

OPINION

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COLUMN | ROLAND KIDDER

Oil by rail or pipeline?

Unless you are ready to give up driving, you should probably be thinking of how oil can best be transported across the country so that it can be converted into gasoline and ultimately fuel your car. (These days, you might be able to shift your choice of automobile fuel to electricity, but that doesn't change the issue much since oil and other fossil fuels are also the major source of making electricity in the United States.)

The Congressional Research Office recently published a very informative research paper on the matter and, as with most issues, there are "pros and cons." What was clear though is that transportation of oil and oil products by truck is the riskiest way to move it. There are more chances for spills and the track record for trucks isn't nearly as safe as for pipelines or railroads. That interested me because here, at the local level, all of our gasoline and oil products are transported to the customer by truck.

Though we hear a lot of noise about shutting down pipelines and oil tanker railcars, no interest group or elected official has, to my knowledge, advocated shutting down gasoline stations where tanker trucks regularly pull in to deliver needed fuel for our automobiles. I expect that polls have shown that voters, no matter what their political persuasion, would not react kindly to empty gas tanks with no fuel to operate their cars. So we are stuck with truck transportation of petroleum products at the retail/local level.

But, what about the transportation of oil and oil products across the country, let's say from North Dakota to New York, or Texas to New Jersey. If we did it by truck, we would have to put a million more trucks on the road. Nobody is for that and it would be outrageously expensive. Thus, the choice comes down to pipelines or rail.

In terms of the amount

of oil spilled, since most oil has (until recently) been transported by pipeline, most spills were related to pipeline failures. However, things are rapidly changing. Because of the growth in domestic production and since it has become difficult to receive government approval for pipelines, more oil is now moving by rail. In 2013, there was more oil spilled from railcars than during the previous 37 years. Why? Because much more of it is now moving to market by rail.

If you measure safety by human tragedy, there has been no recent history as tragic as the oil train derailment in Quebec two years ago where 47 people died. Though without the comparison in loss of life, we were reminded again recently of the risks of using rail when 26 oil tank cars derailed and caught fire in West Virginia.

So that brings us back again to pipelines. Pipelines have historically moved about 99.99 percent of the oil they ship to market without major incident. Their construction and safety standards are heavily regulated (as they should be) by the federal government. Those who want to live in a completely risk-free universe will probably continue to oppose them. But, for most of us, who want gasoline in our tanks, pipelines would seem to be the logical and preferred way to move oil and petroleum products across the country.

We live in a great country and are fortunate that, in recent years, we have become less dependent on Mideast oil. Now, we just have to figure out how best to move our domestic oil production to market.

—*Roland Kidder, of Ashville, was a Democratic member of the New York State Assembly from 1975-1982 and a member of its Environmental Conservation Committee. He is former owner and founder of a Western New York natural gas exploration company.*

POLITICS | SEN. TOM O'MARA

Focus still on heroin, meth

Recent headlines in the news have kept on writing additional chapters to a critical regional story: "Cornell police say man had 250 bags of heroin." "Police charge Bronx man with selling heroin in Elmira." "Steuben Sheriff's Office receives overdose drug."

The above headlines focus on heroin. But meth was in the news too: "Cornell police find backpack with meth chemicals." "Panel discussion on drugs set for Jan. 15." "Federal Meth Lab Disclosure Law Urged."

Heroin and meth, clearly, remain the prominent, twin storylines of the region's illegal drug problem.

In 2014 I served as a member of the Senate Task Force on Heroin and Opioid Addiction which, following nearly 20 public forums statewide including one at Elmira College, sparked bipartisan action on important new anti-heroin laws.

These new laws focus on increasing public awareness and school-based education; enhancing the effectiveness of overdose prevention; creating new models of treatment and transitional services; and relapse prevention; better enabling parents to seek services for children suffering from substance abuse; and further promoting the affordability of substance abuse services.

On the same day last June that the Senate was giving final legislative approval to this legislative package, we also approved two pieces of anti-meth legislation that I've been pushing.

It was a decade ago when the Legislature approved and then-Governor George Pataki signed into law, at a ceremony at the Chemung County Courthouse, New York's first comprehensive anti-meth response. This action in the summer of 2005 followed the release earlier that year of a State Commission on Investigation (SIC) report warning that methamphetamine would become an increasingly dire public health and safety threat unless New York adopted new and tougher laws to combat



TOM O'MARA

the drug's proliferation – a report, by the way, which identified the Southern Tier as one of New York's hot spots for criminal meth activity.

Ten years down the road, according to the United States Department of Justice, methamphetamine is one of the nation's greatest drug threats. A department report last year noted that the drug is at its highest levels of availability and purity – and lowest cost – since 2005. That's attributed to rising Mexican imports, but also because of the increased small-scale domestic production targeted by my legislation.

