

# More time on fracking

## Public gets new chance to comment

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ALBANY — The state Department of Environmental Conservation signaled Tuesday it would seek to extend a fast-approaching deadline on proposed rules for shale-gas drilling, meaning the process will soon be reopened to public comment.

The DEC's proposed regulations for large-scale hydraulic fracturing were

due to expire by Friday, one year after the last public hearing was held.

"DEC will file a notice for a 90-day extension allowed by state law to continue to work as (Health Commissioner Nirav Shah's) health review comes to completion," agency spokeswoman Emily DeSantis said.

High-volume hydrofracking has been on hold in New York since the state first launched an environmental review of the technique in 2008. That review is

currently being assessed by the state Health Department and three academic experts.

The deadline applies to the state's proposed regulations for overseeing fracking, the controversial method for extracting natural gas from underground formations such as the Marcellus Shale.

Receiving an extension isn't as simple as asking for one. In order to extend the date by 90 days, state law requires the DEC to issue an updated set of pro-

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posals as well as an assessment of the thousands of comments received on the first draft of the rules. In addition, the new set of proposals has to be opened to public comment for at least 30 days.

When asked if the DEC plans to issue those documents before the Friday deadline, DeSantis de-

clined to comment.

Gov. Andrew Cuomo acknowledged last week that the DEC wouldn't be able to meet the deadline. When asked Tuesday by reporters in Rochester if DEC officials will seek the 90-day extension, Cuomo said, "They will have to."

Environmental groups that oppose hydrofracking were skeptical that a 90-day extension will be enough. William Cooke, director of government relations for Citizens

Campaign for the Environment, said there's "no way in the world the state will have reasonably completed" its review in 90 days.

"We suspect that the 30-day public-comment period will result in so many comments that they will need more than the other 60 days just to go through them," Cooke said.

On the other side of the issue, the head of the American Petroleum Institute's state chapter said

opting for an extension was a "fair and appropriate step" given the alternative, which would be to restart the rule-making process.

"We hope and trust that the end of this decision-making process is now firmly in sight, and know that once it is done, the economic renewal of the Southern Tier is just around the corner," said Karen Moreau, executive director of the New York State Petroleum Council.

The hydrofracking

rules aren't the only ones that will affect the gas industry. The DEC approved a new set of regulations last week that could impact how companies obtain water for hydrofracking operations.

The regulations will require a permit for any withdrawal of more than 100,000 gallons per day for both public and private uses. Previously, permits were required only for water being taken for large public systems.

"Governor Cuomo

signed this legislation to foster responsible conservation practices and economic growth while protecting water bodies and wildlife habitats," DEC Commissioner Joseph Martens said in a statement Tuesday. "The regulations will allow the state to protect the environment while promoting economic growth and addressing droughts."

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