

For Immediate Release

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Coast Guard Proposal Would Bring Toxic Frack Waste to NJ

New Jersey - The U.S. Coast Guard is proposing to allow the shipping of shale gas extraction wastewater by barge on the Nation's rivers, including the Delaware and the Intracoastal Waterway. The New Jersey Legislature passed a bipartisan bill last year to ban the treatment and disposal of this radioactive waste within the state, however the measure was vetoed by Governor Christie. With this federal proposal New Jersey will be vulnerable to fracking waste from all over the country.

"This rule is a real threat to our waterways. The proposal will exempt fracking waste from being shipped anywhere in the country. There could be accidents or spills leading to major environmental disasters. The waste can be shipped to New Jersey and treated and disposed of in our waterways, threatening the drinking water for millions in the state," **said Jeff Tittel, Director, NJ Sierra Club.**

"Frack wastewater is highly toxic and, according to the Coast Guard, contains so much radioactivity that it requires special handling. It is common sense that this hazardous material has no place on our waterways. Gas drillers are in a jam because they have too much waste and not enough ways to move it. Now they want to barge it up and down our rivers too, despite the clear dangers to our drinking water and communities. This must be stopped," **said Tracy Carluccio, Deputy Director, Delaware Riverkeeper Network.**

The federal proposal would allow wastewater to be carried by barge on all navigable waterways in the U.S., which means all inland waterways and the Intracoastal Waterway along the Atlantic and Gulf Coasts. Frack waste would be allowed to be carried from terminals on barges in large tanks to wastewater handling sites such as injection wells, treatment facilities, or storage sites.

Marcellus Shale wastewater has been found to contain 154 parameters, including radioactive materials, according to New York State¹. Gas companies are not required to disclose what it is in the waste. The formula is protected as a trade secret

¹New York State Department of Environmental Conservation, *Revised Draft Supplemental Generic Environmental Impact Statement on the Oil, Gas, and Solution Mining Regulatory Program, Well Permit Issuance for Horizontal Drilling and High-Volume Hydraulic Fracturing to Develop the Marcellus Shale and other Low-Permeability Gas Reservoirs*, September 2011, Table 5.9

so facilities accepting the waste do not even fully know what it contains. The Coast Guard would allow the proprietary information about frack chemicals in the wastewater to continue to be kept secret from the public, keeping people in the dark about what is being transported. Because of loopholes in federal environmental laws we can't regulate fracking waste, and now with this proposal the industry can ship the waste anywhere, threatening our waterways.

"The Coast Guard is not guarding the coast with its proposal to barge by its own admission toxic frack waste without regulation on the nation's waterways. Basic protections are disregarded leaving polluters to self-regulate -- no mandatory testing, no independent analysis, weak public process, and no public disclosure. The Coast Guard needs to live up to its name and guard the coast by moving a rule with teeth not guidance without even gums!" **said David Pringle Campaign Director of Clean Water Action.**

Earlier this year researchers at Duke and Kent State found that the wastewater produced by fracking "threatens to overwhelm the region's wastewater disposal capacity". 1.3 billion gallons was produced in Pennsylvania alone in 2011. As shale gas production increases, waste disposal problems are growing. Already frack wastewater is often carried hundreds of miles before being injected into deep wells or discharged by waste facilities. They can no longer use deep injection wells in Youngstown, Ohio so they are looking for new places to dump and new ways to get it there.

"Fracking waste is dirty and dangerous, and should be nowhere near our rivers. Putting fracking waste on barges is an accident waiting to happen," **said Doug O'Malley, Director of Environment New Jersey.**

Regulators are well aware of the radioactive properties of fracking waste. In New Jersey, frack waste trucked to Kearney was so radioactive that it violated the facility's permit. A recent study found elevated levels of chloride, bromide, strontium, radium, and barium in frack wastewater and dangerously high levels of radium-226 in stream sediments downstream of a wastewater treatment facility in western Pennsylvania that processed frack wastewater.² ³ The Pennsylvania DEP reports that between 2009 and 2012, radiation alarms went off 1,325 times at landfills- over 1,000 of those alerts were

² **Impacts of Shale Gas Wastewater Disposal on Water Quality in Western Pennsylvania**

