

Environmental

Advocates

NY

EANY SUPPORTS

Banning Fracking Waste on Highways



Memo #17

[S.1538-A \(Hoylman-Sigal\)](#)

[A.7105 \(O'Donnell\)](#)

Explanation:

This legislation bans drilling fluids and flowback water from oil and gas wells from being spread on New York highways as a deicer or dust suppressant. The toxic and radioactive nature of wastewater should preclude its use on New York roads.

Oil and gas wastewater contain up to 300 distinct chemicals, including known carcinogens like benzene and naturally occurring radioactive materials like radium-226, radium-228, and radon. Rain and snowmelt wash wastewater off roads, causing chemicals to [leach](#) into the ground and pollute local water supplies. Given that many highways run alongside water bodies, groundwater sources, wetlands, and marshes, the spreading of oil and gas wastewater puts our drinking water at risk.

In 2017, the Department of Environmental Conservation (DEC) finalized revised [regulations regarding solid waste management](#), which fell short of a full ban on road spreading of oil and gas wastewater. This legislation would finish the job where DEC left off, adding the necessary protections to keep our water clean and New Yorkers healthy.

At least 15 counties across New York banned the spreading of oil and gas wastewater on roads as of 2017. In 2018, the Pennsylvania Department of Environmental Protection halted approvals of the practice. New York State must do its part and follow suit, as a positive first step to ultimately banning the presence of fracking waste throughout the State.

Summary:

This bill amends New York's Environmental Conservation Law to prohibit the use of drilling fluids and flowback water from wells, pools, or fields on any highway.