December 4, 2013

Mr. Russ Brauksieck
New York State Department of Environmental Conservation
Division of Environmental Remediation
625 Broadway
Albany, New York, 12233

RE: Supplemental Comments on Proposed Regulations for LNG Facilities

Dear Mr. Brauksieck:

Otsego 2000, Inc. is a 501(c)3 organization located in Cooperstown, New York. We were founded 32 years ago to protect and preserve the significant historic and environmental resources of the region and the Otsego Lake watershed, the headwaters of the Susquehanna River. Insufficiently regulated industrialization threatens our local economy, which is based on agriculture, tourism, recreational land uses, and increasingly, value-added agricultural businesses such as breweries and yogurt production. It also threatens the source of drinking water to hundreds of thousands of local residents and visitors, as well as millions of people who rely on the Susquehanna River for drinking water. To protect these irreplaceable resources, we are leaders of a large and growing coalition to protect the region from the devastating impacts of hydraulic fracturing and its associated infrastructure.

We are, therefore, concerned about the scope and content of the proposed Regulations for Liquefied Natural Gas ("LNG") Facilities, NYCRR Part 570 (hereinafter the "Regulations"). As you know, following a devastating explosion in 1973 that killed 40 people at a then "state-of-the-art" LNG facility on Staten Island , the New York State legislature imposed a moratorium on new LNG facilities in New York State until comprehensive regulations providing for public safety could be implemented. (Environmental Conservation Law ["ECL"] Article 23, Title 17 [the “LNG Statute"].) It has taken the DEC nearly 40 years to take up this challenge. We are frankly surprised by the incomplete and superficial nature of the proposed Regulations in light of the tragic history of LNG in New York State and the express findings of the legislature concerning the dangers and need for regulation of LNG facilities.

The draft Regulations are internally inconsistent, facially incomplete and do not contain sufficient regulatory action so as to meet the legislature's directives that LNG "facilities not be sited in residential areas or in dangerous proximity to contiguous populations." (LNG Statute, ECL 23 -1703.) Rather than presenting a robust set of rules specifically addressing protection of New York citizens as required by the LNG Statute, the proposed Regulations merely adopt by reference the 2013 Editions of the National Fire Protection Association Codes 52 and 59A (the "NFPA codes".) The NFPA codes are not even set forth in the Regulations and are not, therefore,

readily accessible to the public, making it difficult for the public and local governments to understand the provisions of the Regulations. Further, the NFPA codes refer to yet other standards and codes that are also not set forth and are also not readily accessible to the public. Thus the Regulations fail to provide any added value, and are in direct conflict with the express legislative directives of the LNG Statute, as discussed more fully below.

We also note with concern that the 2011 Liquefied Natural Gas Promulgation Support Study (hereinafter the "XE Study"), incorporated by reference in the Regulatory Impact Statement, p.15, prepared for NYSERDA and referenced by DEC as a "NYSERDA report," was actually written by Expansion Energy LLC, a private corporation with a vested interest in the widespread expansion of LNG. (Interestingly, the preamble to this document which DEC now attributes to NYSERDA actually expressly states that it does "not reflect" the opinions of NYSERDA.) In any event, it has now become apparent that XE, in preparing the study relied upon by DEC, had a clear conflict of interest. A November 26, 2012 "Inside Energy" marketing report found at www.platts.com details that XE is in the business of licensing for profit equipment related to the expansion of fracking and related infrastructure, including specifically expansion of mobile LNG facilities. XE's business directly concerns profiting from increased reliance on LNG facilities that are the very subject of the Regulations. Thus, DEC's reliance on XE to prepare the supporting promulgation study is clearly improper.

However, even the tainted XE Study, which clearly lacks impartiality, acknowledges that the purpose of the Regulations must be to "protect the public health, safety and welfare, the lands, waters, air and environment of New York State." (XE Study, p. 1.) The Department's mere citation of existing fire codes cannot possibly substitute for effective, enforceable regulations, necessary to fulfill DEC's statutory obligation of protecting the environment and people of New York.

We submit the following comments for your consideration, prepared with the assistance of our coalition members. Joining in this submission are the organizational and individual signatories listed on Exhibit A.

1. THE SCOPE OF THE PROPOSED REGULATIONS IS OVERBROAD

The Regulations are misleading as to their intended scope. In various communications, the DEC states that the "primary" type of facility the DEC expects will be permitted under the Regulations are LNG refueling stations for trucks and other vehicles converted to LNG. (See e.g. September 26, 2013 Press Release referring to truck refueling stations; Regulatory Impact Statement, p.7.) However, the Regulations reveal a very different intent.

The Regulations in fact apply to construction of all types of LNG facilities, including controversial LNG import/export terminals largely regulated by the FERC, tanks for the storage of LNG produced at natural gas wells and on gas fields, storage plants intended to supplement electrical power generation during peak loads known as "peak-shaving" facilities, and "on-pipeline" LNG facilities drawing natural gas directly from gas pipelines. (Regulatory Impact Statement, pp.12-13; see also the XE Study, above, at pp. 44 and 47.) The Regulations also

contemplate both liquefaction of natural gas as part of the storage of LNG and re-gasification, which is the conversion of LNG back into gas. (See e.g. Regulations, Sec. 570.1.) The DEC estimates, apparently based on the XE Study, that between 10 and 25 LNG facilities of various purposes and sizes would be permitted in New York State over the next 5 years alone. (Regulatory Impact Statement, pp. 12-13; XE Study, pp. 45-46.)

The Regulations, however, are entirely insufficient to regulate all aspects of LNG transport, storage, dispensation and use in connection with fuel dispensing facilities, mobile liquefaction and re-gasification, large-scale peak-shaving plants and other facilities contemplated by the Regulations. Each proposed type of LNG facility must be separately regulated and its safety risks separately mitigated and controlled. It is not appropriate to propose Regulations concerning small LNG refueling and dispensing stations and deem them adequate for entirely different facilities such as peak-shaving plants or large import/export terminals. Nor may the DEC assume without study that smaller facilities are less risky. A 1998 NYSERDA Study, prepared for then Governor Pataki, incorporated by reference at p. 15 of the Regulatory Impact Statement, cautions that: "Smaller stationary facilities have the potential for lower volume releases but the likelihood of a LNG spill is not necessarily less. Small facilities tend to have more activity such as truck unloading, which increases the possibility of a release." (*Report on Issues Regarding the Existing New York Liquefied Natural Gas Moratorium*, November 1998 [the "1998 NYSERDA Study"], pp. 6-5 and 6-6.)

