



New York State  
Petroleum Council

A Division of API

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Statement of the American Petroleum Institute

On Assembly Bill 6863 –

“An Act to Amend the Public Health Law and the Public Service Law, in Relation to the Protection of Public Health from Exposure to Radon in Natural Gas”

May 9, 2014

The American Petroleum Institute (API) is a national trade association that represents over 600 companies involved in all aspects of the oil and natural gas industry. API’s members include producers, refiners, suppliers, pipeline operators, and marine transporters, as well as service and supply companies that support all segments of the industry. API and its members are dedicated to protecting the environment while economically developing and supplying energy resources for consumers. API members carry out operations for safe and environmentally responsible exploration and production of natural gas, crude oil, and associated liquids, including production via the use of hydraulic fracturing. API is also the worldwide leading standards-making body for the oil and natural gas industry. Accredited by the American National Standards Institute (“ANSI”), API has issued approximately 500 consensus standards governing all segments of the oil and gas industry, including standards and recommended practices on well construction and hydraulic fracturing, which have been incorporated or referenced in numerous regulations and guidance documents by the U.S. Environmental Protection Agency (“EPA”) and the U.S. Department of the Interior (“DOI”).

API is concerned about the justification provided for this legislation, the claims made about the levels of naturally occurring radon in natural gas developed from unconventional shale formations, and the intent to instill fear into the general public regarding not only industry operations, but the energy resources that have served well the citizens of New York.

The proposed NY State regulations on radon in natural gas delivered to consumers are flawed because the sponsors have apparently misinterpreted the World Health Organization’s (WHO) recommended reference level for radon gas in indoor air of 100 Bq/m<sup>3</sup> (2.7 pCi/L). Their bill suggests that 100 Bq/m<sup>3</sup> (averaged over an hour) is the acceptable level for radon in the natural gas delivered to customers. The sponsors failed to take into account that heating with natural gas require a flue to vent the exhaust gases outside the home or business. Virtually none of the radon in the natural gas will reach the indoor air under those circumstances. In situations with potentially unvented use of natural gas (stove tops, ovens), there is a significant dilution factor that must be considered to determine the contribution of radon by natural gas to the indoor air concentration. Even in small apartments this dilution can be greater than 4000 times the amount of natural gas used. Trying to equate the WHO recommendation for radon in indoor air with concentrations of radon in natural gas shows a complete lack of understanding about exposure science by the bill’s sponsors.



EPA has set an “action level” for radon gas in indoor air of 4.0 pCi/L, approximately 50% higher than the WHO guidance. But again, the action level is for indoor air, not the natural gas used in the home or business.

Recently the Federal Energy Regulatory Commission (FERC) rejected claims that radon in Marcellus Shale sourced natural gas would lead to harm. FERC reviewed independent testing results conducted for Spectra Energy’s application for a permit to build a gas pipeline from New Jersey to New York City. The radon concentration at the point where the gas line would enter New York was approximately 17 picocuries per liter – over 150 times lower than the Sierra Club had claimed in their challenge to the pipeline permit. The US Geological Survey (USGS) also conducted radon testing on the Marcellus Shale source gas and their results averaged 37 picocuries per liter; *i.e.*, they were fully supportive of the Spectra Energy findings. In their October 18, 2012 decision, FERC denied the Sierra Club challenge, finding that the pipeline “project’s potential transportation of Marcellus-sourced gas will not pose a health hazard to end users.”

Finally, on September 26, 2013 New York City’s Mayor Michael R. Bloomberg announced that the City’s air quality has reached the cleanest levels in more than 50 years, with dramatic reductions in certain pollutants since the launch of the Administration’s comprehensive, long-term sustainability blueprint, PlaNYC. According to the Mayor’s own press release, “....since 2008, the levels of sulfur dioxide (SO<sub>x</sub>) in the air have dropped by 69 percent and since 2007 the level of soot pollution (PM<sub>2.5</sub>) has dropped by 23 percent.” The largest contributor to the reductions is the Clean Heat program, the phasing-out of heavy heating oil, increased reliance on cleaner burning natural gas, which has ultimately prevented 800 deaths, 2,000 emergency room visits and hospitalizations from lung and cardiovascular diseases annually. Bloomberg further acknowledged “the expansion of the regional natural gas supply and local gas distribution infrastructure operated by Con Edison and National Grid encouraged buildings to save money and reduce emissions by converting to natural gas.”

The bottom line is this; natural gas from the Marcellus Shale is improving the health and wellbeing of residents of New York City. The negative health impacts that activists and others continue to claim are occurring are exaggerated and misleading.

Respectfully submitted,

A handwritten signature in black ink that reads "Karen Moreau". The signature is written in a cursive, flowing style.

Karen Moreau  
Executive Director