



Legislation Details (With Text)

**File #:** Int 0446-2014 **Version:** \* **Name:** Banning the discharge, disposal, sale or use within the NYC of any wastewater or natural gas waste produced from the process of hydraulic fracturing.

**Type:** Introduction **Status:** Laid Over in Committee

**In control:** Committee on Environmental Protection

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**Title:** A Local Law to amend the administrative code of the city of New York, in relation to banning the discharge, disposal, sale or use within the city of New York of any wastewater or natural gas waste produced from the process of hydraulic fracturing.

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**Indexes:**

**Attachments:** 1. Summary of Int. No. 446, 2. Committee Report 2/22/16, 3. Hearing Transcript 2/22/16, 4. Hearing Testimony 2/22/16

Date	Ver.	Action By	Action	Result
8/21/2014	*	City Council	Introduced by Council	
8/21/2014	*	City Council	Referred to Comm by Council	
2/22/2016	*	Committee on Environmental Protection	Hearing Held by Committee	
2/22/2016	*	Committee on Environmental Protection	Laid Over by Committee	

Int. No. 446

By Council Members Levin, Johnson, Barron, Chin, Mendez, Richards, Rodriguez, Rosenthal, Kallos, Constantinides, Levine, Cohen, Rose, Van Bramer, Espinal, Menchaca, Cornegy, Dromm, Grodenchik, Dickens, Lander, Lancman, Maisel, Miller, Koslowitz, Torres, Salamanca, Ferreras-Copeland and Garodnick

A Local Law to amend the administrative code of the city of New York, in relation to banning the discharge, disposal, sale or use within the city of New York of any wastewater or natural gas waste produced from the process of hydraulic fracturing.

Be it enacted by the Council as follows:

Section 1. Legislative findings and intent. The Council finds that hydraulic fracturing produces millions of gallons of wastewater that is often laced with highly corrosive salts, carcinogens like benzene and radioactive elements like radium, all of which can occur naturally thousands of feet underground, and that other

carcinogenic materials are often added to the wastewater including the chemicals used in the hydraulic fracturing process.

The Council further finds that there are 14 wastewater treatment plants, owned and operated by New York City Department of Environmental Protection, and a number of privately owned wastewater treatment plans, operating within the City of New York. Because these facilities release effluent back into the surface water of the City of New York, it is important that such effluent be free from any harmful contaminants.

The Council also finds that the wastewater and other waste products produced from the hydraulic fracturing method of natural gas extraction are dangerous and should be prevented from being used in New York City in any capacity including deicing and snow removal.

Therefore the Council finds that the wastewater and other natural gas waste products produced by the hydraulic fracturing method of natural gas extraction are dangerous and should be prevented from entering into the surface waters of the City of New York, and further finds that it is in the best interests of the City of New York to ban the discharge, disposal, sale, and use of hydraulic fracturing wastes within City of New York.

§2. Subchapter 1 of chapter 3 of title 24 of the administrative code of the city of New York is amended by adding a new section 24-303.1 to read as follows:

§24-303.1 Protection of water supply; treatment of hydraulic fracturing wastewater prohibited. a. Definitions. As used in this section, “natural gas waste” means any waste that is generated as a result of natural gas extraction activities, which may consist of water, chemical additives, or naturally occurring radioactive materials (“NORMs”) and heavy metals. Natural gas waste includes, but is not limited to, leachate from solid wastes associated with natural gas extraction activities, or any natural gas waste byproduct.

b. Prohibitions. 1. No person shall discharge or cause to be discharged any natural gas waste to any surface water bodies located within the city of New York or to any wastewater treatment plant located within the city of New York.

2. No person shall dispose or cause to be disposed any natural gas waste into any landfill within the city of New York. The department of environmental protection and the department of sanitation shall enforce this paragraph.

3. No person shall sell or offer for sale any natural gas waste or natural gas waste byproduct within the city of New York. The department of environmental protection and the department of consumer affairs shall enforce this paragraph.

4. No person shall apply or cause to be applied any natural gas waste or natural gas waste byproduct on any road or real property located within the city of New York. The department of environmental protection and the department of transportation shall enforce this paragraph.

c. Contracting. All bids or contracts related to the purchase or acquisition of materials to construct or maintain a city road shall include a provision stating that no materials containing or manufactured from natural gas waste shall be utilized in providing such a service.

§ 3. This local law shall take effect ninety days after its enactment.

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