

2019 Memorandum in Support

Bill: A2655 by Assembly member Englebright, S3392 by Senator May

Title: Relates to the uniform treatment of waste from the exploration, development, extraction, or production of crude oil or natural gas.

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

This bill closes a dangerous hazardous waste loophole in state law and regulations that exempts waste produced in the oil and gas industry from laws and regulations that govern the transport and disposal of waste which meets the definition of hazardous waste, such as the drilling waste produced during oil and gas drilling including High Volume Hydraulic Fracturing (HVHF) or “fracking.”

Unfortunately, New York’s moratorium and ban on HVHF have not stopped hazardous waste from HVHF and conventional drilling being imported into New York from Pennsylvania for disposal at landfill sites across the state or for use as roadway deicers or dust suppressants. Since 2011, at least 640,386 tons and 26,509 barrels of fracking waste with known carcinogens such as benzene, toluene, and formaldehyde have been disposed of in New York State landfills.¹ The volume of hazardous waste entering New York will only increase if the hazardous waste loophole is not closed. The loophole puts the citizens of New York at risk by exempting industries like the oil and gas industry from current law.

This bill will make all hazardous waste produced from oil and gas drilling subject to the same regulations for hazardous waste generation, transportation, treatment, storage, and disposal that apply to other industries operating in New York. This bill will protect our waterways and drinking water supplies, and avert any unnecessary health risks to our wildlife, wild lands, our families and communities.

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

¹ <https://www.riverkeeper.org/campaigns/safeguard/fracking-waste-in-new-york/the-concerns-in-new-york/>