



Connecticut Fund
for the Environment

Save the Sound®

Connecticut Fund for the Environment/Save the Sound

Before the Environment Committee

In Support

SB 103 AAC Hydraulic Fracturing Waste in Connecticut

Submitted by: Leah Schmalz, Chief Program Officer

February 23, 2018

Connecticut Fund for the Environment (CFE) is a non-profit organization with over 4,700 member households statewide. CFE, its bi-state program Save the Sound, and its SoundKeeper protect and improve the land, air, and water of Connecticut and Long Island Sound. We use legal and scientific expertise and bring citizens together to achieve results that benefit our environment for current and future generations.

Dear Sens. Kennedy and Miner, Rep. Demicco and Members of the Committee:

Connecticut Fund for the Environment and its bi-state program Save the Sound (CFE/Save the Sound) writes to ask that you support protecting the health of the public, our waterways, and Long Island Sound by strengthening, and then passing SB 103 out of committee.

The impacts of fracking and fracking waste disposal are well documented, even if the complete list of toxic chemicals that make up the slurry are not. In Pennsylvania, drinking water supplies have been contaminated so severely that water must be delivered by truck. Rivers have been decimated as high levels of total suspended solids and toxins choke fisheries, despite attempts to “treat” the waste before discharging it. The truth is that this method of energy production creates millions of gallons of toxic wastewater, but has no proven track record of how to deal with its waste product.

Right now fracking waste enjoys a loophole that allows it to escape heightened regulation as a hazardous waste, despite the long list of regulated toxic wastes that it contains. Currently the federal government gives drilling waste and wastewater created from natural gas production a pass. S.B. 103 begins the process of righting that wrong here in Connecticut. This is a necessary step in protecting Connecticut from the potentially devastating effects of insufficiently regulated fracking waste. While this fix is an essential one, it is an incomplete solution. Save the Sound firmly believes Long Island Sound is at risk from contamination until Connecticut takes the subsequent step of banning the storage and discharge of such waste products. Some modifications to the current legislation that could add additional protections until that time include the following:

- Stop the wastewater, wastewater solids, brine, sludge, drill cuttings and any other waste products from oil wells into CT;



Connecticut Fund
for the Environment

Save the Sound®

- Define the other processes for exploration, development, production or recovery of gas. These other processes also generate wastewater, wastewater solids, brine, sludge, drill cuttings or any other substance, similar types of wastes produced from hydraulic fracturing;
- Clarify the vague state language “generated secondarily to the purpose of hydraulic fracturing.”; and
- Expand the category of “generated secondarily to the purpose of hydraulic fracturing” to cover other methods of gas extraction that don’t use hydraulic fracturing. For example, drilling & acidizing also produces toxic wastewater, wastewater solids, brine, sludge, drill cuttings and any other waste products.

S.B. 103 helps protect Long Island Sound, our rivers, and our residents from the devastating effects of fracking waste discharges, but it could, and should go further. Connecticut has invested significant funds to ensure our sewage treatment plants have sufficient capacity to treat existing flow, excess nitrogen, and soon excess phosphorous. As has been proven in other states, not only does adding fracking wastewater impact plant capacity to treat local sewage, it can also destroy machinery and cause plant operation issues. Worst of all, sewage treatment plants do not currently have the capability to remove all of the toxic chemicals contained in the fracking wastewater. Allowing wastewater from fracking activities to be stored, “treated,” and discharged here is tantamount to signing a blank check to pollute Connecticut’s waters, and will undo much of the progress our state has made in returning our rivers, streams and Long Island Sound to healthy, thriving ecosystems.

Connecticut has a long and vibrant history of cutting edge environmental protection. It produced the first comprehensive clean water laws in the country and we owe it to current residents and future generations to continue that legacy. Please do not waste Connecticut. **Please strengthen and support SB 103.**

Thank you, in advance, for your consideration of our comments.

Sincerely,

Leah Lopez Schmalz
Chief Program Officer

Connecticut Fund for the Environment,
and its bi-state program Save the Sound
900 Chapel Street, Upper Mezzanine
New Haven, CT 06510
203.787.0646 ext. 121
203.787.0246 fax
www.ctenvironment.org
www.savethesound.org