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Written Testimony of Christopher Phelps, Environment Connecticut State Director
Before the Connecticut General Assembly Environment Committee

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Supporting House Bill 5335, An Act Prohibiting The Possession And Storage Of Fracking By-Products

Senator Meyer, Representative Gentile, and members of the committee: My name is Chris Phelps and I am State Director of Environment Connecticut. Our organization is a nonprofit member-based environmental advocacy organization working to protect Connecticut's air, water, and natural landscape. We appreciate this opportunity to offer testimony in support of HB 5335, AA Prohibiting The Possession And Storage Of Fracking By-Products.

We also respectfully offer suggestions, based on our work in other states, for strengthening the language of the bill to fully protect Connecticut's environment from the effects of fracking. These suggestions are attached to the end of this testimony. We have also attached for the committee's reference, fracking legislation currently under consideration in Massachusetts.

Environment strongly supports HB 5335. The use of hydrolic fracturing (“fracking”) in oil and gas exploration has produced a boom in the industry across the country in recent years. This has, in turn, brought a staggering array of threats to the environment and public health for residents of communities and states impacted by fracking and the toxic wastes it produces. In community after community, families are suffering from drinking water contaminated with deadly chemicals, air pollution, and rural landscapes that have been transformed into industrial zones.

The fracking process generations millions of gallons of wastewater per well drilled. This wastewater is laced with a toxic soup of cancer-causing and even radioactive substances. This toxic wastewater has contaminated drinking water sources from Pennsylvania to New Mexico. As fracking operations march ever closer to our borders, drilling operators may soon be eyeing our state as a dumping ground for fracking waste.

Here are just some a few examples of the environmental and public health harm caused by fracking waste disposal:

- In Pennsylvania, after drilling operators dumped fracking waste at treatment plants discharging to the Monongahela River, the state advised 325,000 people not to drink their tap water for a week.¹ And when this fracking waste was brought to sewage treatment plants using chlorine, the resulting mix discharged trihalomethanes – a known human carcinogen – into rivers.

1

Joaquin Sapien, With Natural Gas Drilling Boom, Pennsylvania Faces an Onslaught of Wastewater,” ProPublica (October 4, 2009) <https://www.propublica.org/article/wastewater-from-gas-drilling-boom-may-threaten-monongahela-river>

- In New Mexico, state records show that drilling waste pits leached into groundwater at more than 421 sites in just a few years.²
- Earthquakes: In December 2011, Youngstown, Ohio experienced a 4.0 earthquake in the vicinity of deep well injections sites for fracking waste.
- The sheer volume of fracking wastewater invites rampant illegal dumping. In February, authorities in Ohio learned that one drilling operator had been dumping up to 250,000 gallons of fracking wastewater into the Mahoning River.
- Leaks, spills, well blowouts and other accidents also release toxic fracking fluid and wastewater. Our colleagues at PennEnvironment have documented several examples of these incidents – see [In the Shadow of the Marcellus Boom](#) starting at page 19.

Why does the threat of fracking waste disposal in Connecticut exist? Because fracking operations are marching ever closer to our borders and because the fracking industry produces staggeringly large quantities of toxic waste. Over a recent 3-year period, the industry generated 1.3 *billion* gallons of toxic wastewater. The quantities of waste produced are literally too great to dispose of locally.

New York is currently mulling the question of whether to allow fracking literally at Connecticut's doorstep. As they do so, one of the many glaring deficiencies in that state's plans is the lack of an adequate plan for fracking waste disposal. For that reason, surrounding states – including Connecticut – could soon become a convenient dumping ground for New York's toxic fracking waste. That is why Vermont barred fracking and its waste last year, New Jersey's legislature approved a similar waste ban (vetoed by Governor Christie) and a similar proposal is currently under consideration in Connecticut.

The question before this committee and the General Assembly is this: Do you want Connecticut to become the fracking industry's toxic waste dumping ground? On behalf of Environment Connecticut's statewide membership, I urge you to answer that question by acting to protect our state from the threat of fracking by approving HB 5335 with a strong, ban on fracking waste disposal in Connecticut.

Sincerely,

Christopher Phelps
 State Director, Environment Connecticut
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Joanna Prukop, "Setting the Record Straight on the Pit Rule," Farmington Daily Times (September 17, 2008) http://www.daily-times.com/columns/ci_10482677 (Former cabinet secretary Joanna Prukop of NM Energy, Minerals, and Natural Resources Department citing state records for "more than 421" documented cases of waste pits contaminating groundwater.)

Environment Connecticut Testimony re: HB 5335, Attachment 1 – Suggested changes

We strongly urge the committee to amend HB 5355 to include a clear prohibition on treatment or disposal of fracking wastes in Connecticut. Therefore we respectfully suggest the following changes to the legislation beginning at line 11:

(b) No person shall possess or store, treat, or dispose of any waste by-product of hydraulic fracturing.

Our second suggested change is to add a prohibition on the use of hydraulic fracturing in Connecticut for the purpose of oil or gas recovery. As noted in our testimony, the environmental and public health effects of the fracking process on the communities where it is occurring around the country are severe. We urge the committee to support a ban and such activities in Connecticut. Vermont took this step in 2012 and Massachusetts is considering legislation (see attachment 2) that would do the same. Connecticut should join its neighbors in adopting a similar prohibition. Our recommendation is to insert a new subsection reading as follows:

() No person may engage in hydraulic fracturing.