See also the report prepared for the Federal Transit Administration's Clean Air Program, *Summary of Assessment of the Safety, Health, Environment and System Risks of Alternative Fuels*, Final Report August, 1995 (http://ntl.bts.gov/lib/000/400/422/20021101_alt_fuel.pdf), which discusses fire and other hazards resulting from LNG use for truck fleets including storage and fuel transfer hazards, stating:

> LNG is a fuel that requires intensive monitoring and control because of the constant heating of the fuel which takes place due to the extreme temperature differential between the ambient and LNG fuel temperatures. Even with highly insulated tanks, there will always be continuous build-up of internal pressure and a need to eventually use the fuel vapor or safely vent it to the atmosphere…(Id., Section 3.3.4.2 (a).)
>
> In the event that the LNG vessel is ruptured in a transport accident there will be a high probability of fire because a flammable natural gas vapor/air mixture will be formed immediately in the vicinity of the LNG pool. In an accident situation, there is a high likelihood of ignition sources due to either electrical sparking, hot surface, or possibly a fuel fire created from the tanker truck engine fuel or other vehicle involved in the accident… the heat release rate for an LNG pool fire will be approximately 60% greater than that of a gasoline pool fire of equivalent size…(Id. Section 3.3.4.2 (b).)
>
> ...the complexity of the fuel transfer arrangement creates the potential for leaks and spills through human error and equipment failure..." (Id., Section 3.3.4.2 (c).)

Based on these conclusions, the types of allowable LNG facilities that may be permitted must be further studied. In addition, new comprehensive regulations would need to be developed for each type of LNG facility that may in the future be allowed. It is simply not rational to assume that each of the contemplated LNG facilities could be regulated pursuant to one incomplete set of Regulations, as the DEC now proposes.

2. REGULATIONS LACK SITING CRITERIA AS REQUIRED BY LAW

It is not disputed that LNG is a dangerous material, capable of producing large, flammable vapor clouds and explosions. The legislature has already so found. (LNG Statute, ECL 23, Title 17.) In adopting the LNG Statute, the legislature repeatedly directed “storage, transportation and conversion [of LNG] to be carried out other than in residential areas or in dangerous proximity to contiguous populations.” (Id., 23-1703.) The LNG Statute also provided that it "is the purpose of the legislature, subject to the provisions of this act, that liquefied natural or petroleum gas facilities not be sited in residential areas or in dangerous proximity to contiguous populations.” (Id.) Further that the "Department shall **deny a permit** if residential areas and contiguous populations will be endangered.” (Id., 23-1711(3); emphasis added.)

The DEC acknowledges that an important purpose of the Regulations is to establish criteria for the siting of LNG facilities and specifically to protect the public from serious potential hazards including the risk to public safety from its storage, transportation, and conversion as required by the LNG Statute. (Regulatory Impact Statement, pp. 4-6.) However, the proposed Regulations lack siting criteria as required by the LNG Statute. Instead of developing such criteria, the DEC merely adopts the 2013 NFPA codes that suggest options for LNG facility siting based on applicant assessments of the explosive and contamination risks. See e.g. NFPA Code 59A, Chapter 15, which provides that the applicants must prepare a "spectrum of LNG and other hazardous material release scenarios from transfer piping, storage tank(s), vaporizer(s) and other vulnerable equipment in the plant ... through the use of process hazard analyses....[c]redible large-release scenarios that may pose risks outside the property line shall also be included along with their occurrence probabilities." (59A NFPA Code, 2013 Ed., Chapter 15.5.1.)

Significantly, the 59A NFPA code referenced by DEC does not specifically prohibit the siting of LNG facilities in residential areas, as the LNG Statute requires. Further, neither the Regulations nor NFPA 59A define “residential area,” “dangerous proximity,” or “contiguous population” as used in the LNG Statute. Indeed, Section 15.2.1 of NFPA 59A allows siting of LNG facilities so long as they “do not pose **intolerable** risks to the surrounding populations, installations, or property” and Section 15.2.2 of the code provides that the "requirements of this chapter shall be used to assess the level of risks to surrounding population to ensure that the individual risk and the societal risk do not exceed **tolerable** levels in accordance with Section 15.9.” (Id., emphasis added.)

Clearly, the LNG Statute does not contemplate or authorize “tolerable risk” in residential areas or in dangerous proximity to contiguous populations. Furthermore, the LNG Statute mandates that siting criteria "shall be designed to insure “the **maximum** safety of the public from hazards associated with liquefied natural gas or petroleum gas storage, transportation, and conversion.” (ECL 23-1709; emphasis added.) Compare this to Section 1.2 of NFPA 59A entitled “Purpose” which states only that “The purpose of this standard is to provide **minimum** fire protection,

safety, and related requirements for the location, design, construction, security, operation, and maintenance of LNG plants" (emphasis added). By its own terms, NFPA 59A fails to comply with the legislature's unambiguous directive in the LNG Statute.

The 59A NFPA code also requires that the "authority having jurisdiction" ("AHJ") must select which risk assessment option should be used and how it should be interpreted in developing siting criteria. (59A NFPA Code, 2013 Ed. Chapter 15.4.2.) Furthermore, the NFPA code states that any provision of the code may be waived "at the discretion of the authority having jurisdiction." (Id. at Sec. 5.3.1.4.) Thus, the DEC references the NFPA codes, which in turn allow the "agency having jurisdiction," including the DEC, to waive provisions of the codes. This reference by DEC to NFPA codes, which refer back to DEC, is in fact circular. As a result it is impossible for the public to know what protections and what criteria, if any, apply. (Also, the definition of "authority having jurisdiction" in the Regulations is in conflict with that in NFPA 59A. Compare Regulations Sec. 570.1(c)(2) with 59A NFPA, 2013 Ed., Chapter 3.2.2.)

This problem is compounded by the fact that Section 570.2(d)(4) of the proposed Regulations merely states that the DEC "shall consider" compliance with the 2013 NFPA codes and attendant risks, without providing any criteria as to how those risks will be measured, assessed or mitigated. This is in direct violation of the LNG Statute, cited above. The proposed Regulations also fail to provide any reasonable standards for DEC staff to apply in interpreting risks and making permitting decisions, which is unacceptable.

Nor can the DEC blindly rely on the presence of local zoning or land use laws to provide applicable siting criteria, especially when there is no evidence that adequate local zoning laws exist where the Regulations purport to be applicable. It is helpful that the XE Study expressly states that in determining siting, local zoning should be respected (XE Study, above, pp. 4-8.) For example, the XE Study confirms that the NFPA codes (on which the DEC so heavily relies) will "not replace, but rather add to local zoning controls, building codes and other codes..." (Id.) It is also noteworthy that the XE Study cautions that the NFPA codes are insufficient with respect to siting because those codes do not address the "site selection process for where an LNG 'use' may be located." (Id.)

