

FACT SHEET: Why we need an override of the Governor's veto of 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 (A575/S253) was passed by a wide bipartisan margin this session 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.