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Peter Mantius: Doctors' fracking concerns being ignored

By **Peter Mantius**

Corning Leader

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Editor's note | This is Peter Mantius' Marcellus Watch opinion column for Sunday, Dec. 2.

For years, New York State officials who oversee natural gas drilling have stiff-armed doctors on the public health risks of fracking.

Gov. Andrew Cuomo and the state Department of Environmental Conservation did it yet again Nov. 30 by releasing draft regulations for high-volume hydrofracking before the completion of a review of the drilling technique's potential impacts on human health.

Those regulations are set to become final in 90 days, after a 30-day comment period running from mid-December to mid-January. Happy Holidays!

Cuomo loves to tout his personal commitment to allow science to drive his decision on the future of fracking in New York. In practice, he's cut science off at the knees to help the drilling industry maintain the fiction that it does no harm.

Physicians, scientists and medical groups in New York have been warning the governor that the health risks of fracking are real and ominous, based on evidence from fracking communities in Texas, Wyoming, Louisiana, North Dakota, Pennsylvania and other states.

They note that billions of gallons of fracking wastewater -- contaminated with chemicals and radioactive elements -- can't be effectively treated in public wastewater plants and represents an imminent threat to public drinking water supplies. And super-fine fracking sand, when regularly inhaled, can cause a progressive lung disease.

New York does built their case for a rigorous independent Health Impact Assessment of fracking, testified before the state Assembly and wrote Cuomo to demand action. But the governor declined to fund an HIA in his budget.

When medical community pressure didn't abate, Cuomo in September ordered an in-house study by Dr. Nivah Shah, commissioner of the state Department of Health -- who'd previously stated that the DEC had already done enough on health impacts.

Sponsored content **What's this?** But within weeks, Shah's efforts required a credibility boost, so Cuomo hired three out-of-state health academics to review and bless Shah's work. New York State agreed to pay one official from the Colorado School of Public Health \$480 an hour for up to 25 hours of work. That would seem to fall short of Cuomo's touted scientific standard and would be better described as rent-a-credential.

New York physicians were understandably dismayed Friday when the state posted rules for fracking even before Shah got to report and the doctors got a chance to comment on it.

The backlash pushed state officials into reaction mode again. In a statement late Friday, the DEC emphasized that despite its rush to release draft regulations, the state hadn't firmly decided to allow fracking. That decision, it said, wouldn't come until Shah had spoken.

So we're asked to believe that New York's final decision on fracking depends on Shah's views on its health consequences? What a laugh.

The fact is Cuomo, the DEC and DOH have repeatedly downplayed fracking's health risks, enabling drillers to deep-six awkward facts.

In September 2009, an early DEC draft Supplemental Generic

Environmental Impact Statement on fracking listed radiological readings of brine taken from 12 gas-producing Marcellus wells in New York. They showed alarmingly high levels of radium, a red flag for anyone concerned about human health. The DEC buried the chart in "Appendix 13" without text to explain the findings, let alone an analysis of the health implications.

In December 2009, the U.S. Environmental Protection Agency said the SGEIS needed "greater emphasis" on human health, and it recommended elevating the state health department to equal status with the DEC in preparing the final document. That never happened.

In February 2011, hundreds of physicians, scientists and health organizations signed a letter to Shah asking him to seek co-lead status for his DOH in the SGEIS process. Again, no action.

In August 2011, doctors and scientists pressed Cuomo to require independent health impact assessment of fracking. If Shah wouldn't do the work, they wrote, Cuomo should tap a school of public health. That never happened either.

In fact, Cuomo's actions on health are lining up with those of Gov. Tom Corbett of Pennsylvania, an unabashed drilling booster awash in industry campaign contributions.

When Pennsylvania legislators tried to earmark about 1 percent of the state's \$200 million in drilling impact fees to establish an official state registry for individuals who claim injury or illness due to drilling, Corbett's office worked to kill the effort.

And on Friday, a group of energy leaders in the U.S. House of Representatives wrote Health and Human Services Secretary Kathleen Sebelius to warn her to exercise caution about allowing the U.S. Center for Disease Control and Prevention to study the health effects of fracking. They singled out a particular CDC administrator as unsuitable to conduct the study.

His thought crime: he had once been quoted as saying fracking fluids contain "potentially hazardous chemical classes" and work near certain drilling sites "is turning up data of concern."

When genuine science poses a threat, the industry calls on politicians to banish it. The GOP House members, Corbett and Cuomo have answered that call.

Peter Mantius is a freelance journalist from Schuylers County who follows shale drilling issues. He is a former reporter for the Atlanta Journal-Constitution and editor of two business weeklies in the Northeast.

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