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## Tanker Truck Accidents Underscore Need For Gas Pipelines In New York

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On Monday, September 23, 2019, at about 1:00 am, a truck carrying compressed natural gas overturned on Interstate 88 near Binghamton, New York. The crash killed the driver, 52 year old Jeffrey Lind, and punctured the truck's container system, resulting in compressed methane gas leaking into the atmosphere. That caused Governor Andrew Cuomo to issue a state of emergency in Broome County, New York.

Mr. Lind's truck was part of a "virtual pipeline" that has been established to transport natural gas drilled in the Marcellus region of northeastern Pennsylvania, just south of the New York border, to customers in the southern tier region of upstate New York. The reason for the truck convoy "virtual pipeline", of course, is Governor Cuomo's refusal to issue the permits necessary to allow natural gas pipelines through New York State. Indeed, the route followed by many of these trucks basically mimics the route of the proposed Constitution Pipeline itself, which the Governor has blocked for years.

Environmentalists were quick to call for an end to the truck convoys. They demanded to know why the trucks were allowed to drive near homes, schools, and places of worship. These arguments are identical to those used against construction of the pipelines, but ironically give support to the energy industry's argument that pipelines are the safest means of transportation for natural gas. The Lind crash was the 11th in just the last two years in New York suffered by XNG, the carrier charged with transporting the gas. In at least three incidents, gas has ruptured from the containers and leaked into the atmosphere. September's accident caused the closing for a day of two school systems and the evacuation of approximately 80 homes.

Left unanswered by the environmentalists' demand for an end to the truck convoy is any practical solution to how to deliver the gas to the people who need it. Winters in upstate New York are notoriously long, cloudy, snowy, and cold. While the Governor uses the power of his administration to block creation of a natural gas infrastructure in his state, he fails to address the effect that his actions are having on its citizens: How will upstate New York keep the lights and heat on during the winter? New Yorkers already pay some of the highest prices for electricity in the nation. If the current winter is cold and snowy, they could see price spikes that will cause energy prices to soar.

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Both solar and wind power are great technologies with numerous advantages, but also have issues that manifest themselves dramatically in places like the southern tier and Central New York. Solar will be of little use during the immense number of cloudy days in upstate New York, and solar does not generate any power at night. Wind power is notoriously spotty and irregular. Neither has the battery storage needed to make electricity available when they are not generating power, nor has the existing power grid been upgraded to allow power made from renewal sources to get from remote places where it may be generated to those population centers where it is most needed. Meanwhile, the existing nuclear power plants are being decommissioned without replacement. Hydro energy sources from Canada not only involve large dams that can be environmentally harmful, but would necessitate the construction of new infrastructure. Even if power systems based entirely on renewables could be created, they would not be danger free - witness the California wild fires last year sparked by power lines from Pacific Gas and Electric.

With the 2020 Presidential election season upon us and the increased discussion of climate change, it becomes more important than ever for elected officials like Governor Cuomo and for environmental critics of fossil fuels to go beyond warning us of the dangers of natural gas and to propose actually workable real solutions themselves. That they fail to do so means our policy makers are working with incomplete information. That being the case, the choices they make might make us feel good in the short run, but in the long term they may be harmful not just for our standard of living but also for the climate and the environment we're trying to preserve.

**ATTORNEYS MENTIONED**

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