

2019 Memorandum in Support

Bill: A101 by Assembly member Buchwald, S437 by Senator Hoylman

Title: Relates to prohibiting the acceptance of high volume hydraulic fracturing wastewater from oil or natural gas extraction activities at wastewater treatment facilities and solid waste management facilities.

The Adirondack Mountain Club (ADK) Strongly Supports this Legislation.

This proposal would amend the environmental conservation law, in relation to banning the acceptance of high volume hydraulic fracturing wastewater from oil or natural gas extraction at wastewater treatment facilities and solid waste management facilities. During the high volume hydraulic fracturing process chemicals are used in the drilling mud, slurries and fluids required for fracking. Every drilled well produces millions of gallons of toxic waste fluid containing the added chemicals, as well as other naturally occurring radioactive material, liquid hydrocarbons, brine water and heavy metals.¹ Well drilling companies end up with large quantities of waste in the form of flow back fluid, brine solids, and leachates. These waste products pose a significant public and environmental health risk if they end up in waterways or aquifers as a result of disposal or use on roadways.

In March 2018 the Concerned Health Professionals of New York released a report *The Compendium of Scientific, Medical, and Media Findings Demonstrating Risks and Harms of Fracking* (the Compendium), which is a fully referenced compilation of the evidence outlining the risks and harms of fracking.² The Compendium collected and compiled findings from three sources including, articles from peer-reviewed medical or scientific journals; investigative reports by journalists; and reports from, or commissioned by, government agencies.

“Substantial evidence shows that drilling and fracking activities, and associated wastewater disposal practices, inherently threaten groundwater and have polluted drinking water sources, as confirmed by the 2016 final report of the U.S. Environmental Protection Agency (EPA) on the impacts of fracking on the nation’s drinking water.... of the more than 1,000 chemicals that are confirmed ingredients in fracking fluid, an estimated 100 are known endocrine disruptors, acting as reproductive and developmental toxicants. Adding to this mix are heavy metals, radioactive elements, brine, and volatile organic compounds (VOCs), which occur naturally in deep geological formations and which can be carried up from the fracking zone with the flowback fluid.”³

Currently, New York State allows waste from hydraulic fracturing to be shipped to New York for

treatment in wastewater treatment facilities and disposed of in landfills. Treatment facilities and landfills are generally not currently equipped to handle these chemicals (e.g., carcinogens like benzene), contaminants, and radioactive materials in the waste from hydraulic fracturing. Current restrictions on the spreading of brine on roadways are vague, limited, and rarely require chemical testing of liquid waste before it is used. By prohibiting the disposal of hydraulic fracturing wastes in landfills, water treatment facilities, and for use on roadways, we can avert any unnecessary health risks to our wildlife, wild lands, our families and communities.

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¹ https://serc.carleton.edu/NAGTWorkshops/health/case_studies/hydrofracking_w.html

² <https://concernedhealthny.org/compendium/>

³ <https://concernedhealthny.org/compendium/>