

GOVERNOR CHRISTIE, STOP BEING A ROAD BLOCK TO A CLEAN ENERGY FUTURE! Ban Fracking Waste in New Jersey

The Frack Waste Ban Bill was passed by a wide bipartisan margin last session but was vetoed by Governor Christie, leaving us exposed to this heavily polluted waste. The bill, reintroduced this session in the Assembly (A2108), would **prohibit discharge, disposal, processing or storage in the State of waste from the process of hydraulic fracturing, or “fracking”, for natural gas.**

The Bill addresses the health and environmental impacts of this highly toxic and radioactive waste by preventing the pollution it would cause to the drinking water and communities of New Jersey. The purpose is NOT to keep waste from other states out of New Jersey; **this bill prevents toxic waste from hydraulic fracturing from being dumped in New Jersey, no matter where it originates.**

More and more frack waste is being produced in Pennsylvania and fracking moratoriums could be lifted in New York and the Delaware River Watershed. **New Jersey has already become a target for frack waste as evidenced by the more than 1.5 million gallons of frack wastewater and the 478+ tons of drill waste** that was already sent to facilities in New Jersey. And New Jersey could produce this toxic waste in-state if drilling starts in the Utica Shale or Newark Basin formations in the northern part of the state.

No New Jersey treatment plants are designed to safely process frack waste or to treat the levels of radioactivity. The Coast Guard recently admitted that frack wastewater is so high in radioactivity and so variable in its make-up that shipping it on rivers requires special handling.

No federal regulations have been adopted for the safe treatment of frack waste, leaving the states at a loss. Furthermore, **exemptions of gas and oil operations from sections of all major federal environmental laws** allow the hazardous components in frack fluids and waste to be handled without the safeguards many of these toxins require by law, including known carcinogens and other human health and environmental hazards.

New Jersey is the most densely populated state in the Nation. We’re already facing the construction across the State of new pipelines, compressor stations and other gas infrastructure. Banning would eliminate the risks and costs to New Jersey’s public health, public infrastructure, businesses, and the environment that frack waste presents; it would also reduce the risk of accidental spills and air pollution from moving this waste by truck, rail, or pipeline around the state. It makes sense to prohibit the waste to prevent the known problems.

For more info: Clean Water Action/NJEF, Delaware Riverkeeper Network, Environment New Jersey, Food and Water Watch, New Jersey Environmental Lobby, and New Jersey Sierra Club.

FACT SHEET: Why we need the NJ Frack Waste Ban Bill

As a New Jersey Legislator, you have demonstrated your concern for the health of the state's residents and drinking water. Legislation was passed by a wide bipartisan margin this past session, known as the Frack Waste Ban Bill but Governor Chris Christie vetoed the Bill. New legislation has been posted in the Assembly for the 2014-15 session - (A2108) that would **prohibit discharge, disposal, processing or storage in the State of waste from the process of hydraulic fracturing, or "fracking", for natural gas.** The waste from fracking poses a significant threat to public health and the environment and an immediate threat to our waterways and drinking water.

Millions of gallons of wastewater and solids are being produced when shale gas wells are fracked. In 2011, 1.4 billions of gallons of waste was produced in Pennsylvania. Much of it was sent to Ohio but some of it came to New Jersey. This waste contains not only the chemicals used in fracking fluid, but also harmful contaminants from deep underground that are carried back to the surface after fracking.

New Jersey is not prepared to deal with this hazardous waste stream.

- There are no Class II underground injection wells in New Jersey for the disposal of oil and gas wastewaters.
- As a product of the oil and gas industry, fracking wastewater is exempted from federal- and state-level regulations pertaining to hazardous waste, which allows for this waste to be handled and disposed as if it were not hazardous, increasing the risk of adverse human health and environmental impacts.
- New Jersey's wastewater treatment facilities are not designed to handle the toxic and highly-variable contaminant loads that fracking wastewaters contain (we don't even know all of the ingredients because some formulas are secret due to an exemption from the safe drinking water law) including highly corrosive salts, benzene, naphthalene, methanol, formaldehyde, ethylene glycol, and 2-butoxyethanol, and highly radioactive elements. In fact, there are no federal standards for the safe treatment of frack waste (they are under development by the USEPA) and no facilities in New Jersey are licensed to accept the waste. Any that did would risk upsetting their biological treatment system and would more than likely pass the pollutants directly to the waterway, polluting our drinking water and impacting downstream businesses, manufacturers, and industries that rely on a reliable supply of quality water.

New Jersey could produce this toxic waste if drilling starts in the Utica Shale or Newark Basin formations in the northern part of the state. New York is considering allowing fracking and yet has no waste facilities in place; the Delaware River Watershed drilling moratorium could be lifted, adding more waste. Pennsylvania gas wells have already sent frack waste here:

- In 2009-2010, 1,386,595 gallons of fracking wastewater was sent to DuPont's Chambers Works facility in Salem County
- 105,000 gallons of "drilling fluid" went to LORCO Petroleum in Elizabeth in 2010
- 737.92 barrels (30,786 gallons) of "drilling waste" or drilling mud was taken to Clean Earth of North Jersey between July and December 2011. The facility was issued a Notice of Violation in 2011 for accepting Pennsylvania shale gas well solids that were radioactive and should have gone to a facility licensed to process radioactive materials.
- 478.90 tons of drill cuttings were sent to Clean Earth of Carteret between July and Dec 2011

Now is the time to act to prevent this waste from being dumped in New Jersey. Banning would eliminate the risks and costs to New Jersey's public health, public infrastructure, businesses, and the environment that frack waste presents; it would also reduce the risk of accidental spills from trucking this waste around the state. It makes sense to prohibit the waste to prevent the known problems.