However, the XE Study then appears to argue against necessary regulatory involvement by DEC, asserting that "the question of 'where' an LNG facility (or any other use) may locate is the purview of local land use controls (zoning regulations)" and then claiming, without evidence, that "[s]uch uses are almost always prohibited in residential zones or in districts that permit community facilities such as schools and hospitals." (Id.) While it is very true that the authority to render zoning decisions is the purview of local government, this does not excuse DEC from promulgating regulations that affect siting as additional requirements necessary to protect the public and environment.

It is also disturbing that the XE Study and the Regulations proposed by DEC ignore the reality that many rural New York towns and villages simply do not have zoning or land use plans in place. Moreover it is unlikely that even those communities with zoning or land use plans have considered LNG facilities due to the fact that for nearly 40 years LNG facilities have been prohibited in New York State. Although it is appropriate and necessary that local zoning and land use plans which are more stringent be respected, this does not release DEC from its clear

obligations pursuant to the LNG Statute of promulgating regulations that contain meaningful siting criteria protective of the public as part of the regulatory scheme.

Finally, if local government is assumed to be the "authority having jurisdiction" with respect to siting, then current provisions of the NFPA codes could conceivably allow improper waiver by local governments of safety provisions contained in the codes, potentially even allowing LNG facilities to be sited in residential areas and adjacent to contiguous populations. Moreover, in areas where local zoning laws do not exist or fail to address LNG facilities, such facilities could be presumed an allowed use. Aside from the obvious public dangers of such an interpretation, this ignores the clear regulatory obligations imposed on the DEC by the LNG Statute. It also contradicts the claim in the XE study that the proposed regulations will "add" to local zoning controls, building codes and other codes.

The Regulations must comply with the LNG Statute and set forth measurable, enforceable criteria for the siting of LNG facilities away from land uses such as homes, schools, hospitals, public buildings, historic sites, businesses, agricultural lands, and sensitive environmental areas. The failure of the proposed Regulations to include necessary siting criteria is an insurmountable defect, which requires withdrawal and reconsideration of the Regulations.

3. CRITERIA FOR ENVIRONMENTAL PROTECTION ARE NOT PROVIDED

With respect to environmental hazards, the proposed Regulations merely provide that an applicant must include a description of the "possible environmental impacts of the proposed facility." (Sec. 570.2(b).) The Regulatory Impact Statement repeatedly concedes that it is the policy of the State to

> "conserve, improve and protect its natural resources and environment and control water, land and air pollution in order to enhance the health and safety of the people of the State...guaranteeing the widest range of beneficial uses of the environment is attained without risk to health or safety..." (Regulatory Impact Statement, p. 2.)

However, the Regulations contain no provisions whatsoever as to what environmental impacts must be studied and disclosed, how the DEC or anyone else will act upon the required applicant disclosures of environmental and health risks, or how such impacts will be mitigated.

It is important to emphasize that permitting authority provided for by the Regulations is not limited to refueling or dispensing facilities. As discussed above, according to the Regulatory Impact Statement and XE Study, contemplated LNG facilities include large industrial operations that involve various processing activities, methane venting, gas flaring, storage, liquefaction, re-gasification, noise, VOC emissions, and waste disposal. There have been fires, explosions, spills and leaks at LNG facilities that have led to death and serious injury as cataloged in the XE Study, above, pp. 24-25, and the 1998 NYSERDA Study, above, pp. S-2 and S-3 and Section 6. Significantly, the 1998 NYSERDA Study admits that "typical concerns raised" in these projects include impact on property values, facility safety and potential accident consequences, fire hazards, emergency response, site suitability, environmental impacts including effects on water resources, wetlands, vegetation and air quality, and visual impacts, among others. (Id., pp. 4-2

and 4-3.) In fact the 1998 NYSERDA Study states that it is important to "seek to identify and implement mitigation measures to balance real and perceived impacts of the proposed new facilities". (Id., p. 4-2.) Yet, the DEC has included no such provisions in the proposed Regulations.

It is incomprehensible that the DEC would propose Regulations for LNG facilities which are known to emit pollutants, including recurring venting of methane, as discussed immediately below, and create potentially dangerous impacts on the environment and health, without study or development of objective criteria for environmental protection. The DEC must be aware that recently a LNG re-gasification facility, which employed flaring of natural gas vapor, was responsible for the death of 7,500 songbirds in a single day at the Canaport LNG terminal in Saint John, New Brunswick, Canada. New reports now show that cancer rates are spiking for residents living downwind from gas operations due to suspected pollution caused by unsafe air emissions. (J. Marrero, University of California, Irvine, Press Release, October 22, 2013.) See also the description of fire hazards during transport, storage, fleet storage and other hazards reported in *Feasibility Study for Liquefied Natural Gas Utilization for Commercial Vehicles on the Pennsylvania Turnpike*, Final Report, October 31, 2012, Chapter 4, pp. 121-123.)

To issue proposed Regulations without any consideration of known risks to the environment and human health is directly contrary to the DEC's duty to protect both. While the XE Study indicates that each individual facility may be required to comply with SEQRA before it is permitted, (XE Study, above, p. 49) such future review does not in any way excuse compliance with existing law, including the LNG Statute, cited above, which requires that a comprehensive regulatory scheme be adopted to protect public safety and the environment before LNG facilities are permitted. (Regulatory Impact Statement, p.1.)

4. NEGATIVE IMPACTS OF METHANE EMISSIONS ARE IGNORED

The proposed Regulations fail to address the significant negative effects of the emission of methane to the atmosphere as a result of the storage, transport, and use of LNG. For at least fifteen years, the DEC has understood that methane is a greenhouse gas and significant contributor to climate change. In fact the Department's own 1998 NYSERDA Study reported that "methane is a greenhouse gas (GHG) and like CO_2, has the potential to affect global warming...it should be recognized that the global warming potential from a ton of LNG released into the air is 21 times that of a ton of CO_2..." (Id. pp. 8-4 to 8-5.) Emissions from LNG facilities are of particular concern because the venting ("boiling-off") of unburned methane is an inherent aspect of LNG storage, dispensation and use.