Cooking meth involves the use of highly explosive, flammable and toxic chemicals. Meth labs pose a significant public health and safety threat, especially to young children and especially if they're located, as they often are, in residential neighborhoods. Yet it seems we go through stretches where there's a lab discovery or another meth-related incident somewhere in the

region every other week. The tougher anti-meth laws I'm pursuing would make it easier to prosecute meth crimes and impose tougher penalties to act as stronger deterrents. It's an important part of what must be an even broader and ongoing effort to raise public awareness and education.

The same goes for heroin. While last year's new laws were critical, the Senate's heroin task force will remain at work in 2015 to continue seeking public input and expert information on what we can and should be doing even better. We'll be exploring a number of ideas including how best

to expand insurance coverage for drug treatment and rehabilitation programs; further expand the availability of NARCAN, an emergency overdose treatment; strengthen Drug Abuse Resistance Education (DARE) programs; further support federal-state-local partnerships to combat the crisis and provide increased enforcement; and increase criminal penalties for major narcotics traffickers.

One of my criticisms of last year's action on heroin was the Assembly Democratic leadership's refusal to enact stricter criminal sanctions against heroin traffickers. In my view, for example, we should be throwing the book at heroin

traffickers or dealers whose actions result in a death.

These pushers are destroying lives – individual lives, together with the lives of families and loved ones. I continue to argue that the Assembly leadership is wrong to ignore tougher laws that can help deter heroin-related tragedies, or deliver an appropriate dose of justice for victims.

So meth and heroin continue to pose unacceptable risks to communities and neighborhoods across the Southern Tier and Finger Lakes regions. It's a twin drug plague that puts at risk the safety of police officers and first responders, and further burdens local systems of health care,

criminal justice and social services. It delivers lives into a terrible trap of addiction, tragedy and violence.

For anyone seeking additional information or assistance, the state's new Combat Heroin website, established as part of last year's legislation, is up and running at: www.combath-heroin.ny.gov.

We've yet to write the end of this story.

—*State Sen. Tom O'Mara represents New York's 53rd Senate District, which includes Steuben, Chemung, Schuyler and Yates counties, and a portion of Tompkins County.*

ANOTHER VIEW



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COLUMN | ELIZABETH WHITEHOUSE

Town Hall meeting with Tom Reed

Our Congressman is very enthusiastic about his recent activity in the House. He introduced the Defense of Property Rights Act (DOPRA), which is still under consideration by the House Judiciary Committee.

The bill would give property owners the right to sue the regulating agencies if the rules they make reduce the value of property. On the one hand he says that this applies to all property rights; on the other, he has made quite clear that this is an attempt to override Cuomo's ban on fracking.

Normally, I would not have traveled all the way to Owego to listen to him promoting a bad idea, but a fellow anti-fracking activist badly wanted to go, so we drove together, and joined a small group of very vociferous women in the back row.

Mr. Reed's bill is based,

he says, on the last line of the Fifth Amendment, which, he says, means you are entitled to compensation from the Government if they take away your property. What it actually says (as I was able to confirm by consulting the copy of the Constitution which I just happened to have with me) is: "nor shall private property be taken for public use, without just compensation."

His interpretation and mine differ somewhat. I take that to mean that eminent domain is only justifiable if the property owner is paid for the loss in value of his property.

Reed takes it to mean that if some government action impinges on an individual's right to make money from his property, he is entitled to compensation. This is in line with the international treaties like Cafta, Nafta, Gatt, and the proposed TPP. You know, the agreements responsible

for shipping jobs overseas and boosting the profit of multinational corporations. I hope you will read Naomi Klein's outstanding book "This Changes Everything" in which she describes how her home province of Ontario set up an amazing initiative to produce green energy with a certain percentage of the solar panels and other materials being manufactured locally. Japan and the European Union sued Ontario on the grounds that this prevented them from selling their solar panels to Canada, and therefore, reduced their potential earnings.

When asked where the money would come from to pay all this compensation Reed delightedly said, "From the taxpayers." He argued that taxpayer outrage would force the government bodies (in this case Cuomo and the state of New York) to reconsider the ramifications of their decisions to infringe on

property owners' rights, that is, to profit from the minerals under their land. Reed makes no secret of the fact that he owns property with a gas lease, without any awareness that this might just possibly be seen as a conflict of interest.

I certainly fall into the outraged taxpayer group. However, my outrage is against Reed not Cuomo.

Reed said more than once that this is not just about fracking. OK. So Mr. Reed, if I apply to the City of Corning to build a seven-story apartment building here on my property on Third Street, which they will undoubtedly – and quite rightly – deny, am I entitled to compensation for loss of potential rental income? Will you be happy for your City Taxes to go towards paying me, say, \$14,000 a month?

—*Elizabeth Whitehouse is a Corning resident.*

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