300 feet from all this, isn't in too bad a shape. But if there's an air inversion, the house is down at the bottom, the well is up on the ridge, all of the pollution flows and settles into the valley—it can get very, very toxic, very, very fast. I have had friends who have reported to me that their kids are wheezing and coughing, that they're getting rashes from this drilling activity.

And the thing that both the federal and the state governments don't want really to acknowledge is that when they permit a well pad here, and then one up here on the next ridge top, and then one over here on another ridge top, that it's accumulative effect—the pollution accumulates. That the amount of pollution from one site might not be so bad, but if you've got 3 in the same area and they're all dumping at the same time, into that air shed, then you have—then what do you have? You have a very polluted air shed.

MK: That's a new term for me, air shed. Interesting.

GZ: Well, we all share the air, just like we all share the water.

MK: You mentioned pollutants generated right on the site itself, from the generators. What about in the process—what are the different processing—what's a cracker plant? I'm not clear about that?

GZ: **0:53:20.5** Well, my understanding of a cracker plant is a plant that takes the liquids that are generated—the condensate that is generated from the gas production, and actually separates that into the different things, the butane, ethane where they can take those chemicals and make them

into plastics and fabrics and whatever else they do with that kind of stuff. It's like—it would be the probably equivalent of a petroleum refinery, where they take the liquid petroleum and they crack it into gasoline and motor oil and different weights of hydrocarbon chains. I'm not a chemist so I'm not real familiar with the vernacular.

But that's—it's a big facility. They'll usually site it on the river, because they would be using a lot of water for cooling and things like that. And that's supposedly—that's the big prize that all the states in the Marcellus fields are vying for, siting cracker plants in their state. Because it will be a big investment, lots of jobs in the construction industry, lots of jobs in running the plant, so it's considered by the economic development people to be a very desirable thing. Of course, again you have the same kind of pollution concerns that you have with a gasoline processing plant, the air emissions, the water emissions, etcetera, et cetera. And I think I'm about talked out—pretty close, because I've got this event to put together in a couple of hours.

MK: This has been very beautiful and powerful and very, very graphic. And we so appreciate hearing you speak openly and passionately about something that made such a deep footprint on your own life and that of your own family. And I'm deeply, deeply sorry that you had to live through that.

CK: You're still living through it.

MK: And I know that many other—many, many other people have faced the same horror show.

GZ: Yeah well, thank you. And we are still living through it, we are still fighting it, and we're not going to give up the fight, and that's just the way we are here. If it takes another decade we will still be working on this issue, until they get it right. Because people—every day people are still being harmed, and injustice is still being foisted upon land owners in this state by the outside oil and gas interests. And we really just feel it's intolerable, and we will continue to do whatever we can to make that right.

MK: Thank you for your hard work and for this interview.

GZ: You're welcome.

MK: Appreciate you—

**00:56:48.3** (end of audio)

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