The storage of LNG is a cryogenic process in which methane is maintained at extremely low temperature, typically -161 degrees Celsius (approximately -260 F). Although LNG storage tanks are heavily insulated, they continuously absorb heat from the surrounding environment. As liquid methane within a LNG tank begins to evaporate, pressure builds and gas must be released. If not used, this methane is typically vented to the atmosphere. Venting also occurs intentionally to enable "auto-refrigeration," a process that uses the change of state caused by evaporation to cool contents that remain in the tank. Thus, by design, many LNG tanks—whether in transit or in

storage at a facility—are common emitters of methane to the atmosphere. In addition, methane gas is routinely vented from fuel lines and couplings during the dispensation or transfer of LNG. These losses can be significant, especially at refueling stations where connections are made frequently. Facilities are also prone to accidental LNG spills and evaporation when fuel lines are attached and detached. All of these sources of methane release, which the proposed Regulations universally ignore, counter the supposed benefits of conversion to natural gas.

The failure by industry to prevent the chronic release of climate-changing methane from LNG facilities is well established and must not be perpetuated by the promulgation of inadequate proposed Regulations. This issue is discussed in the recent report *Feasibility Study for Liquefied Natural Gas Utilization for Commercial Vehicles on the Pennsylvania Turnpike*, above, which explains that methane releases at LNG fueling stations result from "bulk fuel transport trucking, transfer from the bulk fuel truck to the tank at the fueling station, the tanks at the LNG fueling station, dispensing piping at the station to the commercial vehicles, and the fuel tank on the LNG vehicles" (Id. p. 20; see also pp. 137-141.) The report further confirms that "[c]urrently, most of the industry simply vents the BOG [boiled-off gas] to the atmosphere" and, significantly, concludes

> "[w]hile BOG is not currently regulated, the industry should consider that as a possibility in the future...**we recommend strong consideration be given to collection of BOG at fueling stations**. Such systems should collect any gas from the transfer of fuel from bulk truck to tank and from tank to commercial vehicle and allow commercial vehicles to vent into the system as they bleed pressure prior to refueling." (Id., Chapter 1, Section 1.5, p. 20; emphasis added.)

In light of the above, it is clearly unacceptable that no requirements for the collection of methane are included or even discussed in the proposed Regulations for LNG facilities in New York State. Section 12.2.1.1 of the 52 NFPA code requires that monitoring devices be installed at LNG dispensation facilities to detect unexpected methane leaks which could affect "local conditions and exposures to or from other properties." However there are no provisions whatsoever in the NFPA codes or the proposed Regulations for the recapture of methane, commonly vented from storage tanks and during fuel dispensation or transfer. This deficiency is also glaringly apparent in section 570.6(d) of the Regulations, which actually requires that above-ground storage tanks designated as permanently closed be "vented to the atmosphere." Nor are there any requirements in the proposed Regulations for the mitigation of environmental impacts, including climate change, caused by the release of methane gas.

In addition to methane, LNG facilities produce various other emissions and waste that the proposed Regulations ignore. For example, flaring, which generates carbon dioxide and other emissions, is common at facilities where regasification occurs. LNG production, regasification, and storage facilities also produce exhaust from driver motors; liquid effluents from sumps, drains, and cooling returns; and solids associated with spent sieves and mercury removal. As presently written, the Regulations universally fail to address the many systemic and cumulative problems of methane loss, damage to air quality and the environment, potential impacts to public health, and contribution to climate change due to all of the above.

These are all serious omissions that must be corrected. At a minimum, the Regulations must establish strict limits on emissions, including venting and flaring; require the recapture of methane vented from storage tanks, during transport, dispensation, and refueling; and ensure the proper control and disposal of all process wastes.

5. IN-STATE TRANSPORT OF LNG IS NOT REGULATED AS REQUIRED BY LAW

The proposed Regulations contain several contradictory and arbitrary distinctions relative to the interstate and intrastate transportation of LNG.

Proposed Regulation, Section 570.49(a), prohibits **intrastate** transport of LNG-to-LNG facilities **unless the route has been certified by the New York State Department of Transportation. (**Emphasis added.) This is also a requirement of the LNG Statute, ECL Section 23-1713. Thus, the New York State Department of Transportation ("DOT") is required to certify such routes. However, the DEC admits that the DOT does **not** intend to regulate intrastate routes. The DEC states that since no designated routes exist for "other" hazardous materials transport it would be "impractical" to develop such routes for LNG transport. (Regulatory Impact Statement, p.10.)

This is unacceptable and misleading. The DEC should not announce that Regulations will be developed for certified routing of intrastate transport of LNG while inserting provisions buried elsewhere in the documents admitting that the DOT does not intend to comply with applicable law or the Regulations because it deems them "impractical."

Similarly, Section 570.4(b) of the Regulations requires that **interstate** transport of LNG comply with all state and federal requirements for the transport of **hazardous material**. However since this statement is not included in subsection 570.4(a), it is not clear that DEC intends this requirement to apply to the **intrastate** transport of the same materials. Whether LNG is carried from locations originating within or outside the State, the relative risks to public safety, roads, and waterways are the same. If LNG is hazardous material when traveling interstate it must be hazardous material when moved **intrastate** as well.

The proposed Regulations must require compliance with all federal, state, and local regulations for the transport of hazardous material, including specifically New York State law, and require that the DOT must designate routes for intrastate transfer of this hazardous material.

6. REGULATIONS ARE AMBIGUOUS WITH RESPECT TO MOBILE LNG FACILITIES

The proposed Regulations are ambiguous with respect to mobile LNG facilities. Subsection 570.1(d)(1) states that an “on-board LNG fuel tank in a LNG fueled vehicle or vessel” shall not constitute a LNG facility; however it is not clear from these words whether or not this exemption applies to a LNG vehicle or vessel which is carrying LNG as cargo. The term “on-board fuel tank” might be construed to mean a LNG tank that is used to power the particular vehicle or vessel in transit, one or more LNG fuel tanks carried as cargo on a vehicle or vessel but which are intended as fuel for other vehicles or vessels, or a large tank or tanks that contains

LNG fuel being delivered to a refueling station or other destination where the LNG would be used or transferred.

The DEC may have intended the exception in 570.1(d)(1) to apply only to a LNG fuel tank attached to the engine of a vehicle or vessel which serves the sole purpose of powering that particular vehicle or vessel, however as presently written that is not clear. The ambiguous phrase "on-board fuel tank" is also used in subsection 570.1(d)(4) pertaining to the intrastate transport of LNG. Both 570.1(d)(1) and 570.1(d)(4) should be revised so that only a LNG fuel tank that is attached to the engine of a vehicle or vessel and serves the sole purpose of powering that vehicle or vessel is exempted.