Nathaniel R. Warner, Cidney A. Christie, Robert B. Jackson, and Avner Vengosh, Division of Earth and Ocean Sciences, Nicholas School of the Environment, Duke University, Durham, NC, *Environ. Sci. Technol.*, 2013, 47 (20), pp 11849–11857 <http://pubs.acs.org/doi/abs/10.1021/es402165b>

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triggered by oil and gas waste. If spilled into a river the toxic components can contaminate drinking water supplies and be deadly to fish and aquatic life. Under the Coast Guard proposal, testing for radioactivity and chemical analysis is not mandatory; ongoing monitoring for radioactivity or chemical release is not required.

“Millions of families and children depend on America’s rivers for their drinking water, livelihood, fishing and recreational use. Risking the safety and cleanliness of America’s rivers by proposing and allowing the transport of highly toxic and radioactive fracking waste by barge on America’s rivers is reckless and unacceptable. The Coast Guard needs to protect America’s river waters for all of life and immediately reject this federal proposal.” **Sr. Suzanne Golas, Director, WATERSPIRIT.**

New Jersey’s wastewater treatment facilities are not designed to handle the toxins and radioactive material found in fracking wastewater and cannot remove it all before discharging the waste into our waterways. The New York Times found in 2011 wastewater was sent to treatment plants in Pennsylvania that could not handle the waste properly, resulting in the discharge of partially treated waste into waterways at 12 plants⁴. If there were a spill or accident it would threaten drinking water supplies and intakes.

"Shipping radioactive fracking waste water on our rivers and lakes makes about as much sense as ferrying toxic air on the open breeze. With each inevitable spill and leak, our public waters are poisoned forever," **said Jim Walsh, Eastern Region Director, Food & Water Watch.** "The legislature and the people of New Jersey have made it clear they want a ban on fracking waste in our state. That Governor Christie has thus far ignored that demand is unconscionable."

Venting of fracking wastewater can release dangerous air pollution, including radon, impacting public health and wildlife. The Coast Guard’s proposed venting provisions for tanks refer to worker safety which is important but should also be designed to measure and control emissions that could impact the public, wildlife and the environment. Routine handling of wastewater tanks can overexpose workers to radioactivity.

“Because of man’s follies it would seem that the time is fast approaching where parents can NO longer trust that our nation’s waterways – eternal gifts from nature and sources of both drinking water and recreational respites – are safe. The Coast Guard proposal to allow the shipping of radioactive fracking waste on inter coastal waterways, from our perspective, should be a non-starter and is a very bad idea all around,” **Harriet Shugarman, Executive Director, ClimateMama.**

⁴ Urbina, Ian. “Regulation lax as gas wells’ tainted water hits rivers.” *New York Times*. February 26, 2011

The NJ Department of Environmental Protection recently revised guidelines on this type of waste but has not prohibited its disposal in New Jersey. **NJDEP does not have a routine system in place to track this and waste tracking from other states is inadequate.** New Jersey facilities have accepted fracking waste in past. Frack waste has been sent to Clean Earth facilities in Kearney and Carteret, to LORCO in Elizabeth and DuPont in Salem County, even though none of these facilities are equipped to safely handle this toxic radioactive waste, which is why a ban on frack waste disposal is needed in the state.

“The Mothers Project, Inc. is a global coalition of mothers formed on behalf of children who cannot vote or make public policy. As their advocates and protectors, we support energy sources that do not fill our children’s environment—and thus their bodies—with toxic pollutants. The proposal to use the Earth’s waterways, a precious and vital resource for human survival, to transport toxic waste is indicative of the industry’s desperate approach to solve an unsolvable problem. The disposal of the toxic waste that emerges from the imperfect technology of hydraulic fracturing is the Achilles heel of this enterprise and its undoing. We will protect our waterways from harm and ruin with the same strength of purpose we would protect our children,” **said Angela Monti Fox, founder of The Mothers Project, Inc.**

See the Coast Guard’s “policy letter” to allow fracking waste to be carried by barge in bulk under certain conditions as a hazardous material on navigable waterways throughout the U.S.: <http://bit.ly/HDCKmq>

Comment period closes Nov. 29. Go to www.regulations.gov to comment.

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