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SLPWA : New York State not ready to proceed with HVHF.

After extensive review, Seneca Lake Pure Waters Association (SLPWA) has concluded that the revised September 2011 draft Supplemental Generic Environmental Impact Statement (dSGEIS) and the associated revision to the regulations for the high volume hydraulic fracturing (HVHF) recovery of gas from shale, do not provide satisfactory safeguards for the environment and human health of the Finger Lakes region. New York State Department of Environmental Conservation (NYSDEC) has not done an adequate job in its analyses of the impacts that HVHF will have on the health, environment, socioeconomics and finances of our state and residents and local communities. The vagueness in these guidelines and regulations will only lead to environmental, health and fiscal disasters if HVHF is allowed in the state.

The dSGEIS should not be finalized until (1) the results of EPA's drinking water study, regulations on air quality and wastewater management, and analyses underway in Dimock, PA and Pavillion, WY; and (2) a revised socio-economic impact study and additional research on the impacts in other states, are completed and included. The gas has been there for millions of years. It will still be there when it can be drilled safely. SLPWA's concerns fall into five major categories:

1. Public health impact on residents and communities from cumulative effects of air, water and soil pollution by HVHF.

The 2011 dSGEIS claims that potential impacts affecting the public health "are fully mitigated, temporary in nature or do not need to be addressed because they were covered in the 1992 GEIS". The dSGEIS admits that the new risks will be "considerably larger" but that there is no "qualitative" difference from risks from vertical well drilling experienced in New York State since 1992. The dSGEIS states that impacts to the public health and safety do not need to be addressed in this revised draft.

Based on the experience in other states and developing research, SLPWA believes this position is naïve. There is growing evidence from other states and from Federal agencies, that there are qualitative as well as quantitative differences in the impacts from HVHF compared with earlier drilling experiences in New York State. SLPWA calls for a public health impact assessment from the cumulative effects of air, water, noise and soil pollution generated by HVHF.

Some of the public health hazards that are not addressed adequately include:

Radiation Radium, one of the commonly occurring radioactive elements in Naturally Occurring Radioactive Materials (NORM), is a potential hazard to workers at the well site as well as to workers and residents who may be exposed to drillings and waste waters from the wells. Long-term exposure to radium increases the risk of developing such diseases as lymphoma, bone cancer, leukemia and aplastic anemia. Exposure to radium's gamma radiation increases the risk of cancer in all tissues and organs.

Air Pollution The dSGEIS does not incorporate the air quality standards for the oil and gas industry which EPA proposed in July 2011 to reduce ground-level ozone (smog) and fine particles (particle pollution). The goal of these regulations is to "reduce asthma attacks, hospital admissions, emergency room visits, and premature death.

2. Protection of drinking water sources

Because of the risk of contamination of surface drinking water supplies from drilling activities, the protections provided to New York City and Syracuse watersheds should be extended to **all** surface drinking water supplies throughout the state.

SLPWA's believes there is no scientific basis for differentiating drinking water systems across New York State. Every system will be exposed to the same high risk of contamination from HVHF activities and should be protected by the restrictions being applied to the New York City and Syracuse watersheds.

3. Disposal of solid and liquid wastes from the HVHF process

The drilling process creates toxic wastes: solid drilling cuttings and wastes, drilling muds, flowback and production waters. SLPWA is concerned that there are no acceptable, environmentally benign solutions to this part of the process. Without good disposal methods, New York will suffer the problems reported in Pennsylvania, for example, wastewater in streams and rivers; the result of inadequate treatment or illegal dumping.

4. Social and economic impacts of HVHF on our state, towns, municipalities and taxpayers.

The socioeconomic impact analysis fails to take into account impacts on existing major businesses local governments and rural areas in the state. HVHF is a heavy industrialized process with an attendant environment that will depress the agriculture, tourism, viticulture and recreation businesses. Respected economists throughout the state have been critical of the economic impact analysis that is included in the dSGEIS. This was recognized by Commissioner Martens' recent request for an improved impact analysis.

5. Lapses in the quality and currentness of the data used in the dSGEIS.

Socioeconomic Analysis The socioeconomic experience in Pennsylvania has not been used in the impact analysis in dSGEIS. The impact on jobs creation must take into account the high percentage filled by temporary workers. Their impact on housing, emergency services etc. has not been properly taken into account in the impact analysis.

Scientific Information A glaring omission in the dSGEIS is the absence of the recent scientific work from Cornell University scientists who have reported on the greenhouse effect of methane and made comparative calculations of the overall greenhouse effect of natural gas vs. coal.

Laboratory Analyses and Data The laboratory data that the NYSDEC and its consultants used as the bases of their decisions is very questionable. It is disappointing that the NYSDEC would publish and base its decision-making on data that lacks validity and reliability.

Our association continues to be concerned about the adequacy of the oversight that the NYSDEC will be able to provide for this very complex and high risk process. The combination of vague rules and regulations and an understaffed agency to deal with a highly organized and funded industry seems like a disastrous combination for the residents and environment of New York State.

The Seneca Lake Pure Waters Association is over 25-years old and represents approximately 500 households and businesses in the Seneca Lake watershed, the largest watershed in the Finger Lakes Region. Our mission is to: **Enhance and preserve the quality of Seneca Lake.** Today, this region enjoys a burgeoning wine, tourist and small manufacturing economy which are in balance with the bucolic nature of the countryside, villages and towns. A number of these municipalities have passed Home Rule legislation to prevent this region from heavy industrialization including HVHF. Our association views the present proposed dSGEIS and regulations for HVHF as inadequate to preserve the environment and health of the residents of our watershed.

Our website at <http://www.senecalake.org/> has current information about our activities and complete comments on the dSGEIS and regulations.