Clarification on this issue is especially important in light of emerging technology for mobile LNG production, storage, or regasification. In particular, it is of concern that Expansion Energy--the conflicted author of the 2011 promulgation study on which DEC relies, has a business interest in marketing patented technology for mobile LNG facilities to be used in various applications, including at gas well pads. A facility that produces, re-gasifies, or stores LNG, even temporarily, should not be exempted from these Regulations.

7. REPORTING OF LNG SPILLS AND ACCIDENTS IS INADEQUATE

The requirement for reporting LNG spills in Sec. 570.8 is also severely flawed. The proposed Regulations only vaguely state that a spill should be reported if it could "result in, or may reasonably be expected to result in, a fire with potential off-site impacts or that cause, or may reasonably be expected to cause, an explosion."

Lacking any reference to spill volume, this highly ambiguous language essentially allows the LNG operator to decide what, if any, spills need to be reported. If regulations for the permitting of LNG facilities in New York State are promulgated, clearly a specific set of protocols should be included for the reporting of accidents, monitoring of emissions, maintenance of equipment, and the keeping of records appropriate to each type of LNG facility contemplated. The Regulations also allow LNG operators to wait two hours before reporting a spill, even one that threatens neighboring people and property. The reporting requirements in the Regulations should require immediate reporting.

Further, according to the Regulations, the only type of accident that must be reported is a LNG "spill" defined as the "escape of LNG in liquid form" (Regulations, Sec.570.8.) Inexplicably, the proposed Regulations contain no requirements for reporting or maintaining records pertaining to fires, explosions or human injury that could result from such a spill. Nor do the proposed Regulations require the reporting or documentation of accidents or environmental harm caused by other activities (such as flaring) that are not the result of a LNG spill. It is also unclear how Section 570.8, which limits reporting to spills, is harmonized with any applicable reporting requirements that might be included in the NFPA codes.

Similarly, as discussed above, there is no requirement in the proposed Regulations for monitoring and maintaining records relating to the release of methane caused by equipment

leaks, intentional venting of methane, or flaring—all of which can impact air quality, public health, and climate change. Nor do the Regulations require that equipment and components (such as valves and fittings) be inspected by the DEC on a regular basis, or that maintenance records be kept and made available for review by the DEC. These measures are essential at an industrial facility involving cryogenic storage where explosive materials are handled at extreme temperatures and pressure, and where people or property in the area could be negatively impacted.

8. OPERATORS ARE NOT REQUIRED TO SHOW FINANCIAL RESPONSIBILTY FOR DAMAGES AND COMPETENCY IS NOT VERIFIED

The Regulations fail to require demonstration of financial security to cover liabilities associated with the operation and eventual closure of LNG facilities. As written, Section 570.7 states only that financial assurance "may be required by the Department to ensure the proper **closure** of facilities" (emphasis added.) The vague statement follows: "The form and amount of such financial assurance, if any, will be established by the Department." (Id.)

To be effective and carry the force of law, regulations need to state clearly what is required, not what might be required. Without this, there are no standards for staff to follow, and there is no guarantee that DEC will actually mandate that operators obtain appropriate insurance, bonds, or other security measures to ensure that the public will not have to ultimately bear the cost of closing down facilities that the industry abandons.

Furthermore, this part of the Regulations refers only to financial assurance to address "closure" of facilities. Section 570.2(b)(10) requires applicants to provide proof of "liability insurance to cover the proposed operations." However, the LNG Statute, ECL 23-1717(8) provides for strict liability, stating: "neither compliance with the requirements of this title, nor the exercise of due care, shall excuse any such person from liability for personal or property damage determined to be caused by the accidental release of liquefied natural gas..." Clearly, the proposed Regulations do not sufficiently describe the scope of potential damages that facility operators must insure against.

If regulations for the permitting of LNG facilities in New York are eventually promulgated, Section 570.7 must be revised to clearly mandate that owners and operators of proposed facilities must provide insurance, bonds, or other security measures to cover all costs associated with strict liability for accidents, environmental damage, and harm to impacted communities and individuals, on- or off-site, as a result of operations or closure of the facility.

The proposed Regulations also fail to require the demonstration of operator competency. The Regulations should be revised to require that applicants submit appropriate information (such as past projects, safety records, and accident reports) so that DEC can determine whether the facility owner, as well as its employees and contractors, are qualified to operate the proposed LNG facility. Furthermore, qualification and performance information should be provided periodically once a permit is issued and during permit renewal to ensure ongoing competency.

9. PERMIT FEES ARE GROSSLY INADEQUATE AND NO PROVISIONS ARE MADE TO ASSIST RURAL COMMUNITIES

According to the Regulations, the maximum permit fee to be collected for a facility with capacity greater than 70,000 gallons is a mere one-time permit fee of $2,500. (Regulations, Sec. 570.2(k).) This is clearly not sufficient to cover the regulatory costs to DEC for review, permitting, inspection, and enforcement of a major operation at an industrial site or port containing large tanks, involving complex refrigeration technology and regasification, and that necessitate sophisticated environmental and safety protocols.

Individual tank sizes of 100,000 cubic meters (26 million gallons) or greater are not uncommon at large LNG storage or processing facilities, such as import/export terminals and where liquefaction or regasification takes place. Although DEC may initially anticipate permits for small facilities, the proposed Regulations apply to LNG projects of any size. It is essential that DEC establish a regulatory program and fee structure capable of supporting all activities that may be permitted.

The proposed program fee structure virtually ensures that DEC will not have the necessary resources and funding to perform its function as a regulatory agency of protecting the environment and people of New York State. DEC should reconsider the permit fees so that the full costs associated with permitting and enforcement (including improvements necessary to address other comments provided herein) can be accounted for. The DEC should substantially raise the proposed permit fees identified in Section 570.2(k).

Finally the DEC assumes throughout the proposed Regulations that there will be no regulatory impact on local governments as a result of the construction of such facilities. These assumptions are apparently based on the premise that the local governments will also abrogate all governmental functions. This is incorrect and inappropriate. The costs to local government of monitoring compliance permit application review, emergency response, future SEQRA compliance, zoning law development and all other governmental functions must be considered.

10. REQUIREMENTS FOR EMERGENCY PREPAREDNESS ARE INSUFFICIENT

The proposed Regulations do not adequately describe obligations of facility operators to ensure that local emergency responders are capable of responding to fires, explosions, terrorist attacks, release of LNG, or other accidents that may endanger personnel on site, the surrounding community, or the environment. In this regard we note that although the Congressional Research Service has specifically warned that LNG facilities may be vulnerable to terrorist attack, no consideration of such risks and potential responses appears in the draft Regulations. (See e.g. 12 Congressional Research Service Report, "Liquefied Natural Gas Infrastructure Security: Background and Issues for Congress", September 9, 2003.)

