

Written Testimony Submitted to
Connecticut Environment Committee
Regarding
SB 237—An Act Concerning the Storage or Disposal of Fracking Waste in CT
HB 5308—An Act Concerning the Regulation of Fracking Waste

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America's Natural Gas Alliance (ANGA)

ANGA is an advocacy and educational organization comprised of America's leading independent natural gas production and exploration companies. The collective natural gas output of ANGA's members is approximately 8.0 trillion cubic feet per year, which represents 33 percent of total annual U.S. natural gas production.

ANGA and its member companies are committed to promoting the growing demand for and use of our nation's vast domestic natural gas resources. In pursuing this mission, ANGA works with industry, government and consumer stakeholders to ensure the increased use and continued availability of our natural gas resources for a cleaner and more secure energy future. We believe natural gas plays an integral role in revitalizing our nation's economy, providing affordable and stable energy to industrial and residential consumers alike. Increased utilization of this cleaner, abundant and domestic energy resource in power generation and transportation will dramatically accelerate U.S. efforts to reduce air pollution.

Connecticut recognized all of this when in 2013, this General Assembly approved the Governor's Comprehensive Energy Strategy (CES). The CES recognized that when used to generate electricity, natural gas burns cleaner than other fuel sources, with less pollutants and no mercury. That is why the CES calls for the expanded use of natural gas, including converting 280,000 homes to gas.

Furthermore, Connecticut, along with the five other New England states, committed to a joint energy initiative designed to bring affordable, cleaner and more reliable power to homes and businesses across New England. This clean energy initiative is reliant on expanding natural gas pipeline capacity to meet Connecticut's goal of providing cheaper, cleaner and more reliable power to Connecticut consumers.

However, the goals and implementation of the CES and the New England energy initiative would be undermined by the passage of both SB 237—An Act Concerning the Storage or Disposal of Fracking Waste in Connecticut, and HB 5308—An Act Concerning the Regulation of Fracking Waste.

Natural gas production by our members is subject to federal, state and local regulations that govern every aspect of our operations. Federal rules governing our activity include the Clean Water and Clean Air Acts and the Safe Drinking Water Act. State regulations include the review and approval of permits for all aspects of drilling activities, such as well design, location, spacing, operation, water management and disposal, waste

management and disposal, air emissions, wildlife impacts, surface disturbance and worker health and safety.

In no state in which natural gas is being produced by our members do bans exist on the storage or disposal of hydraulic fracturing waste as provided for in SB 237 or the labeling of such waste as "hazardous" as provided for in HB 5308. There are no commercial quantities of natural gas known to exist in Connecticut so hydraulic fracturing does not occur here. In the closest producing states such as Pennsylvania and New York, most waste is recycled on site or at nearby facilities or is disposed of within close proximity.

As a result, it is highly unlikely that any water or drill cuttings associated with natural gas development would be disposed of in Connecticut. Therefore, there does not appear to be a compelling need to ban the disposal of such waste here in Connecticut. ANGA and its members would like to express our concern that enactment of this legislation could be utilized as an example of concern and provide regulatory pressure in other states by creating an air of suspicion that if states like Connecticut are banning the waste, then producing states should also consider similar legislative actions. Such a precedent could have a negative impact on other producing states and, therefore compromise the industry's ability to produce clean natural gas that Connecticut policy makers are relying on under the CES.

Furthermore, HB 5308 would regulate any solid waste identified in 40 CFR Part 261.4(b)(5) as a hazardous waste. This is ironic in that 40 CFR Part 261.4(b)(5) is the provision of Environmental Protection Agency regulations that specifically provides that hydraulic fracturing wastes **"are not hazardous wastes"**. The federal government does not deem hydraulic fracturing waste to be a hazardous waste. Nor do the states in which our members are producing natural gas.

As indicated previously, our member companies are subject to a large array of regulations. But such regulations are typically grounded in sound, rational science, rather than an arbitrary proposal that would label all hydraulic fracturing waste as hazardous. There needs to be a more practical consideration of the waste, with a specific awareness of the lack of toxicity to the products. ANGA would be happy to sit with policymakers in Connecticut to determine the best way of regulating hydraulic fracturing waste that is grounded in science, should there come a time that such waste were to ever arrive within the State's borders.

For the reasons stated above, ANGA respectfully urges the Environment Committee to take no further action on SB 237 or HB 5308.