



## Close the loophole in Fracking Ban

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Gov. Kathy Hochul closed out the year with a flurry of bill signings, including several bills that were supported by the environmental community. However, a bill that would prohibit the use of drilling fluids, brines and flowback waters (wastewater) from hydraulic fracturing (fracking) on any highway in New York was vetoed by the governor.

The wastewater in question includes chemicals used to lubricate the drilling process to extract methane (natural gas) as well as the trace chemicals in the rock layer including radioactive radon and other toxic elements. This may sound unsafe enough, but the toxicity and radioactivity of the wastewater is different from well to well depending on the chemicals used (which are considered “proprietary” by the industry and exempt from disclosure) and the mineral content in the ground where the well is drilled.

Last year, solid wastes were banned from being accepted at state landfills. This year’s bill, which had near unanimous support in the State Assembly and Senate, sought to close the last loophole in the fracking ban in the state because of the real concern that use along New York highways also will result in runoff that will contaminate ground water.

The Town of Amherst banned the use of the fracking wastewater as a deicer on town highways back in 2015, but this injunction does not apply to either County or State highways in the town. The New York State legislature needs to address the final loophole in the fracking ban and override the Governor’s veto as soon as they return to business.

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