Most rural communities operate with volunteer fire departments that work without compensation. It is doubtful that these communities will have the resources or equipment to respond to major conflagrations including terrorist attacks at LNG facilities. They would undoubtedly need access to sophisticated training as well as new equipment, protective clothing,

and permanent staff. While Section 570.2(b)(9), of the Regulations requires that applicants prepare a report to evaluate the preparedness of fire departments in the area to respond to LNG spills or fire, the Regulations contain no criteria for DEC to use in determining the adequacy or accuracy of such reports.

Likewise, although a cost estimate and proposed schedule for remedying deficiencies is required, the Regulations fail to clearly require that all deficiencies must be cured before a permit is issued. It is also insufficient that Section 570.2(b)(9) of the Regulations only addresses fire department capability, failing to require evaluation of the preparedness of other emergency responders and support facilities such as paramedics, hospitals, and state or local law enforcement. Section 570.3 of the Regulations titled “Site Inspection and Training of Local Fire Department Personnel” requires that permit applicants offer an emergency response training program prior to commencement of operations and annually thereafter. However the Regulations provide no indication of how comprehensive this training must be, whether participation is mandatory, or to what extent local responders must demonstrate sufficient preparedness to address various types of emergencies before permits are issued or renewed.

If DEC promulgates Regulations for LNG facilities, objective criteria should be developed and minimum standards for compliance established to determine the adequacy of emergency preparedness. Furthermore, the Regulations should clearly require that any deficiencies in personnel, equipment, or training be rectified before a permit is issued or operations commence, and that periodic reevaluation occurs to ensure that preparedness is maintained over time.

11. UNEQUAL TREATMENT OF RURAL COMMUNITIES SHOULD NOT BE TOLERATED

The Regulations appear to assume that the ban on all LNG facilities in any city or town of more than one million people will remain in effect. (Regulations, Sec. 570.9.) However, the XE Study states that the Regulations will eventually apply in New York City because LNG facilities will only be sited "outside NYC during the initial years when the existing moratorium on LNG facility deployments may still be in place." (XE Study, p. 46.) The clear implication is that LNG facilities will eventually be permitted in NYC under the proposed Regulations.

The Regulations, if adopted, must make clear that in all likelihood, they will eventually apply to all of New York as the XE Study indicates. Different standards of protection based solely on the number of people who might be affected are irrational and repugnant. Residents of small cities and rural towns are entitled to the same protections as those who reside in cities of a certain size. The lives of the families, children, students and elderly who live in rural areas are just as valuable as those who live in more populated regions. It is unjust and irrational to assume otherwise. To the extent the Regulations would make it easier to site a LNG facility in minority or low-income communities, and would cause disproportionate environmental impacts in those communities, the Regulations are contrary to DEC's Policy on Environmental Justice and Permitting. In this regard, the DEC must be aware that a significant swath of NY state’s rural areas are categorized as distressed census tracts and thus would in many instances qualify as low-income communities.

Disturbingly, the NFPA code specifically referenced by the proposed Regulations appears to promote risk assessment methods that actually encourage the discriminatory treatment of rural populations. Because the code assesses risk in terms of "tolerable" annual fatalities, people who live in rural areas may be exposed to greater danger than those living elsewhere. In fact, based on risk assessment methods accepted by NFPA, it may be permissible for various safety measures, containment techniques, buffer zones, and other protective measures to be less stringent in rural communities simply because the number of people who might die in the event of an accident is smaller. This disparate treatment of human beings is highly objectionable.

The equal protection of persons from harm caused by industry is a cornerstone principle of Environmental Justice that cannot be dismissed. If Regulations are promulgated, consistent, clearly enforceable safety measures must be established, including but not limited to containment techniques and substantial buffers around facilities, to ensure that residents who live in rural areas are afforded the same protections as those in more populated urban areas.

12. NONE OF THE SUPPORTING ANALYSES ADEQUATELY CONSIDER THE BENEFITS AND COSTS

New York law requires that before new regulations are issued, the issuing agency must prepare and submit a Jobs Impact Statement, a Rural Area Flexibility Analysis, and a Regulatory Flexibility Analysis for Small Businesses and Local Governments, among other documents. Each of these documents submitted by the DEC in connection with the proposed Regulations is flawed because they do not contain the required analyses.

First, the Jobs Impact Exemption Statement, erroneously and without support, states that the DEC

> has determined that the proposed Liquefied Natural Gas (LNG) regulations will have a positive impact on jobs and employment opportunities throughout the State. There would be a creation of an essentially new industry with this rule-making and it will not replace any existing petroleum or chemical facilities in the State." Jobs Impact Exemption Statement, p. 1.).

This is troubling because it is directly inconsistent with the findings of the XE Study which concluded: "Each of the LNG facilities likely to be deployed in the first five years after the promulgation of Part 570 will generate very few jobs..." and that "[t]he job and cost projections show that there would be minor increases in job opportunities as a result of the ability to issue LNG facility permits." (XE Study, pp.50 and 51.)

The DEC cannot have it both ways. One of these documents, both of which are a part of the record submitted in support of the proposed Regulations, is inaccurate. Moreover, the DEC analysis does not consider any negative impacts to existing jobs and businesses in the agriculture, tourism, and recreational land use markets. The DEC apparently relies only on the XE Study, which also did not consider adverse impacts, and recites a "belief" that the

Regulations will cause no additional paperwork, no additional staffing requirements, and no adverse economic burdens. (Regulatory Flexibility Analysis, p. 1; Rural Area Flexibility Analysis, p.1.)

It is obvious that in areas without zoning, or where zoning exists but must be amended, in areas served by minimal volunteer emergency response teams, and in areas where the LNG facilities will be part of hydraulic fracturing infrastructure, the impact of the Regulations will cause additional burden and expense on local governments. Moreover, the presence of LNG facilities with their attendant risks of explosion, emission of harmful pollutants, and wastes will impact health care costs, existing land values and uses, and existing businesses based on agriculture and tourism. The DEC cannot simply state it "believes" that none of these considerations merits analysis.

Finally, to the extent LNG facilities are sited at gas well pads and on new or existing pipelines, they cannot be permitted without a cumulative impacts analysis of all of the underlying impacts of the LNG facilities when combined with the well pads and pipelines and hydraulic fracturing infrastructure. The LNG facilities and these Regulations cannot and should not be analyzed in isolation.

