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DEC Fracking Setbacks Unsafe – No Hydrologic Basis for Distances

Hydrogeologist Submits Proof of Bedrock Fracture Interconnections to Distances of 4,300 Feet

(DEC Says 4,000 Feet from NYC Watershed and 500 Feet from Water Wells Is Okay)

Contacts:

Robert Nied- Board of Directors - 518-852-4021

Louise Maher-Johnson - Critical Aquifer Project (CAP) - 518-234-1942

Paul Rubin, *HydroQuest* - 845-657-8111

Paul Rubin, a hydrogeologist, president of the independent consulting firm *HydroQuest* and former scientist with the New York City Department of Environmental Protection (DEP), has submitted an affidavit to the New York State Department of Environmental Conservation (DEC) on behalf of the *Center for Sustainable Rural Communities* attesting that allowing high volume horizontal hydrofracking in Upstate New York will assuredly result in aquifer contamination.

Mr. Rubin states, in part, that “[t]he draft regulations provide recommended setback distances from well pads that are so short that they will do little to protect the water resources of New York State, inclusive of aquifers and homeowner wells. These numbers have no defensible scientific or hydrologic basis, and thus, fail to fulfill the Cuomo administration’s stated intent that hydraulic fracturing regulations will be based on science.”

His evidence includes pumping tests that demonstrated hydraulic interconnectivity through joints (underground rock fractures) between freshwater wells up to 4,300 feet apart. Gas company contaminants that come in contact with these joints through failed and leaking gas wells, fractures and faults will rapidly contaminate water supplies – which has occurred in gas fields. Mr. Rubin states that setback distances must be based on empirical science, not arbitrary numbers with no scientific basis. Furthermore, setback distances should be measured from the outer boundary of gas well laterals, not from well pads.

Importantly, Mr. Rubin points out that the draft regulations are oriented toward high volume hydraulic fracturing using fluid volumes of greater than 300,000 gallons. The State's failure to provide comprehensive fracking regulations for *all* gas and oil wells, regardless of fluid volumes used, WILL result in widespread groundwater contamination and adverse health impacts. This major flaw in the draft regulations will result in the widespread degradation of New York City, Syracuse and other major water supplies should they not have legally-binding agreements in place to forever preclude gas exploitation throughout their watersheds. Those agreements, should any exist, will not, however, protect freshwater supplies and public health in the rest of the state.

The *Center for Sustainable Rural Communities* urges the DEC and the Governor to heed the cautions and concerns of Rubin and other scientists and withdraw both the draft SGEIS and the draft regulations until such time as a rigorous, independent and validated scientific analysis can ascertain the ultimate impacts of hydraulic fracturing on New York's precious water supply, public health and the direct and dramatic negative impacts on the state's economy resulting from the degradation of that water supply.

The *Center for Sustainable Rural Communities* plans to announce a press conference in the weeks ahead to release additional data concerning the relationship between hydraulic fracturing, New York State's water supply and the risks to large segments of the state's economy that are dependent on that water supply.

For additional information, including copies of the affidavit submitted to the DEC visit: www.ruralcommunities.org

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