



## Testimony for House Agriculture and Natural Resources Committee - 3/8/12 Opposition on SB 375

Chairman Powell and Honorable Members of the Committee:

I am Zack Pistora, Legislative Director for Kansas Chapter of the Sierra Club, and I thank you for the opportunity to speak against SB 375, which allows for land-spreading of solids associated with hydraulic fracturing and horizontal drilling sites.

Hydraulic Fracturing (or "fracking") has recently become a high-profile issue across the nation. While certainly fracking has been around since its inception in 1947 in Kansas, new fracking technologies as well as the advent of combined fracking and horizontal drilling, are creating a new boom for natural gas industry.

But before I say anymore, know that Kansas Sierra Club, Kansans across the state, and Americans across the country, feel these new methods employed by the natural gas industry puts both our environment and our communities at substantial risk, unless there are important environmental safeguards in place first. Kansas must be ensured, with a state guarantee, that our soil, air, and water that we all depend on will not be compromised by these practices.

Land-spreading of solids from fracking, as SB 375 would allow, could be very problematic for Kansas landowners, especially our farmers. Contrary to what the oil and gas industry representatives say, these fracking solids are not just a bunch of soil and rock. Actually, the solid waste we are talking about is more like sludge. The rock substrate mixes in with the petroleum distillates, like kerosene or diesel, used to lubricate the drill during the excavation process. Furthermore, the unearthed sludge can carry heavy metals, which can be toxic or possibly radioactive and be absorbed by soil and plants. Therefore, land-spreading could be inhibit healthy crop growth, reduce landowners' property values, and cause run-off pollution into water bodies if not appropriately monitored and regulated.

My arguments do not come from hypothetical situations or anecdotal evidence, but from hard lessons learned in other states. For example, after facing many citizen complaints, Texas has strengthened its permitting process and site-monitoring to include soil testing over intervals of time. Kansas has the advantage of implementing safeguards before problems arise. Because many states and federal regulatory agencies have already dealt with specific complications surrounding new hydraulic fracturing and horizontal drilling technologies, Kansas Sierra Club also encourages our state to explore and utilize other state and federal standards and best-practices. Kansas is indeed are the oldest state for hydraulic fracturing, but let us also be the wisest.

The Kansas Sierra Club supports our state regulatory agency in implementing necessary rules on energy extraction to make sure our people and ecosystem are healthy and protected. To that regard, we expect the state to provide the necessary funding and staff needed to  
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Zack Pistora

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increasing in Kansas; let us make sure that we have the needed capacity for monitoring the drilling sites and the land-spreading application.

Overall, SB 375 represents a strategy to make disposal of fracking solids cheaper and more convenient. We ought to place caution and carefulness before convenience. We need to make sure our landowners' needs, like safety and ecological protection, are prioritized before industry profits.

Again, thank you for allowing me to testify. I hope you will consider our concerns. I will gladly stand for any questions at the appropriate time.

Sincerely,

Zack Pistora  
KS Sierra Club  
"Be Smart, Be Green"

*The Sierra Club is the largest grassroots national environmental organization dedicated to preserving, protecting, and enjoying the environment on Earth. With over 5000 members, our Kansas Chapter represents the state's strongest citizen voice for the environment.*

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