



NEW YORK STATE SENATOR

Frank Padavan

Padavan/Brennan Bill Would Prohibit Gas Drilling in Upstate New York City Watershed Areas

FRANK PADAVAN September 3, 2008

New York State Senator Frank Padavan (Queens) Assemblymember James F. Brennan (D-Brooklyn) have announced their intention to reintroduce legislation in next year's session that would prevent the immediate drilling of oil and gas wells in upstate New York.

The New York City watershed extends into this area in the Catskill mountains.

The amended Padavan/Brennan bill will permanently prohibit drilling for gas or oil in the New York City watershed to protect water and air quality, and human health. That includes parts of 8 counties including Delaware, Greene, Schoharie, Sullivan and Ulster counties where numerous companies have been signing up landowners to allow for drilling on their land. In addition the bill would halt issuance of any permits for well drilling in the state until a complete environmental review is done by the State Department of Environmental Conservation.

This summer, while approving legislation to change the required well spacing, the Governor directed the State Department of Environmental Conservation to update its Environmental Impact Statement on gas drilling to reflect concerns that might arise from horizontal drilling as a method of extraction -- the method that has recently become more economical and preferred by the companies now coming to New York State. The Padavan/Brennan bill

would ensure that all environmental concerns are thoroughly assessed prior to any new well permits being issued.

Senator Frank Padavan has agreed to sponsor the bill in the Senate. “This is vitally important legislation for all residents throughout the five boroughs of New York City,” Padavan said. “It provides the necessary safeguards to help ensure we have clean drinking water for our City. Ultimately, this legislation will significantly protect our watershed areas in upstate by preventing serious and dangerous contamination from our drinking water sources.”

“Clean, potable water is of utmost concern,” Mr. Brennan said. “We cannot take a chance with the source of safe drinking water for over 9 million people who depend on it daily in New York City. We must be sure that the New York City watershed area, as well as the aquifers that our upstate residents depend upon, are protected from any possible contamination. My bill will identify the protections that need to be taken to prevent the need for clean-up later.”

A Bureau of Land Management 1998 Environmental Impact Statement lists the hazardous substances potentially used as gelling agents in fracturing the shale. They include such toxic substances as benzene, toluene, naphthalene and MTBE. While the industry claims that these are recaptured and properly disposed of, very small quantities of these substances can contaminate millions of gallons of water. For example, only 28 tablespoons of MTBE could contaminate millions of gallons of ground water at a concentration that would cause it to be unusable.

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Environmental groups have applauded the proposal. “Natural gas may be an important transitional fuel for the state and the country, but its exploration and production cannot come at the expense of our other precious natural resources, including the critical New York

City watershed that provides drinking water to approximately half of the state's population," said Kate Sinding, a senior attorney with the Natural Resources Defense Council.

"Assemblyman Brennan's amended bill appropriately balances the economic and energy requirements of the state against the need to ensure that any gas drilling proceeds only after completion of a thorough environmental review process and in a manner that is fully protective of the state's environment."