

Hydraulic Fracturing For Oil and Gas Contaminates Groundwater. Pennsylvania Law Suit

Dimock, PA Lawsuit Trial-Bound as Study Links Fracking to Water Contamination in Neighboring County

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A recent [peer-reviewed study](#) published in the Proceedings of the National Academy of Sciences has confirmed what many fracking critics have argued for years: [hydraulic fracturing](#) for oil and gas can contaminate groundwater.

The study's release comes as a major class action lawsuit filed in the District Court for the Middle District of Pennsylvania in 2009 winds its way to a jury trial later this year. The lawsuit over fracking groundwater contamination pits plaintiffs based in Dimock, PA against [Cabot Oil and Gas Corporation](#).

For the study, researchers examined groundwater contamination incidents at three homes in Pennsylvania's Marcellus Shale basin in Bradford County. [As The New York Times explained](#), the water samples showed "traces of a compound commonly found in Marcellus Shale drilling fluids."

It's not the first time fracking has been linked to groundwater contamination in northeastern Pennsylvania. And that brings us back to Dimock, , located in neighboring Susquehanna County.

As DeSmogBlog revealed in August 2013, the U.S. Environmental Protection Agency (EPA) had in its possession an unpublished PowerPoint presentation summarizing an Agency-contracted study that linked fracking to [groundwater contamination in Dimock](#), a study the Agency later abandoned and censored.

That presentation was subsequently leaked and published here for the first time.



Image Credit: [DeSmogBlog](#)

In its [official July 2012 Dimock desk statement](#), EPA said "there are not levels of contaminants present that would require additional action by the Agency." As Greenpeace USA researcher Jesse Coleman recently pointed out, EPA has done the [bidding of the oil and gas industry on multiple instances](#) during high profile fracking studies.

That PowerPoint presentation and the new Bradford County study could both potentially serve as key pieces of evidence in the U.S. District Court case.

Ely v. Cabot

Initially, the U.S. District Court [complaint filed in November 2009](#) featured many more plaintiffs.

The story of how fracking forever changed Dimock played a prominent role in the documentary films “Gasland” and “Gasland: Part II.” Dimock’s saga also received national and international media coverage by “[60 Minutes](#)” and the [BBC](#).

But years passed by in the case and eventually most of the plaintiffs agreed — some would argue they were forced — to [enter into a plea deal with Cabot](#). But the rest of the plaintiffs have stood their ground, and will soon have their day in court.

Many of the plaintiffs entered into a presidential election-year plea deal with Cabot in August 2012, a month after EPA declared publicly that water is safe to drink in Dimock (while privately telling citizens the opposite). The case caption then changed from *Norma Florentino v. Cabot* to *Scott Ely v. Cabot*.



Photo Credit: [Stand With Dimock Families](#)

[Ely is a former Cabot employee](#) joined in the case by co-plaintiff Ray Hubert, who lives up the street from Ely on [Carter Road](#). When shown the leaked PowerPoint back in August 2013 by DeSmog, Ely expressed despair over EPA abandoning ship in this high profile study.

“When does anybody just stand by the truth? Why is it that we have a bunch of people in Washington, DC who are trying to manipulate the truth of what’s happening to people in Dimock because of the industry?,” Ely asked rhetorically at the time.

“We thought EPA was going to come in and be our savior. And what’d they do? They said the truth can’t be known: hide it, drop it, forget about it.”

“Stand with Dimock Families”

Advocates for the grassroots group [Energy Justice Network](#) have [created an IndieGoGo page](#) to raise funds for the legal battle set to go to a jury trial sometime between [October](#) and [December](#) 2015, depending on the Judge’s final scheduling decision. They have also created a website, [StandWithDimock.org](#).

AUDIO BELOW

The IndieGoGo page explains that the co-plaintiffs have limited access to clean water due to

the impacts of Cabot's drilling operations.

"[S]ince 2008, the Elys and Huberts have been living without reliable access to water and under rationing conditions. To survive day to day, these families haul water at their own expense every week for drinking, bathing and other daily basics. They purchase bottled water for drinking and cooking," the page explains. "The Court has recognized that these plaintiffs have a case against Cabot which they are preparing to present to a jury of their peers."

To be certain, this is a case that will be key in determining whether frackers who contaminate drinking water can be held accountable under federal law.

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