



FRACKING WASTE DISPOSAL (A.130/S.340)

MEMORANDUM OF SUPPORT

An ACT to amend the Environmental Conservation Law, in relation to banning the acceptance of waste from oil or natural gas extraction activities at wastewater treatment facilities and landfills

Summary of Legislation

This bill would prohibit the introduction of all waste associated with oil or natural gas extraction activities, including hydraulic fracturing, at any landfill or wastewater treatment facility, and prevent the application of oil or natural gas waste on all state-owned real property.

Statement in Support

Inappropriate disposal of waste from oil and gas operations is a present threat facing New York State. Due to loopholes in state and federal safeguards, waste generated by oil and gas operations is not classified as hazardous despite containing ingredients considered hazardous when produced by other industries. As a result of this special exemption, water treatment facilities and landfills receive improperly classified waste that the facilities are ill-equipped to handle. Regardless of whether or not NYS ultimately permits high-volume horizontal fracturing, disposal of waste from both conventional and unconventional wells is of concern to NYS business leaders. Since 2010, more than 500,000 tons of waste have been transported to New York landfills from Pennsylvania. Fifteen New York counties have passed measures banning the improper disposal of fracking waste. While we applaud the county legislatures that have stepped up to the plate to protect their communities and industries, a statewide solution is essential to cover state roads as well. Plus, contamination is not contained by political boundaries.

These waste disposal methods can threaten the local economy and health of a community. Liquid and solid waste can contain a number of pollutants, such as chemical additives, heavy metals, excessive amounts of salt, and naturally occurring radioactive materials. There is no proper system in place for testing for contaminants, and disclosure of ingredients in fracking fluids is not required making it more difficult to calculate risks. Disposal of waste either by wastewater treatment facilities or dumping at landfills threatens shared resources, such as water supplies, soil and air, that are vital to New York's prominent industries: agriculture, tourism, food and beverage, and outdoor recreation. Waste disposal, whether done properly or not, near farms, wineries, breweries, distilleries, or other food and beverage producers, or vacation destinations, can threaten consumer confidence. If a customer poses the question of whether or not a product or area is safe, it's almost too late even if no contamination actually occurs.

The NYS Sustainable Business Council strongly supports this legislation.

THE NEW YORK STATE SUSTAINABLE BUSINESS COUNCIL (NYSSBC)

is an emerging alliance of business organizations and businesses committed to advancing a vibrant, just, and sustainable economy in New York State. We promote practical strategies and policies that build strong local economies, incentivize investment and innovation in clean technologies and alternative energy sources, and advance the development of sustainable communities in New York State.