

Testimony of Nadia Steinzor

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Thank you for the opportunity to speak today. Earthworks is a nonprofit organization dedicated to protecting communities and the environment from the impacts of irresponsible mineral and energy development. Earthworks will be submitting extensive technical comments on both the revised draft SGEIS and the draft proposed regulations.

It isn't easy to conduct a comprehensive review and update regulations so they can address modern-day, industrial gas development of the type and on the scale that the state has never seen before.

But the draft documents before us do not even reflect a commitment to doing so. They have many critical flaws, such as no consideration of economic costs, no plans for hazardous waste disposal, sidelining of local zoning rights, no consideration of cumulative impacts, the use of waste pits, and paltry setbacks. For example, the setbacks as proposed are even less than current revisions to Pennsylvania's laws now being considered by that state's legislature.)

One of the biggest holes in the SGEIS is a complete failure to analyze health impacts. The DEC has ignored direction from the EPA, requests from hundreds of health professionals, and growing evidence nationwide of the health problems experienced by communities exposed to oil and gas development—bloody noses, respiratory distress, skin rashes, dead livestock and pets, cancer clusters, and more.

These are not “potential” problems that “could” occur, but real ones that are happening now, from Texas and Wyoming to Pennsylvania and West Virginia—and which serve as harsh lessons of what could happen here if New York proceeds with insufficient protections.

While much more scientific study is needed, Earthworks, other organizations, academic institutions, and even a federal agency have recently launched health analysis projects. There is abundant information available on the respiratory, neurological, toxic, and carcinogenic effects of chemicals and processes used in industrial gas development. And sadly, there are many “case studies” of health problems among individuals and communities to consider.

With this in mind, there is simply no excuse for the DEC's determination

that public health doesn't warrant a comprehensive analysis—or, far preferable, an independent Health Impact Assessment that considers a comprehensive set of factors and long-term impacts. The DEC must do this *before* the SGEIS process is completed.

Governor Cuomo and other officials have said that science and safety will determine New York's decision on whether and how to develop shale gas, and that the state could be a model of how to “drill right.”

Unfortunately, if the many critical flaws in the SGEIS and draft regulations are not fixed, New York will actually be just like every other oil and gas state: trusting an untrustworthy industry that's rarely held accountable for damage or required to prevent it; and worse yet, a state that's willing to sacrifice the health of its citizens and environment in the hasty pursuit of a bit more dirty energy.

Thank you for your time and attention.