

**Catskill Mountainkeeper – Delaware Riverkeeper Network – Earthjustice –  
Natural Resources Defense Council – Riverkeeper, Inc. – Sierra Club**

**FOR IMMEDIATE RELEASE**

Contacts:

Wes Gillingham, Catskill Mountainkeeper, 845-901-1029, [weskeeper@gmail.com](mailto:weskeeper@gmail.com)

Tracy Carluccio, Delaware Riverkeeper Network, 215-692-2329, [tracy@delawareriverkeeper.org](mailto:tracy@delawareriverkeeper.org)

Kathleen Sutcliffe, Earthjustice, 202-797-5235, [ksutcliffe@earthjustice.org](mailto:ksutcliffe@earthjustice.org)

Kate Slusark Kiley, Natural Resources Defense Council, 212-727-4592, [kslusark@nrdc.org](mailto:kslusark@nrdc.org)

Tina Posterli, Riverkeeper, Inc., 516-526-9371, [tposterli@riverkeeper.org](mailto:tposterli@riverkeeper.org)

**Environmental Coalition Says Fracking Rules Leave New Yorkers Unprotected**

*In official comments, call on state to complete review of environmental and health impacts before finalizing regulations*

**NEW YORK, NY** – January 14, 2013 – Based on an extensive, expert-supported evaluation, a coalition of environmental groups announced today that New York State Department of Environmental Conservation's (DEC) proposed fracking rules fall short of protecting New York residents and should not be finalized before the environmental and public health reviews are complete.

In nearly 200 pages of [formal joint comments](#) submitted to the state, the coalition highlighted a number of shortcomings in the draft rules released by the state last month. In addition, DEC released its revised regulations before completing its analysis of health, economic, and social impacts, calling into question whether there is a valid scientific basis for the changes it made or the many public recommendations it rejected. The coalition concluded that no decision on fracking should be made before environmental and health impacts are fully evaluated and the public's concerns are adequately addressed.

Some of the most significant deficiencies that still remain in the state's proposed regulations include:

- **Proposed Setbacks from Drinking Water Supplies and Buildings Remain Inadequate.** DEC has provided no scientific or technical basis for its arbitrary, insufficient setbacks from, and under, homes, schools and water supplies, which fail to provide sufficient buffers to protect communities and their drinking water sources.
- **There Is Still No Plan for Wastewater Disposal.** New York does not have a plan to deal with billions of gallons of wastewater and avoids dealing with that problem by allowing drillers to figure out their disposal methods in the future. The proposed regulations require a well operator to have an approvable fluid disposal plan but provide no criteria or standards that would govern such a plan. In addition, DEC has added a new section to its proposed regulations that provides for permitting of deep well injection in New York for the disposal of fracking wastewater, which if allowed would pose new threats of groundwater contamination and earthquakes – threats that have not been analyzed to date.
- **Proposed Regulations Still Fail to Require Full Disclosure of All Fracking Chemicals, Leaving First Responders at Risk and Doctors Uninformed.** DEC's regulations continue to allow well operators to withhold information regarding the fracking chemicals they use if they

assert a trade secret exemption. In addition, the regulations do not provide a means for the public to timely challenge that assertion, nor do they require that information to be made immediately available to first responders and doctors, putting our communities' first responders at risk and tying the hands of doctors trying to treat patients sickened after fracking has come to their neighborhood.

These comments follow more than 600 pages of joint comments submitted in January 2012 on the draft environmental review (the "Supplemental Generic Environmental Impact Statement"). Many of the issues the groups identified in their 2012 comments remained unaddressed. When a response was provided, in most instances, DEC summarily rejected the recommendations without providing a technical or scientific analysis or a justification for its decision.

###