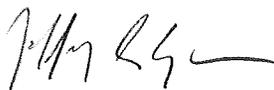


Oral / Written Comments on NYS Draft Supplemental Generic Environmental Impact Statement (dSGEIS) on gas drilling revised September 2011, submitted December 1, 2011 by:

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77,000 drilling sites are proposed in New York. Even the industry acknowledges an incident rate that translates into many hundreds of accidents, each of which can poison our air and water for miles. Yet in many cases the buffer zone stipulated by the draft Environmental Impact Statement is a shorter distance than Nick Swisher can throw a baseball. So this is a high stakes craps game.

I know that some welcome the game – down and out landowners see dollar signs, people looking for work see jobs. Our neighbors in Pennsylvania thought the same, and now they're learning too late the meaning of 'regret.'

It's a bad bet. Put it this way: imagine a fracking industry rep, and he's got a hundred pellets, and one of them is made of arsenic and diesel fuel and radioactive carcinogens, but you don't know which one. He'll give you fifty dollars if you let him choose one of those pellets at random and drop it in your child's water glass. I hope I don't know any parent who would take those odds and pocket the money. But statistically, that's what we do when we embrace fracking.

What kind of company would gamble with our lives? We already know the answer to that question... You may remember the Upper Big Branch mine in West Virginia. In April of 2010 it was the site of the worst mining disaster in 40 years. 29 workers lost their lives.

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The Independent Investigation Panel's 120 page report found conclusively that the deadly disaster was entirely the fault of the mining company, that those deaths should have been avoidable but in the charge of this company were instead inevitable.

The name of this company is Massey Energy, one of the players that stands to gain the most from turning upstate New York into a Texas brownfield. Massey Energy showed us that it would rather risk the lives of 29 of its own employees than invest even a sliver of its profit margin in safe and legal infrastructure. Who really believes that they'll treat us any better?

The only way for DEC rules to reflect that reality is if they ban fracking. The mitigating measures proposed in the current draft are pitifully inadequate. And in any case, in this slash and burn austerity climate, it would be naïve *at best* to pretend that we can depend on sufficient enforcement and oversight to ensure compliance. Upper Big Branch tells us that companies like Massey are neither willing nor able to police themselves. That means no DEC rules can protect us from fracking. But a ban on fracking is probably unlikely. So I think we're going to be on our own. And I think they don't know what they're up against. Thank you.