13. THE DEC'S NEGATIVE DECLARATION IS ARBITRARY AND CAPRICIOUS

The DEC's Negative Declaration issued pursuant to the State Environmental Quality Review Act ("SEQRA") for the action of promulgating the Regulations overlooks several potentially significant adverse environmental impacts, including cumulative impacts, from the expected development and proliferation of LNG facilities across the State. After many decades of the statutory moratorium imposed by ECL Section 23-1719, the Regulations, as presently proposed, will allow for the development of small, medium, and large LNG facilities, despite the fact that the legislature has found LNG to be "an extremely volatile, highly flammable and dangerous substance which if released into the air is capable, under unfavorable atmospheric conditions, of causing severe damage even in areas distant from the point of release." (LNG Statute, ECL 23-1719.)

The DEC's Negative Declaration ignores the required criteria for determining significance set forth at 6 NYCRR Subsection 617.7, which criteria include a "substantial change in existing air quality," "a major change in the use of either the quantity or type of energy," and "the creation of a hazard to human health." The Regulations would allow for the deterioration of air quality and release of greenhouse gas by LNG facilities that routinely vent methane and may engage in flaring, and they authorize a major change in the use and transportation of LNG. Furthermore, the legislature has specifically found and acknowledged that LNG is a potential hazard to human health and safety. The cumulative impact of the proliferation of LNG facilities has likewise been overlooked. That individual permit reviews will be subject to SEQRA is not a sufficient substitute for proper SEQRA review of the Regulations themselves, and considering potential adverse environmental impacts of LNG facilities only on a case-by-case basis would constitute improper segmentation, which, as per 6 NYCRR Subdivision 617.3(g), is contrary to the intent of SEQRA.

The potential impacts to air quality, a major change in type of energy, and threats to public health and safety from the proliferation of LNG facilities are potentially significant, adverse environmental impacts which require the rescission of the Negative Declaration pursuant to 6 NYCRR Subdivision 627.7(f), and the issuance of a Positive Declaration. In that way, the potential impacts of the Regulations can be more thoroughly documented and analyzed in a Draft Environmental Impact Statement, alternatives can be considered, and proper mitigation integrated into the Regulations if they move forward. Clearly, the fact that the DEC relied on a Short EAF instead of a Full EAF and issued a Negative Declaration instead of a Positive Declaration resulted in a SEQRA review that was not sufficiently protective of the environment.

14. A SINGLE PUBLIC HEARING WAS NOT SUFFICIENT AND DEC DID NOT ALLOW ADEQUATE TIME FOR PUBLIC COMMENT

The DEC mishandled the public comment process with respect to the Regulations. The DEC scheduled only a single public hearing for the entire State, which took place in Albany, New York on October 30, 2013. This disadvantaged and prejudiced those citizens who live outside of greater Albany and who could not take the entire day off from work or family obligations to travel to Albany to attend. Additional hearings throughout the State should have been scheduled.

In addition, the hearing venue at DEC headquarters in Albany was insufficient to accommodate the crowd that sought to gain entry. As should have been reasonably anticipated, hundreds of people were present, which overwhelmed the DEC's facilities. Many people could not enter the hearing room when the hearing started and were forced to stand outside in the cold while waiting for a turn to speak. In fact, because the hearing room size was woefully inadequate, someone had to leave the hearing room for another person to be allowed to enter. This prevented the public from hearing what was being said in the hearing and suggests a deliberate intent to curtail the public's right to participate in the one public hearing scheduled. Clearly, the DEC knew it was expecting a large crowd, as evident from the large security presence that it had arranged. The Department had a duty under Public Officers Law Section 103(d) "to ensure that meetings are held in an appropriate facility which can adequately accommodate members of the public." The DEC failed to meet this legal requirement.

Further, the public was initially allowed less than 60 days to comment on the proposed Regulations. The Notice of the proposed Regulations was issued on September 11, 2013, however a press release to the general public was not forthcoming until two weeks later. Public comments were to be submitted by November 4 at 4:00 p.m. Eventually the time period was extended by 30 days to December 4, 2013, but that is still **LESS** than 90 days to comment on proposed Regulations that could have a profound effect on communities throughout New York State. This is clearly insufficient.

In addition, many people have not been able to obtain free or easy access to the NFPA codes adopted by reference in the proposed Regulations. To purchase access on the Internet to these codes from the NFPA website requires a payment of $44.00 per code, which is too expensive for many. The DEC's attempt to adopt the Regulations incorporating by reference codes that are not readily available free of charge violates due process. It is not enough to assert that some libraries

could provide access to the codes without ascertaining that such access was in fact available at public libraries throughout the State. Also, given the extremely short public comment period, it was not reasonable to expect that all persons who would have chosen to comment on the Regulations could review the codes in a local library.

Lastly, the time allowed for comment is woefully inadequate for towns, villages and cities throughout New York State to prepare formal comments. It is completely unrealistic to expect a local governing body or "agency having jurisdiction" as defined in the NFPA code to review all potential impacts, seek community input, prepare professional comments, and then vote at a scheduled meeting as required by applicable law, in time to submit comments on the schedule set forth.

Accordingly, the public comment period must be extended, any codes adopted by the DEC must be made available free of charge to all interested persons, and further public hearings throughout the State must be scheduled.

For all of the reasons set forth in these comments, we respectfully request that the proposed Regulations regarding LNG facilities be reconsidered and withdrawn.

Respectfully submitted,

Nicole A. Dillingham
President, Board of Directors

cc: Hon. Andrew M. Cuomo, Governor
Hon. Joseph Martens, Commissioner, NYSDEC
Douglas H. Zamelis, Esq.

