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New York State Department of Environmental Conservation

Andrew M. Cuomo, Governor

Joe Martens, Commissioner

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Statement from Commissioner Joseph Martens

Commissioner Shah advised me today that the Public Health Review of the Supplemental Generic Environmental Impact Statement (SGEIS) of high-volume hydraulic fracturing is still on-going.

The Department of Health's (DOH) Public Health Review, which was undertaken at my request, is important to our consideration of high-volume hydraulic fracturing and I will not issue a final SGEIS until that review is complete and I have received Dr. Shah's recommendations. He has indicated he expects his review to be complete in a few weeks after he has had an opportunity to review recent studies underway which are pertinent to the evaluation of high-volume hydraulic fracturing impacts on public health.

The previously proposed high-volume hydraulic fracturing regulations cannot be finalized until the SGEIS is complete. However, this does not mean that the issuance of permits for high-volume hydraulic fracturing would be delayed. If the DOH Public Health Review finds that the SGEIS has adequately addressed health concerns, and I adopt the SGEIS on that basis, DEC can accept and process high-volume hydraulic fracturing permit applications 10 days after issuance of the SGEIS. The regulations simply codify the program requirements.

If, on the other hand, the DOH review finds that there is a public health concern that has not been assessed in the SGEIS or properly mitigated, we would not proceed, as I have stated in the past.

In either event, the science, not emotion, will determine the outcome.

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