

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON ENVIRONMENTAL PROTECTION

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August 15, 2016
Start: 1:06 p.m.
Recess: 1:47 p.m.

HELD AT: 250 Broadway - Committee Rm,
16th Fl.

B E F O R E:

COSTA G. CONSTANTINIDES
Chairperson

COUNCIL MEMBERS:

Stephen T. Levin
Rory I. Lancman
Donovan J. Richards
Eric A. Ulrich

A P P E A R A N C E S (CONTINUED)

[gavel]

CHAIRPERSON CONSTANTINIDES: Hi, good afternoon. I am Council Member Costa Constantinides, Chairperson of the Environmental Protection Committee. This afternoon we are here to vote on a bill Int. 446-A in relation to banning the discharge and use within the city of certain wastes associated with oil and natural gas production activities, including hydraulic fracturing.

The Committee held its first hearing on this important bill earlier this year in February, but I am proud to say this is not the first action this committee and this City Council has taken on the serious issue of hydrofracking. This committee and City Council are among the first legislative bodies in the entire nation to identify the threats that hydraulic fracturing poses to our environment, water quality and public health. Over the past year, this committee's work on this issue has been cutting edge; is influenced by environmental policy across the country and ultimately it helped lead to a ban on high-volume hydraulic fracturing in New York State. However, the threat of hydraulic fracturing has not completely passed; the bill that we're here to vote

2 on today will keep New York City in the lead on this
3 issue and will increase the city's protections
4 against hydrofracking.

5 In other municipalities in the state,
6 waste from oil and natural gas activities, including
7 hydrofracking is being spread on roads as a de-icer
8 and for other purposes. This waste can potentially
9 contain hazardous chemicals and it's being disposed
10 of in wastewater treatment plants and running off
11 into natural bodies of water.

12 Int. 446 will protect New York City
13 against such activity; the bill prohibits the
14 discharge of any oil or natural gas waste into any
15 surface water bodies located within the city or to
16 any wastewater treatment plant located within the
17 city. The bill also prohibits the application of oil
18 or natural gas waste upon any road, real property or
19 landfill in the city. The bill requires all city
20 bids or contracts for the contracts for the
21 construction or maintenance of a city road to include
22 a provision stating that no materials containing or
23 manufactured from oil or natural gas waste will be
24 utilized in providing the service. In response to
25 calls from environmental advocates and stakeholders,

2 the bill also includes increased penalties for these
3 violations.

4 I wanna thank my colleague, a member of
5 this committee and leader on this issue, Steve Levin,
6 for his steadfast leadership and working on this
7 bill; I wanna thank you for your great work. And
8 with that I'll pass it over to my colleague Steve
9 Levin.

10 COUNCIL MEMBER LEVIN: Thank you very
11 much Mr. Chairman; I'm very pleased that this
12 committee will vote today on Int. 446-A, a bill to
13 protect New York City communities from toxic
14 pollutants and safeguard our water, a natural
15 resource that we all rely on to survive.

16 I believe that this bill before us today
17 is the first municipal legislation in the nation that
18 comprehensively bans the use of discharge of natural
19 gas and oil waste products, including from hydraulic
20 fracturing. Waste associated with these extraction
21 processes poses significant danger to the public
22 health and to our environment because they contain
23 naturally occurring radioactive elements, such as
24 radium, carcinogens such as benzene and other

2 chemical additives used in the process of
3 hydrofracking.

4 In order to prevent these harmful
5 pollutants from entering our wastewater treatment
6 plants and making their way into our waterways, this
7 bill prohibits their application to real property or
8 landfill located within the city and makes it
9 unlawful to use toxic oil and gas brine in city road
10 maintenance. Fifteen New York counties have already
11 taken similar critical steps to ban the discharge and
12 use of these noxious byproducts; I'm very pleased
13 that New York City is on its way to join this
14 critical effort to protect the environment in our
15 five counties.

16 I have been honored to work with Chairman
17 Constantinides to champion Int. 446, as well as a
18 team of dedicated stakeholders who helped to build
19 momentum around this bill; this was really a team
20 effort, thanks to the steadfast advocacy of Ling Tsou
21 of United for Action; Mary Anne Sullivan of the
22 League of Women Voters of the City of New York; Sean
23 Dixon and Misti Duvall of Riverkeeper; Ellen
24 Weininger of Grassroots Environmental Education; Alex
25 Beauchamp of Food & Water Watch and many, many more.

2 Additionally, I would like to thank
3 Speaker Melissa Mark-Viverito and Ramon Martinez, as
4 well as our excellent Legislative Division,
5 especially Laura Popa, Ed Atkins, Matt Gewolb, Samara
6 Swanston, and William Murray.

7 And many thanks to my staff, Julie Bero,
8 Lisa Bloodgood, Ed Paulino, and my former Chief of
9 Staff, Ronnie Meadow [sp?].

10 A clean environment is essential for our
11 health and safety and it's critical that we all take
12 bold steps to protect our precious natural resources
13 for generations to come. I encourage my colleagues
14 to vote in support of this bill. Thank you very
15 much.

16 CHAIRPERSON CONSTANTINIDES: Thank you
17 Council Member Levin. I also wanna recognize a
18 member of the Committee; Council Member Eric Ulrich
19 from Queens is here and with that I recommend a yes
20 vote on this bill and I ask the clerk to please call
21 the roll.

22 COMMITTEE CLERK: Committee on
23 Environmental Protection, Committee Clerk Matthew
24 DeStefano [sp?], roll call on Int. 446-A. Chair
25 Constantinides.

2 CHAIRPERSON CONSTANTINIDES: I vote aye.

3 COMMITTEE CLERK: Levin.

4 COUNCIL MEMBER LEVIN: Aye.

5 COMMITTEE CLERK: Ulrich.

6 COUNCIL MEMBER ULRICH: I vote aye.

7 COMMITTEE CLERK: By a vote of 3 in the
8 affirmative, 0 in the negative and no abstentions,
9 the item has been adopted.

10 CHAIRPERSON CONSTANTINIDES: If the clerk
11 can leave the roll open for half-an-hour to give my
12 other colleagues in the committee an opportunity to
13 be here, and with that I gavel this committee hearing
14 closed. Thank you.

15 [gavel]

16 COMMITTEE CLERK: Committee on
17 Environmental Protection; the final vote stands at 3
18 in the affirmative, 0 in the negative and no
19 abstentions.

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C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date August 17, 2016