

Lawsuit filed over fracking records

Cuomo among those targeted

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Bloomberg News

The state of New York was sued by an environmental group seeking documents on the oil and gas industry's efforts to influence the state's regulation of hydraulic fracturing, the controversial technique for extracting natural gas from underground shale formations.

The Washington-based Environmental Working Group filed the lawsuit against the state Department of Environmental Conservation and Gov. Andrew Cuomo. The group is seeking correspondence and communications since Jan. 1, 2011, between 25 oil and natural gas companies or their representatives and the governor, his top aides and department officials.

Cuomo's office provided "only a very limited number" of records after the group filed requests under the state's Freedom of Information Law in March, and "constructively denied access to the remainder of the records," according to Environmental Working Group's suit, filed this week in state Supreme Court in Albany.

"The public has a 'right to know' what was communicated to DEC and to the governor by the oil and gas industry, and what was communicated by DEC or the governor to the oil and gas industry, especially as it pertains to the risks of high-volume horizontal hydrofracking to public health, drinking water, homes, residents and property values," according to the lawsuit.

In fracking, millions of gallons of chemically treated water and sand are forced underground to break shale rock and free trapped gas.

Regulators in New York have banned fracking while environmental rules are drafted. Cuomo is reportedly considering a plan that would allow fracking in five Southern Tier counties from Binghamton to Elmira.

The state responded to information requests "in a timely manner and consistent with the letter and spirit of the law," Rich Azzopardi, a spokesman for Cuomo, said in an email. "We are confident that this will be crystal clear to any court."

DEC 9/20/12