APPENDIX A: ADDITIONAL SIGNATORIES TO OTSEGO 2000 SUPPLEMENTAL COMMENTS ON PROPOSED REGULATIONS OF LNG FACILITIES

ELECTED OFFICIALS

Lou Allstadt, Trustee, Village of Cooperstown
Kathy Arnold, Cortland County Representative, District 16
Don Barber, Supervisor, Town of Caroline
Bonnie Bennett, Mayor, Village of Aurora
David Bliss, Supervisor, Town of Middlefield
Christopher Case, Councilor, City of Plattsburgh
Carol Chock, Legislator, Tompkins County
Carl Chipman, Supervisor, Town of Rochester
Chad Davis, Oneida County Representative, 18th District
James R. Dean, Trustee, Chair of Environmental Conservation Committee, Village of Cooperstown
Pamela Deane, Clerk, Town of Otsego
Bob Eklund, Councilman, Town of New Lisbon
Steve Fiore-Rosenfeld, Councilman, Town of Brookhaven
Anne Geddes-Atwell, Supervisor, Town of Otsego
Thomas E. Hohensee, Councilman, Town of Otsego
Julie Huntsman, DVM, Councilwoman, Town of Otsego; Co-coordinator, Elected Officials to Protect New York
Jean Kessner, Councilor at Large, City of Syracuse
William Lancaster, Councilman, Town of Richmondville
Linda Lavine, Councilwoman, Town of Dryden
Laura G. Malloy, Ph.D. Councilwoman, Town of Laurens
Beth Rosenthal, Otsego County Representative, District 7
Michael Sabatino, Councilman, Yonkers
Bennett Sandler, Councilman, Town of Otsego
Allegra Schecter, Councilwoman, Town of Roseboom
Daniel Torres, Board of Education Trustee, New Paltz
Irene Weiser, Councilwoman, Town of Caroline

BUSINESSES

Brewery Ommegang, Larry Bennett, PR and Creative Services Manager, Cooperstown, NY

Cedar Ridge Realty, Middlefield, NY
Eco-Logic, WBAI-FM, Ken Gale, New York, NY
Landscape Alternatives, L.L.C., Roseboom, Cherry Valley, NY
Ronald L. Lytel Design, Ronald Lytel, Cooperstown, NY
Steve Zerby Design/Build L.L.C., Westford, NY
Susquehanna Home Inspections, Charlie Reiman, Middlefield, NY

ORGANIZATIONS

Advocates for Cherry Valley, Lynn Marsh and Andy Minnig, Co-Directors, Cherry Valley, NY
Advocates for Morris, Maureen Dill, Facilitator, Morris, NY
Advocates for Springfield, Harry Levine, President, Springfield, NY
Butternut Valley Alliance, Bob Eklund, Coordinator, New Lisbon, NY
Catskill Citizens for Safe Energy, Bruce Ferguson, Director, Fremont Center, NY
Catskill Mountainkeeper, Wes Gillingham, Program Director, Youngsville, NY
Center for Sustainable Rural Communities, Robert Nied, Director, Richmondville, NY
Citizens Energy and Economic Council of Delaware County, Joan Tubridy, Franklin, NY
Citizens for Clean Water, Vera Scroggins, Founding Member, Susquehanna County, PA
Concerned Burlington Neighbors, Suzy Winkler, Co-Founder, Burlington, NY
Concerned Citizens of Otego, Carolee Byrnes, Otego, NY
Committee to Preserve the Finger Lakes, Melanie Steinberg, Outreach Coordinator, Penn Yann, NY
Damascus Citizens for Sustainability, Barbara Arrindell, Co-founder, Narrowsburg, NY
Delaware Riverkeeper Network, Tracy Carlucci, Deputy Director, Bristol, PA
Grassroots Environmental Education, Lauren Hughes, Policy Director, Port Washington, NY
Middlefield Neighbors, Kim Jastremski, Middlefield, NY
Milford Doers, Otto Butz, Milford, NY
New York City Friends of Cleanwater, Donna Stein, President, New York, NY
Occupy the Pipeline, Kim Fraczek, New York, NY
OWS Environmental Solidarity Working Group, New York, NY
Protect Laurens, Kathy Shimberg, Facilitator, Mt. Vision, NY
Residents of Crumhorn, Otto Butz, Milford, NY
ROAR Against Fracking, Allegra Schecter, Founder, Roseboom, NY
Sane Energy Project, Clare Donohue, New York, NY
Sanford, Oquaga (and Deposit) Area Concerned Citizens (S-OACC), Gail Musante, Sanford, NY
ShaleshockCNY, Mary Menapace, Founder, Ithaca, NY
Sharon Springs Against Hydrofracking, Lisa Zaccaglini, Director, Sharon Springs, NY
STP, Stop the [Constitution] Pipeline, Mark Pezzati, Steering Committee, Andes, NY
Sullivan Area Citizens for Responsible Energy Development (SACRED), Karen London and Larysa Dyrska, M.D., Co-Founders, Sullivan County, NY
Sustainable Otsego, Adrian Kuzminski, Moderator, Cooperstown, NY
Upper Unadilla Valley Association, Lorraine McNulty, President, Plainfield, NY
United for Action, Ling Tsou, Co-founder and Board Member, New York, NY

INDIVIDUALS

Stuart Anderson, Otego, NY
Kelly Branigan, R.N., Middlefield, NY
Michael Branigan, C.R.N.A., M.S., Middlefield, NY
Craig Buckbee, Burlington, NY
Henry S. F. Cooper, Jr., Cooperstown, NY
Dr. Douglas DeLong, Cherry Valley, NY
Susan Deer, Cooperstown, NY
David Fanion, M.D., Middlefield, NY
Holly Fanion, Middlefield, NY
Ann Marie Garti, J.D., East Meredith, NY
Annette Gurdo, Sangerfield, NY
Edward Haney, Milford, NY
Irene Haney, Milford, NY
Melinda G. Hardin, Cooperstown, NY
Dennis Higgins, Otego, NY
Katie Higgins, Otsego, NY
Dorothy Hudson, Cooperstown, NY
Tom Huntsman, M.D., Fly Creek, NY
David Hutchison, Oneonta, NY
Kim Jastremski, Middlefield, NY
Marion J. Karl, Middlefield, NY
Elwood Lahey, East Setauket, NY
Jennifer Lahey, East Setauket, NY
Lisa Lahey, East Setauket, NY
Susan Lahey, East Setauket, NY
Robert Lidsky, Andes, NY
Diane MacInnes, Deposit, NY
Carol Marner, Franklin, NY
Eugene Marner, Franklin, NY
Mary Menapace, R.N., Skaneateles, NY
Katherine Muir, Cherry Valley, NY
Margaret Murray, Cooperstown, NY
Paul Murray, Cooperstown, NY
Beth M. Olearczyk, MD, Cooperstown, NY
Mark Pezzati, Andes, NY
Alice Richardson, Morris, NY
John C. Ryan, Delhi, NY
Kate G. Ryan, Delhi, NY
Keith Schue, M.S., Cherry Valley, NY

Tara Sumner, Springfield Center, NY
Andrew Susman, New York, NY
Bette Wanderman, Manhattan, NY
Ellen Weininger, White Plains, NY
Ellen White Weir, Cooperstown, NY
Joseph Wilson, Ithaca, NY