



**Tompkins County Council of Governments**

320 North Tioga Street  
Ithaca, NY 14850

Meeting: 05/24/12 03:00 PM  
Department: Tompkins County Council of Governments  
Category: Environmental  
Functional Category: Gas Drilling

DOC ID: 3440

**ADOPTED  
RESOLUTION**

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**Resolution No. 002-2012: Supporting Passage and Enactment of New York State Senate Bill S4616 (Avella)/New York State Assembly Bill A7013 (Sweeney), to Amend the New York State Environmental Conservation Law in Relation to the Uniform Treatment of Waste**

MOVED by Ms. Thomas, seconded by Mr. Dietrich, and unanimously adopted by voice vote by members present.

Whereas, New York State Senator Avella has introduced bill S4616 and New York State Assemblyperson Sweeney has introduced Bill A7013, which is the same Bill, and is entitled “An Act to Amend the Environmental Conservation Law, in Relation to the Uniform Treatment of Waste”, and

Whereas, this Bill would amend Section 27-0903 of the New York State Environmental Conservation Law with the intent to require hazardous wastes as defined by ECL 27-0901(3) produced from oil and natural gas activities to be subject to the requirements for treatment of hazardous wastes, and

Whereas, the oil and gas industry currently enjoys exemptions from New York State laws governing hazardous waste transport and disposal. Though a great deal of the wastewater generated by hydraulic fracturing meets the state definition of hazardous, it is not currently required to be treated as such, and

Whereas, the oil and gas industry is not required to disclose the chemicals used in the hydraulic fracturing process but the following chemicals are often found in waste water resulting from the hydraulic fracturing process: benzene, toluene, formaldehyde, salts, heavy metals, and radioactive particles, and

Whereas, closing this exemption loophole will require hydraulic fracturing flowback and produced water to be monitored through a manifest system and that extra safeguards will be in place to avoid accidents and ensure proper waste treatment, and

Whereas, such a designation will keep fracking wastes out of municipal treatment plants and the waterways leading to sources of drinking water, now therefore be it

Resolved, That the Tompkins County Council of Governments, which includes 17 municipalities within Tompkins County supports the immediate passage of the New York State Senate Bill S4616 and New York State Assembly Bill A7013 and the immediate signing of the legislation by the Governor of the State of New York,

Resolved, further, That this resolution be sent to Governor Andrew Cuomo, New York Senate Majority Leader Dean Skelos; New York Senate Minority Leader John Sampson, New York Assembly Speaker Sheldon Silver; New York Senators O’Mara, Seward, Nozzolio, Avella, Squadron, Kreuger, Perkins, Peralta and Serrano, New York Assemblypersons Sweeney and Lifton, United States Representatives Maurice Hinchey and Richard Hanna, United States Senators Kirsten Gillibrand and Charles Schumer, and to the New York State Department of Environmental Conservation Commissioner Joseph Martens and United States Environmental Protection Agency Region 2 Director, Judith Enck.