

# *Office of the Broome County Executive*

*Barbara J. Fiala, County Executive*



**December 31, 2009**

## **STATEMENT ON THE DEVELOPMENT OF NATURAL GAS IN NEW YORK STATE**

TODAY, BROOME COUNTY EXECUTIVE BARBARA J. FIALA ISSUED THE FOLLOWING STATEMENT ON THE LAST DAY TO SUBMIT COMMENTS TO THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION ON THE DRAFT SUPPLEMENTAL GENERIC ENVIRONMENTAL IMPACT STATEMENT ON THE OIL, GAS AND SOLUTION MINING REGULATORY PROGRAM.

I have been reading with great interest, comments from some of our local elected officials regarding the status of the Marcellus Shale natural gas play in the Southern Tier and beyond. After reading these comments, I have to say I am dismayed and frankly, a little embarrassed for those who have made the argument that starting over on the draft Supplemental Generic Environmental Impact Statement (SGEIS) or holding off the permitting process indefinitely is the prudent path. I could not disagree more. New York State has spent many months studying the impacts of horizontal drilling for natural gas and as a result, the New York State Department of Environmental Conservation (DEC) has issued its Supplement to the General Environmental Impact Statement. This document has been under review for two months and in my opinion it is time for action, not inaction.

I too have submitted comments to NYS DEC on the draft SGEIS (see attached documents). My comments, delivered last week, recommend that the DEC impose some tighter environmental controls. For example, I believe there should be stricter controls on the use of earthen pits; there should be secondary containment on all well site storage facilities; there should be enhanced record keeping for air emissions, NORM and water wells. In fact, Broome County believes it is paramount that the natural gas industry be very highly regulated.

I do not believe, unlike other elected officials, that New York State needs further delays to impose these controls. I do not believe that we need to wait for Congressman Hinchey's bill to navigate the halls of Washington when NYS DEC is already imposing the substantive requirements set forth in that legislation. I do not believe we need additional time to learn lessons from natural gas plays that involved different geology, looser regulations and older technology. I do not believe that the DEC has failed to look at cumulative impacts of this industry. We do not need more time to discuss these issues.

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If New York State cannot handle this industry, then frankly, I am a little concerned about the condition of our state government and the future of our state's economy. Already New York State oversees and regulates hundreds of industrial processes every day. As long as we take the proper precautions, we are prepared to handle this industry as well.

I have confidence that the DEC is in a position, with the appropriate resources applied, to properly oversee the development of this industry in our region. Other state's are able to manage this industry, (some better than others) so I do not understand why the Empire State is not in a position to do the same. Based on New York State's strong environmental record, I believe we are absolutely in a better position to welcome and manage the development of Marcellus Shale. We have the intellectual capital, and we have the resources to do this right.

I believe that the NYS DEC has used its time wisely. I believe natural gas is the cleanest burning carbon based fuel and that there are environmental benefits to be gained by transitioning from oil to natural gas. Additionally, there are national security benefits to reducing our reliance on foreign oil by using our own natural resources. At a time when our nation is desperately searching for alternative energy sources, we are situated on top of one of the greatest deposits of available energy.

There are enormous economic benefits to be gained locally and for the entire state through the development of the Marcellus Shale. Our nation's economy is struggling and fiscal crises have greatly impacted businesses, employees and our families. We are more than aware, that New York State is suffering and study after study (some commissioned by my office) have indicated the tremendous positive economic impact that natural gas drilling will bring to our region and beyond.

The longer we delay, the more opportunities we lose.

A handwritten signature in cursive script that reads "Barbara J. Fiala".

Barbara J. Fiala  
Broome County Executive