

OFFICE OF THE COMMISSIONER

New York State Department of Environmental Conservation
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DEC - 8 2023

Honorable Donna A. Lupardo
New York State Assembly
State Office Building – 17th Floor
44 Hawley Street
Binghamton, NY 13901

Honorable Lea Webb
New York State Senate
Legislative Office Building, Room 843
Albany, NY 12247

Dear Assemblymember Lupardo and Senator Webb:

Thank you for your letter requesting information on a potential natural gas development project in the Southern Tier. Please note that as of the date of this letter, DEC has not been contacted by Southern Tier CC2 Clean Energy Solutions (Southern Tier) regarding the project described in the letters received by landowners. The only information DEC currently has on this potential project has come through a review of their website and the letters landowners have shared with us.

As with any proposed project, if DEC were to receive permit applications for drilling in the Marcellus and Utica shales, the use of produced gas as fuel to generate electricity, or any other component of the company's "plan", DEC would conduct a thorough and transparent review process. DEC's permitting reviews would examine all applicable federal and state standards to ensure the agency's decision is protective of public health and the environment, upholds environmental justice and fairness, and meets applicable standards, including those related to the Climate Leadership and Community Protection Act (Climate Act) and the State Environmental Quality Review Act. For example, DEC must ensure compliance with the requirements of the Climate Act's Section 7, which includes addressing whether the project is inconsistent with or would interfere with statewide greenhouse gas emission limits and ensuring a project would not disproportionately burden disadvantaged communities.

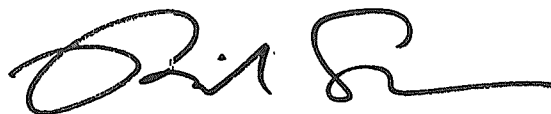
The process described on Southern Tier's website has not been tried yet in New York. Carbon dioxide is used in enhanced oil recovery projects in other states, but DEC is unfamiliar with using it in primary production of natural gas from shale formations. If this project does develop into a proposal by Southern Tier, DEC would coordinate with other states to determine if this technique has been applied elsewhere and if so, what these states have learned through their regulatory process that could inform New York.



Department of
Environmental
Conservation

Thank you again for raising this issue and please feel free to contact me at (518) 402-8540 if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Basil Seggos', with a long horizontal flourish extending to the right.

Basil Seggos
Commissioner