

RESOLUTION NO. 48-09

**TOWN OF LEBANON REQUEST FOR INDEPENDENT STATE
INVESTIGATION INTO OVERSIGHT ISSUES RELATED TO NATURAL GAS
INDUSTRY AND DRILLING RIG FIRES**

WHEREAS, development of New York's natural gas resources has been viewed by many as being of benefit to the State as a whole, its future potential could be furthered enabled by ensuring improved oversight of the industry as it relates to Local Government and property owner concerns regarding public safety, and

WHEREAS, under the existing state law, the New York State Department of Environmental Conservation (DEC) has principal oversight over the natural gas industry in the areas of environmental oversight and gas well permitting and drilling, and

WHEREAS, two natural gas drilling rig fires occurred in the Central New York/ Southern Tier area in the Town of Smyrna on Jan. 1, 2009 and in the Town of Lebanon on March 19, 2009 in which damage was incurred to equipment, property and in which several workers were injured in the second blaze, and

WHEREAS, the incident in Lebanon on March 19, 2009 also involved a diesel fuel spill requiring the involvement of the DEC spill unit and environmental cleanup measures, and

WHEREAS, there have been several reports issued by the gas company safety coordinator and DEC representatives, no specific cause has been attributed to the two well rig fires nor has any specific recommendations as yet been made as to specific safety steps to be taken by the industry to change industry practices so as to prevent future such fires, and to ensure that fires do not spread underground to gas wells or pipelines, nor is it clear which agency would oversee and insure implementation of such necessary safety measures in the future, and

WHEREAS, the Town of Lebanon has miles of natural gas pipelines and over 50 active gas wells with 30 more in various stages of development, all with the potential for more serious safety and environmental impact should a gas well rig fire spread underground, and

WHEREAS, two gas well drilling rig fires and a drilling accident in the neighboring Town of Brookfield in 2007 that impacted local rural water sources have raised questions as to the current level of industry oversight by the State of New York and the degree of necessary oversight that should be exercised on the gas industry in the state, and

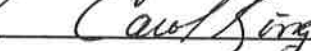
WHEREAS, gas well exploration, drilling and extraction continues unabated without any clear direction as to which independent governmental agency will be responsible to ensure the public health and safety of Central New York and Southern Tier residents as it relates to current and future natural gas development,

NOW THEREFORE BE IT RESOLVED, that the Town of Lebanon Town Board formally requests that the state Legislature and its appropriate legislative committees launch an independent investigation into the current level of oversight of the natural gas industry in the state of New York with a focus on public safety issues as it relates to prevention of future gas well drilling rig fires, and report the results and recommendations of this investigation to the Town of Lebanon and all other municipal governments where gas development is active, and

BE IT FURTHER RESOLVED, that the state Legislature, the Governor and the appropriate legislative committees convene discussions immediately with appropriate public safety agencies, municipal, town and county officials of areas where there is active gas well development, and other appropriate property owner groups, and the New York Oil and Gas Advisory Board, the state DEC, the state Public Service Commission, the Department of Agriculture and Markets, and the New York Farm Bureau to develop public policies concerning oversight of the natural gas industry as it relates to public safety, public health, water quality, property owner rights and municipal issues related to natural gas exploration and drilling impacts, and determining the most appropriate system for addressing oversight needs and local impacts arising from the exploration, drilling, and production of natural gas, and

BE IT ALSO FURTHER RESOLVED, that the Lebanon Town Clerk forward copies of this adopted resolution to Assemblyman Magee, State Senator Valesky, Governor Patterson, Senate Majority Leader Malcolm Smith, Assembly Speaker Sheldon Silver and the appropriate chairs of the relevant state Environmental Conservation and Finance, Ways and Means Committees for each of the houses of the state Legislature, and the Association of Towns of the State of New York and the New York State Association of Counties.

On Motion Of 
James Goldstein, Supervisor, Chair, Administration and Oversight

Seconded by 

Vote: King ✓ Hartshorn ✓ Wilcox ✓ Morgan ✓ Goldstein ✓

Approved ✓ Defeated

Dated: April 13, 2009