



NEW YORK STATE SENATOR

Cecilia Tkaczyk

Tkaczyk Proposes Ban on Hazardous Fracking Waste Being Shipped into New York State

CECILIA TKACZYK May 15, 2013

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State Senator Cecilia Tkaczyk today announced legislation that would ban hazardous waste products from out-of-state fracking operations from being imported into, treated or disposed of in New York State.

“New York is under assault,” **Senator Tkaczyk** said. “Tens of thousands of tons of hazardous wastes are being shipped here each year from fracking sites in Pennsylvania and other

states. These wastes have high levels of heavy metals, carcinogens and other toxic chemicals and compounds, yet they are exempt from the storage and treatment regulations which govern the handling of other hazardous substances.”

Senator Tkaczyk’s bill would ban “the treatment, discharge, disposal, transportation or storage of high volume hydraulic fracturing waste products in New York State.” While this type of fracking is not currently being conducted in New York, landfills and treatment facilities in the state are accepting tens of thousands of tons of fracking waste from sites in Pennsylvania.

“It simply makes no sense that we would accept hazardous wastes from other states while we are working to determine the environmental impact fracking would have on New York,” Senator Tkaczyk said.

Fracking wastewater contains hundreds of hazardous and toxic chemicals used in fracking fluid, as well as contaminants from deep within the earth, most notably heavy metals, volatile organic compounds, radioactive elements and salty brine.

These wastes are being brought to private and municipal sewage-treatment plants in New York. However, because gas drilling and extraction are exempt from disclosure regulations in the Clean Air Act, Clean Water Act and Safe Drinking Water Act, we cannot be certain that the treatment plants have the technology to handle and treat the wastewater.

“The fact is we don’t know what’s in the waste coming into our state, we’re not sufficiently regulating the treatment of those wastes, and we cannot be certain that the treatment plants are adequately protecting our lakes, rivers and streams,” **Senator Tkaczyk** said.

Roger Downs, Conservation Director for the Sierra Club Atlantic Chapter, said, “New York State has turned a blind eye to the tens of thousands of tons of radioactive drill cuttings and

fracking wastes that are trucked from PA every day into NY landfills and treatment facilities. We applaud Senator Tkaczyk for her leadership in addressing the growing fracking waste crisis- head on."

Katherine Nadeau, Environmental Advocates of New York's Water & Natural Resource Director, said, "This bill is exactly what New York needs to help protect our environment and public health from fracking's harmful impacts—even fracking occurring outside of our borders. It's time for the Senate to act to protect New Yorkers, and this bill is a great place to start."

Kate Sinding, Senior Attorney with the Natural Resources Defense Council, said, "Fracking waste contains a cocktail of dangerous chemicals and radioactive material that nobody should have to find in their water glass. New York doesn't have a process in place to properly manage this mess, and is in no position to take it off Pennsylvania's hands. This bill wisely ensures that fracking wastes, wherever generated, won't put New Yorkers' health at risk."

Wes Gillingham from Catskill Mountainkeeper said, "For more than five years New York has been struggling to understand the cumulative impacts of high volume hydrofracking. Today we understand the threats much better and a majority New Yorkers believe going forward with fracking is not worth the risk. Waste water has always been a top concern since the Department of Environmental Conservation started rewriting our outdated regulatory program, but many serious questions remain unanswered. Meanwhile New York has been taking dangerous waste from Pennsylvania. This is a no brainer bill that should be passed to protect the health of New York communities. New York should not be a dumping ground for another state's poison."