Toxic Spills Routinely Unreported by the DEC

On July 13, 2011, NYS DEC inspectors discovered two “brine” tanks spilling fluids onto the athletic fields at the Le Roy junior/high school where more than a dozen female students and one male student recently manifested strange tic-like symptoms. “Brine” in this case is a euphemism for the fluid (often called “produced water”) that is pumped out of the ground along with natural gas. In addition to being rich in chlorides and bromides, produced water is radioactive and contains toxic heavy metals.

Given the known toxicity of produced water, shouldn't this accident been entered in the DEC’s spills incident database that provides the public with access to this sort of information? Not according to DEC Citizen Participation Specialist, Linda Vera, she suggested that the omission of the Le Roy spill was not an oversight, but departmental policy. In response to the question "Can you tell me if a leaking brine tank would, as a matter of course, be reported as a spill incident that would (should) appear on in the spills incident database? Ms.Vera replied "No, a brine spill is not the same as a chemical or petroleum spill." (The only incident in Le Roy that was entered in the DEC's spills database in 2011 references one quart of wastewater that was spilled at a service center/rest area.)

There are still a great many unanswered questions about the toxic spill in Le Roy, among them:

- How long were the tanks leaking, and how much fluid leaked onto the school's athletic fields?
- How great was the environmental impact? (CNN reported that trees in the vicinity of the leaks are dead; Ms. Vera says "minor damage was observed to surrounding vegetation").
- Why did Ms. Vera suggest that only one "brine" tank was leaking when in fact two were leaking. (CNN broadcast footage that clearly shows dead vegetation around both "brine" tanks, one near the football field, one near the baseball field.
- Is this produced water spill related to the symptoms manifested by the students at the school? (A decades-old train wreck that spilled toxic chemicals on the outskirts of town is now also under renewed investigation.)

And there’s a larger question that needs to be answered - why does the DEC exclude spills of produced water from its online spills database – the only source of such information that the DEC makes readily available to the general public?

Read the email correspondence with the DEC re: the Le Roy spill.

Check out the DEC’s spill’s incident database. If you enter Spill Number 1103544 you will see that one quart of wastewater was spilled at a rest area/service station, and it’s recorded in the spills incident database.

To view CNN's report click here.