

## **Assembly anti-frackers are unhappy with Cuomo report**

Posted on June 13, 2012 at 12:05 pm by [Rick Karlin, Capitol bureau](#) in [General](#), [Hydrofracking](#)

Reaction to a story in this morning's NY Times that the Cuomo Administration wants to move **ahead** with hydrofracking in selected Southern Tier and central NY counties and only where the local communities wants gas development, was harsh and swift among several Assembly Democrats who are pretty much opposed to the idea of drilling.

"Hydrofracking will affect all of the state," said Long Island's Michelle Schimel who joined several others including Ithaca's Barbara Lifton, Westchester's Sen. Suzi Oppenheimer, as well as Assembly members Robert Johns of the Rochester area, Long Island's Steve Englebright. Also participating were Assembly members Robert Rodriguez, Jim Brennan, Linda Rosenthal, Daniel O'Donnell and Deborah Glick from New York City.

"The people in my district are adamantly opposed to this process moving ahead," said O'Donnell. Lifton like others explained that they view hydraulic fracturing as a statewide issue. (There were no representatives from the counties that, according to the Times, are being considered for drilling: Broome, Chenango, Chemung, Steuben and Tioga).

Others noted that hydrofracking will involve trucking materials and chemicals across the state. There also are fears about how drilling will impact water tables.

So far, the Cuomo administration is remaining mum on the story, although it has all the earmarks of what we in the news business call a leaked trial balloon in which officials quietly put out a story to gauge reaction. (Gannett had earlier reported a similar story but it hasn't seemed to spark the same response).

Certainly, there's a political aspect to this in addition to the purely environmental concerns.

Walter Hang, who runs a data base firm, Toxics Targeting, noted that the fallout and rapid response by lawmakers could be viewed as a signal to the governor more input is needed on this.

"For the first time it says an equal partner in government is not going to let this go on," remarked Hang.

Here's a release from Lifton about the affair:

*Seventy state legislators from both houses and both parties are calling on Governor Cuomo to resolve six critical issues before permitting Marcellus Shale horizontal hydraulic fracturing to begin in New York State. These issues are not adequately addressed by the Revised Draft Supplemental Generic Environmental Impact Statement (SGEIS) that the New York Department of Environmental Conservation is currently reviewing pursuant to Executive Order No. 41.*

*"It is clear that the SGEIS, as we have seen it, insufficiently addresses the effects that this heavy industry could have on New York families," said Assemblywoman Lifton (D/WF 125), who authored and spearheaded the letter. "Until these critical issues are resolved, we must send the SGEIS back to the drawing board. This document may be our last line of defense from heavy industry in our backyards — we only get one chance at this."*

*The six issues the letter highlights are as follows:*

- 1) Requiring Environmental Quality Review regarding Hydraulic Fracturing utilizing Liquid Propane Gas, which may soon be used in Tioga County without having been addressed in any SEQR Environmental Impact Statement.*
- 2) Requiring an environmental quality report for all New York State mortgage lending programs. Lenders and local governments around the State have voiced concerns about the impact of fracking on property values and tax revenue generation.*
- 3) Rescinding New York's Natural Gas Hazardous Waste Regulatory Exemption, which, despite the highly-toxic waste that hydrofracking produces, allows drilling fluids to be exempt from waste regulations.*
- 4) Banning "recycling" of natural gas drilling wastewater that exceeds GA Effluent Limitations. Under current law, gas drilling wastewater is allowed to be injected into wells to "facilitate oil, gas, salt, or geothermal resources." This water can contaminate public drinking supplies and has recently been associated with causing earthquakes in Ohio*
- 5) Banning natural gas drilling wastewater landspreading and dumping in municipal wastewater treatment plants. Currently, contaminated wastewater is used to de-ice and stabilize roads and roadbeds. In addition, it is often dumped in municipal wastewater plants that were not constructed to remove the toxic metals, petroleum constituents or radionuclide contained in wastewater.*
- 6) Requiring an independent health study of the effects of HVHF, which the current SGEIS lacks. This has been called for by numerous physicians and the US Environmental Protection Agency.*

*The letter concludes that the SGEIS does not fulfill the legal requirements set forth by the Environmental Quality Review Act and calls for a continued moratorium until these concerns have been addressed. The letter, sent to the Governor today, is attached.*