

Fracking comment period set to open

Jon Campbell
Albany Bureau

Supporters and opponents of hydraulic fracturing are gearing up for what could be the public's last chance to be heard on the state's review of shale-gas drilling.

Thousands of responses are expected during a public-comment period as the state Department of Environmental Conservation works toward making a final decision on large-scale hydrofracking before an end-of-February rule-making deadline.

Beginning Wednesday, comments on the DEC's latest set of proposed fracking regulations will be accepted through Jan. 11.

The newly proposed rules — unveiled late last month as part of a legal maneuver that postponed a Nov. 29 deadline for 90 days — have come under criticism from both sides of the contentious hydrofracking debate.

Environmentalists and

opponents have knocked the state for releasing them prior to the completion of a review by the state Department of Health, while some industry groups have said they are too restrictive and could hinder development.

Others have criticized the DEC for being opaque. The agency's 2011 proposed regulations were swept from its website when the new proposals were unveiled, and the DEC hasn't provided a summary of changes that were made. (DEC spokeswoman Emily DeSantis said the 2011 regulations are "available upon request.")

On Monday, the chairmen of three Assembly committees sent a letter to DEC Commissioner Joe Martens, urging him to withdraw the latest proposals until the health review is completed. Short of that, the lawmakers — Democratic Assembly-

See **FRACKING**, Page 4B

Fracking

Continued from Page 3B

men Richard Gottfried of Manhattan, Robert Sweeney of Suffolk County and Charles Lavine of Nassau County — said the DEC should double the comment period to 60 days.

"The current comment period — the mere minimum required by law — is insufficient, given the sheer size of the regulations, the numerous revisions and the complexity of the issues," they wrote.

Sweeney said the state Assembly plans on holding a public hearing and submitting the testimony to the DEC.

Gas-drilling proponents, meanwhile, have taken the recent actions by the state as a sign of hope. While the group is still reviewing the proposed regulations, an attorney for the Joint Landowners Coalition of New York said it is encouraged.

Two previous comment periods on various parts of the state's review of hydrofracking garnered upwards of 80,000 responses. An environmental impact statement — known as the SGEIS — has to be finalized before any permits for large-scale fracking can be issued. The state faces no deadline for that document.

Environmental groups held comment-writing campaigns during the previous public sessions, submitting about a dozen boxes of material earlier this year. This time, some groups are even considering purchasing airtime to advertise their efforts.

"I think if we're not in that arena, we're missing an opportunity," said Doug Wood, associate director of Grassroots Environmental Education. "That being said, it's enormously expensive. We have to spend our money carefully."

JCAMPBELL1@gannett.com
Twitter.com/JonCampbellGAN

HOW TO COMMENT

Comments on the DEC's proposed hydrofracking regulations will be accepted by mail and online beginning Wednesday and closing at 5 p.m. on Jan. 11.

The DEC will accept comments through the mail and online. Online comments can be submitted at <http://www.dec.ny.gov/regulations/77353.html> beginning Wednesday, while mailing information will be provided before the comment period begins, according to the DEC.

To view the regulations, visit <http://www.dec.ny.gov/regulations/77353.html>.