

Resolution Calling for a Ban on Fracking _____

WHEREAS, the hydraulic fracturing (fracking) for natural gas involves the use of chemicals and hazardous materials during construction, drilling, hydraulic fracturing, gas production and delivery, well maintenance, and workover operations; and

WHEREAS, hydraulic fracturing of underground geologic formations is often accomplished by injecting a complex mix of fluids and chemicals, including large volumes of water, on average 4.5 million gallons per well, under very high pressure to create fractures in gas bearing geologic formations; and

WHEREAS, many of the chemical constituents injected during hydraulic fracturing have documented adverse health effects and/or adverse environmental impacts; and

WHEREAS, there have been more than 1,000 documented cases of water contamination near fracking sites; some people who live near these sites can now light their drinking water on fire; and

WHEREAS, wastewater from fracking may contain radioactive elements and other toxic components and has been discharged into rivers that supply drinking water for millions; and

WHEREAS, use of these hydraulic fracturing mixes exposed air, aquifers and adjacent land and surface waters to the risk of contamination through spills and accidents, open pit storage, truck transport on roadways, and activities during well development; and

WHEREAS, Former President George W. Bush's EPA point person on water now admits fracking should never have been exempted from regulation; and

WHEREAS, New Jersey's Legislature and Governor have enacted a one-year moratorium on fracking set to expire in January of 2013; and

WHEREAS, since the New Jersey Legislature originally acted to ban fracking, the case for a ban on fracking is strengthened by a US EPA report of fracking fluids in an aquifer in Pavilion Wyoming, and separate incidents involving earthquakes in Ohio linked to fracking waste disposal using injection wells; and

WHEREAS, wastewater, wastewater solids or sludge, drill cuttings and/or other byproducts from the fracking process are known to contain toxic levels of contaminants, including unknown quantities of undisclosed chemical additives used in hydraulic fracturing fluid, as well as contaminants from sources underground; Benzene, naphthalene, formaldehyde, cadmium, mercury, arsenic, total dissolved solids, and radioactive material, such as radium, are among the known contaminants; and

WHEREAS, methods of treatment and disposal for fracking waste do not eliminate the risks that hydraulic fracturing wastewater, wastewater solids or sludge, drill cuttings and/or other byproducts pose to human health and the environment; and

WHEREAS, S246/A567 is currently pending before the NJ Legislature, and would prohibit hydraulic fracturing in New Jersey; and

WHEREAS, A575/S253 passed the NJ Legislature in June 2012 with strong bipartisan support, and would prohibit treatment, discharge, disposal, or storage of waste from hydraulic fracturing in New Jersey; and

WHEREAS, Governor Christie vetoed A575/S253 in September 2012; and

WHEREAS, the Fracturing Responsibility and Awareness of Chemicals Act (“FRAC Act”), which is currently pending in Congress, would repeal the fracking exemption to the Safe Drinking Water Act and require disclosure of chemicals used in fracking; and

WHEREAS, the BREATHE Act (Bringing Reductions to Energy’s Airborne Toxic Health Effects Act) is currently pending before Congress and would close two gas and oil drilling exemptions which currently exist in the Clean Air Act for fracking; and

WHEREAS, the New Alternative Transportation to Give Americans Solutions (“NAT GAS Act”) Act is currently pending before Congress and would create artificial demand for gas by providing billions of dollars in subsidies to the gas industry, further promoting fracking; and

WHEREAS, at least three pipelines, which will transport fracked gas, are expanding into NJ, passing through densely populated communities like Jersey City and environmentally sensitive areas in the NJ Highlands, encompassing protected land paid for and owned by the people of New Jersey to be preserved as open space to protect water resources; and

WHEREAS, historically 100% of US produced gas has been used domestically, and now 12% of US produced gas is being exported to international markets via liquefied natural gas (LNG) terminals; and

WHEREAS, previous decisions to halt the construction of LNG facilities in New Jersey and off our coast could be reversed to profit gas companies who can charge four times as much for gas in Europe as they can in the US; and

WHEREAS, the wise stewardship of our natural resources involves protection of (name of town [or our])’s air, water supplies and water resources for generations to come; and

WHEREAS, protection of (name of town [or our])’s air, water supplies and resources is better accomplished by prevention of contamination and environmental degradation, rather than attempting to cleaning up contamination and restoring degraded environments after the fact;

NOW, THEREFORE, BE IT RESOLVED, that on the ____ day of ____ 2012, (name of town) supports a statewide and national ban on hydraulic fracturing for natural gas, banning the treatment, disposal and transport of dangerous fracking waste in New Jersey and preventing our drinking water supplies from being used for fracking;

AND BE IT FURTHER RESOLVED, that (name of town) opposes the NATGAS Act;

AND BE IT FURTHER RESOLVED, that (name of town) supports the FRAC Act;

AND BE IT FURTHER RESOLVED that (name of town) supports the BREATHE Act;

AND BE IF FURTHER RESOLVED that (name of town) opposes LNG facilities in New Jersey and off our coast; and

AND BE IT FURTHER RESOLVED that (name of town) will send a letter to our Congressional Representative and US Senators alerting them to our concerns with fracking and urging them to support a federal ban on fracking and co-sponsor the FRAC and BREATHE Acts and oppose the NATGAS Act;

AND BE IT FURTHER RESOLVED that (name of town) will send a letter to our NJ Assembly and Senate members alerting them to our concerns with fracking and urging them to co-sponsor S246/A567 to prohibit hydraulic fracturing in New Jersey and to support an override of Governor Christie's veto of A575/S253 that would prohibit the treatment, discharge, disposal or storage of hydraulic fracturing waste in New Jersey;

And/Or

NOW, THEREFORE, BE IT ORDAINED, that hydraulic fracturing for natural gas is prohibited within (name of town).

And/Or

NOW, THEREFORE, BE IT ORDAINED, that the (name of town's sewage authority) will not accept hydraulic fracturing fluids and/or other waste produced by natural gas drilling.

PASSED, APPROVED, AND EFFECTIVE on this ____ day of ____, 2012.

ATTEST:

Mayor

Council President

PLEASE SEND A COPY OF THIS SIGNED RESOLUTION TO:

1. [town's state representatives]
2. [town's congressional representative]
3. Governor Chris Christie, PO Box 001, Trenton, NJ 08625
4. Senator Robert Menendez, One Gateway Center, Suite 1100, Newark NJ 07102
5. Senator Frank Lautenberg, One Gateway Center, 23rd Floor, Newark, NJ 07102
6. Delaware Riverkeeper Network, 300 Pond Street, 2nd Floor, Bristol, PA 19007
7. Food and Water Watch, 100 Bayard Street, Suite 310, New Brunswick, NJ 08901

