

THE ASSEMBLY
STATE OF NEW YORK
ALBANY



DONNA A. LUPARDO
Member of Assembly
126TH District

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Legislative Commission on
Science and Technology

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Higher Education
Transportation
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December 5, 2012

Commissioner Joe Martens
New York State Department of Environmental Conservation
625 Broadway
Albany, NY 12207

Dear Commissioner Martens,

In light of the recent release of a revised set of proposed regulations for hydraulic fracturing and your agency's request for a 90-day extension to the rulemaking process, I am respectfully asking that you convene a meeting of the High-Volume Hydraulic Fracturing Advisory Panel as soon as possible.

I would appreciate a briefing on what specific changes were proposed in the rulemaking document. I also have a number of questions about the the health "review" that I would like to see addressed. My main concerns are as follows:

- 1) What specifically have the three health experts been asked to review?
- 2) How does the health "review" differ from a comprehensive health impact assessment?
- 3) Have the contracted health experts been provided with copies of the New York State Association of County Health Official's (NYSACHO) report to the HVHF panel? Have they been asked to factor in the concerns expressed by these county health professionals?
- 4) Will the public have any input into the health review?
- 5) How do you plan to integrate the recommendations of the health experts into the SGEIS?
- 6) How can the public comment on the regulations by January 11th if the recommendations from the health experts are not due back until February?

I also have several other concerns that I have been waiting to discuss with the panel. We never fully completed our analysis of potential negative economic impacts and mitigation strategies. As you know, I am especially interested in urban impacts given the nature of my Assembly district.

Thank you for your time and attention.

Sincerely,

A handwritten signature in cursive script that reads "Donna A. Lupardo".

Donna A. Lupardo
Member of Assembly

Cc: Commissioner Nirav Shah
Cc: Speaker Sheldon Silver