



On October 30, 2013, the US Coast Guard issued its proposed Policy Letter allowing barge transportation of fracking wastewater. The proposed policy would require barge owners to have each shipment of fracking wastewater analyzed by a state accredited laboratory for its chemical composition. The written analysis would have to be retained by the barge owner for a period of two years, and submitted to the Coast Guard upon request. The policy also sets limits for radioactive concentrations and consignment activity for each radioactive isotope that could be present in the wastewater to be transported. Proposed transportation of fracking wastewaters would not be allowed if these limits are surpassed. Barge owners would also be required to measure and record radiation levels of barge interiors to ensure barge workers' safety. If specified radiation contamination limits are exceeded, the barge owner would be required to remove the contamination and conduct a new radiation survey to demonstrate compliance.

In response to the issuance of this proposed policy, the Coast Guard has received tens of thousands of public comments which it is now considering. Proponents of barge transport for fracking wastewaters argue its cost and safety benefits. Shipping fracking wastewater by barge can cost as little as 10% of what it would cost to ship the same amount by truck. Economic studies also suggest that barge transport can be 20% - 30% cheaper than transporting by train. A barge having a 10,000 barrel capacity can haul as much fracking wastewater as 1,000 tank trucks.

For every 2,000 commercial truck accidents that occur on our highways, there is one barge accident that occurs on our inland waterways. Barge traffic experiences a spill of at least 1,000 gallons of content for every 39,404 ton-miles traveled. Truck traffic, on the other hand, experiences such a spill for every 8,555 ton-miles traveled.

Proponents also argue that barges are already safely hauling hazardous materials such as gasoline, kerosene, benzene, toluene, chlorine, hydrochloric acid, and anhydrous ammonia. In 2010, barges in the U.S. even transported 2,000 tons of radioactive waste. Proponents argue that if these substances can be transported without major incident, then why should fracking wastewater present any more of a challenge?

Opponents argue that although barge releases may occur less frequently than truck releases, they are almost always larger due to the barges' greater capacity. They also argue that barge releases pose a much greater threat to the nation's drinking water supplies because they occur on large inland waterways that are frequently public drinking water sources. Proponents counter that barge releases, while infrequent, can be addressed by public water providers simply closing their intakes until the released contents have flowed past. But opponents, and especially water system administrators and managers, argue that fracking wastewater releases are not as easily managed. They argue that the chemical make-up and constituents of most barged liquid shipments are publicly known, and that as a result, they are able to make knowing and timely decisions on whether to shut their intakes to avoid taking on contaminants that they are unable to treat. Under the Coast Guard's proposal, the chemical analysis required for barged fracking wastewater is not available to the public (including drinking water system managers) in order to protect proprietary frack water formulations. Since these formulations can vary from well to well, public water system administrators and managers have no way of knowing reliably what the contents of a fracking wastewater release might contain and whether they pose a threat to public water systems.

Proponents of barge transportation contend that this is an exaggerated issue. They argue that fracking wastewater is typically 99% water, with the other 1% made up of sand, chemicals and radioactive particles. They further argue that any release from a barge would be so much more diluted that the impact of the non-water 1% would be insignificant. Opponents argue that no amount should be considered insignificant when it comes to drinking water. The State of New York's moratorium on hydrofracking since 2009 is based in part on a study which found the water soluble carcinogen 4 nitroquinoline-1-oxide (4-NQO), at levels many times higher than safe drinking water standards, in flowback from 24 Marcellus shale wells in West Virginia and Pennsylvania. 4 NQO is known to be toxic in amounts as low as parts per trillion, and it is odorless and tasteless.

The Coast Guard's final ruling is expected within the coming weeks.



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