

## Assembly members advocate expanded DEC fracking review

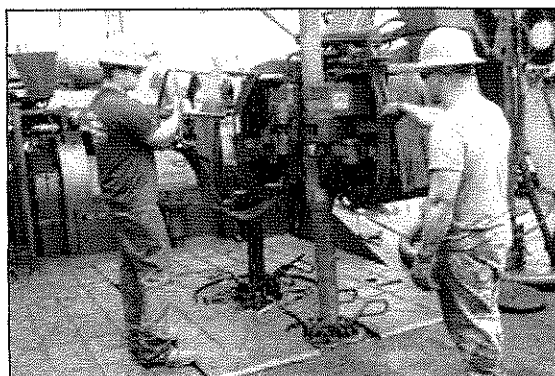
By Veronica Lewin

April 21, 2011

Nearly 50 lawmakers want the Department of Environmental Conservation to include newer information in its ongoing review of horizontal hydraulic fracturing before determining whether the controversial natural gas extraction process should be permitted in New York's Southern Tier.

In an April 13 letter signed by 47 members of the Assembly, both Democrats and Republicans, Gov. Andrew Cuomo is being asked to enhance the scope of oversight policies regarding horizontal hydraulic fracturing.

Assemblywoman Barbara Lifton, D-Ithaca, wrote the letter, which was penned two days after the Independent Oil & Gas Association of New York wrote a letter to the governor asking him to remain committed to expediting the release of the DEC's Marcellus Shale Draft Supplemental Generic Environmental Impact Statement on regulating the expansion of natural gas drilling in the state.



Operating a natural gas drill in Pennsylvania

Assemblyman Robert Castelli, one of the lawmakers who signed the letter, says the enhanced oversight policies would ensure the statement includes the necessary information required to determine if horizontal hydraulic fracturing, or hydrofracking, should be permitted in the Marcellus Shale region.

"We must not allow political and economic pressure to cloud the judgment of policymakers when deciding the environmental fate of New York state by whimsically granting gas companies the rights to drill in the Marcellus Shale region," said Castelli, R-Goldens Bridge. "The stakes are too high. Lawmakers must err on the side of caution to ensure that our drinking water is not contaminated and that fracking poses no severe environmental and health concerns — a determination that can only be made by using good science."

The lawmakers' letter is calling for two additions to the DEC's impact statement, which is expected in June.

The lawmakers y thanked Cuomo for signing a continuation of former Gov. David Paterson's Executive Order No. 41, which requires a minimum 30-day public comment period on the

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revisions following the release of the DEC's impact statement.

The legislators also asked the governor to order the DEC to expand its study to include issues previously omitted, including new data on preventing natural gas drilling wastewater hazards; identifying, assessing, avoiding and mitigating public health threats; conducting a cumulative impact assessment; safeguarding drinking water supply sources and making the state Department of Health a leading partner in the study.

"While some say that drilling for natural gas in the Marcellus Shale region might bring jobs to depressed areas of the state while enhancing New York's energy production, the environmental hazards that fracking potentially pose are so great that policymakers must have all the information available before determining whether or not to allow horizontal drilling in New York state," said Castelli.

The assemblyman has also introduced legislation (A.6488) regarding the industrial waste produced by hydraulic fracturing operations. The bill, among other things, would require public sewage treatment plants that accept drilling wastewater to monitor for radioactive elements in the water they discharge. Treatment plants and drinking water intake facilities would have to test for radioactivity at least once every six months.

Hydraulic fracturing permit holders would be required to test for and disclose the amounts and composition of any radioactive material in drilling wastewater to a public sewage treatment plant. These measures would help protect New York's drinking water. The bill was referred to the Environmental Conservation Committee on March 21 and is part of a 15 bill Earth Day legislative package to be voted on by the Assembly later in the month.

The assemblyman is asking the state to ensure the government does not make a decision on hydraulic fracturing before getting all of the facts.

"As a state, we must not rush this process and should instead allow prudence and science to determine the fate of hydrofracking in New York," said Castelli. "The gas has been in the ground for 200 million years. It can wait a bit longer."

In addition to sending the governor a letter, the Independent Oil & Gas Association sent a letter to legislators April 11 asking them to use fact-based analysis when evaluating the future of natural gas development in the state.

"For nearly three years we have promoted that the pending NYS DEC Supplemental Generic Environmental Impact Statement should be thorough and that it should

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adequately protect the state's natural resources," the letter states.

The group stressed its commitment to sharing scientific information to help legislators make an informed decision about natural gas development, as it could provide many benefits to the state.

"Natural gas is the cleanest fossil fuel known to man. It is a solution to reducing our nation's carbon footprint, and it will greatly improve New York's and America's energy independence," the letter reads

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