



NEW YORK STATE SENATOR

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Senators Introduce Clean Water Legislative Package and Vow to Keep New York's Water Safe & Clean

JOSEPH P. ADDABBO JR April 11, 2011

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Queens, NY, April 11, 2011 – As new information continues to surface on the dangers of horizontal hydraulic fracturing, particularly in relation to the wastewater produced during the hydrofracking process, Senators Liz Krueger (D-Manhattan), Ranking Member of the Environmental Protection Committee Tony Avella (D-Queens) and Joseph Addabbo (D-Queens) have introduced a package of bills that aim to keep New York's water clean against the effects of hydrofracking. First and foremost, the package calls for a ban on hydrofracking. While working towards this goal, the package installs a series of necessary, common sense measures that would implement stronger regulations and heightened scrutiny that will keep New Yorkers, and their water, safe.

A series of articles produced by the *New York Times* has revealed that studies conducted by the Environmental Protection Agency show that the wastewater produced in hydrofracking is far more dangerous than previously reported. Even before it enters the ground, the frac fluid used in drilling poses serious threats to the environment and human health, as it is made of a combination of undisclosed chemicals that often contain carcinogenic materials. However, as reported by the *New York Times*, wastewater produced in hydrofracking grows even more dangerous once it's blasted through rock thousands of feet below ground. There, the frac fluid picks up salts and radioactive elements, like radium, that are naturally embedded in the Earth.

To address these issues, the first three bills in the Clean Water Package will implement tighter regulation and ensure transparency so the public can be assured that proper precautions are in place to monitor both frac fluid and the resulting wastewater. The bills providing for increased regulation are absolutely necessary to provide immediate and necessary oversight to keep the public and environment safe while ample political support is gathered to establish an all out ban, which has been proposed by Senator Avella. Senator Krueger's bill (S.425) is currently on the agenda to be voted on in the Environmental Conservation Committee on Tuesday, the 12th.

The bills in the Clean Water Package are:

- S.425 (Krueger) - Would provide greater regulation of the use of hydraulic fracturing fluids used for oil and gas drilling, including prohibiting the use of frac fluids containing chemicals that pose a risk to human

health.

- S.2697 (Avella) – Would provide for comprehensive regulation of oil and natural gas operations.
- S. 4251 (Addabbo) – Would require treatment works to test waste from hydraulic fracturing operations for radioactivity.
- S.4220 (Avella) – Would prohibit the use of hydraulic fracturing in the process of drilling for natural gas and/or oil.

Senator Liz Krueger said, “I don’t see it as that great of a request to require these gas companies to inform the public on what chemicals they’re blasting into the Earth. They want us to just fall into line and not ask any questions, to just ‘trust them.’ Well, we saw what they did with Pennsylvania’s trust, and I say no. Not here, not in New York. I tend to believe that if you guard a secret with your life it’s not because you’re hiding something good or harmless, it’s because you know that whatever you’re hiding will bring negative consequences for you if it comes to light.”

Senator Avella added, “Perhaps our greatest resource as New York City residents is the clean, unfiltered and refreshing water we receive every time we turn on our faucets. It is clear to me, that until we can be assured that the practice of hydrofracking presents absolutely no threat to New York’s residents and their drinking water, we must completely ban fracking.”

Senator Addabbo said, “Today, I join my Senate colleagues, Tony Avella and Liz Krueger, to support their respective bills, which together with mine, would amend the environmental conservation law, requiring new regulations from the DEC. My new bill authorizes the DEC Commissioner, after hosting a public hearing, to force regulations requiring treatment facilities handling wastewater to test for radioactivity levels. The DEC will identify tests to be performed on the water, including ingredients found within the hydrofracking fluids, and would prohibit the acceptance, treatment or discharge of hydrofracking-produced waste. This was in response to EPA and drilling industry studies that concluded radioactivity in drilling waste cannot be fully diluted in rivers and other waterways.”

There are many ways this wastewater puts human health and the environment in danger. In other states, wastewater is often stored in open pits until transported for ultimate disposal, but chemicals evaporate from these open pits, contributing to air pollution. Even prior to fracking, the trucks are carrying the fluids in high concentrations, and are subject to leaks and spills, causing contamination of surface waters. The fracturing fluid left underground can migrate or seep through fractures in underground formations, cracks in well-bore casings or through abandoned wells, polluting groundwater.

As has been made clear by a number of incidents related to natural gas drilling in Pennsylvania and elsewhere, high-volume hydrofracking continues to present unacceptable risks. New York State must adopt new regulation, like those presented in the Clean Water Package to keep its residents safe and healthy.