

RESOLUTION CALLING FOR A BAN ON FRACKING

WHEREAS, Franklin Township's water supply comes partially from the Delaware River via the Delaware and Raritan Canal; and

WHEREAS, Franklin Township passed a resolution on June 14, 2011 in support of a statewide and national ban on fracking and banning the disposal of dangerous fracking waste in New Jersey and preventing our drinking water supplies from being depleted for fracking; and

WHEREAS, the NJ legislature passed a ban on fracking that was conditionally vetoed by the Governor in favor of a one-year moratorium that went into effect in January 2012 and is set to expire in January 2013; and

WHEREAS, since the passage of our original resolution, that case for a ban on fracking is strengthened by reports 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 there have been reports of radioactive material from fracking waste that have been discharged into waterways; and

WHEREAS, extracting natural gas from shale formations involves the use of chemicals and hazardous materials during construction, drilling, hydraulic fracturing, gas production and delivery, well maintenance, and work over operations; and

WHEREAS, municipal wastewater treatment plants are not equipped to treat industrial fracking waste, and there are no industrial waste treatment plants in New Jersey currently capable of safely treating fracking waste; 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, use of these hydraulic fracturing mixes exposed adjacent land and surface waters to the risk of contamination through open pit storage, truck transport on roadways, and activities during well development; and

WHEREAS, blowouts, leaks and spills, including those involving trucks carrying fracking wastewater, occur and pose additional problems for emergency responders and HAZMAT teams when they are unable to ascertain rapidly the chemicals entering waterways; and

WHEREAS, because each fracking company using different mixtures of toxins in their proprietary blends of fracking fluids, and due to unknown contaminants being pulled

from the earth's crust, each batch of fracking waste will have a different chemical composition; and

WHEREAS smog from emissions containing volatile organic compounds has dramatically increased in areas where fracking is occurring and poses a serious health risk to New Jerseyans; and

WHEREAS, in 2005, as part of the federal Energy Policy Act and over objections of health care, scientific, environmental, and conservation communities, regulation of hydraulic fracturing fluids under the Safe Drinking Water Act by the Environmental Protection Agency was exempted, thereby allowing oil and gas companies to use these substances without federal oversight or standards; and

WHEREAS, oil and gas companies are not individually required by federal law to publicly disclose chemical formulas of hydraulic fracturing fluids so that this information is publicly available for health and safety purposes; and

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

WHEREAS, the NATGAS Act is currently pending before Congress and would create artificial demand for gas by providing billions of dollars in subsidies to the gas industry to establish a natural gas infrastructure, further promoting fracking; and

WHEREAS, three pipelines are expanding into NJ passing through densely populated communities like Jersey City and rural communities throughout the NJ Highlands, encompassing protected areas paid for and owned by the people of New Jersey; and

WHEREAS, proposed pipelines will be used to bring fracked gas to market, much of which will end up overseas where prices are three to six times higher than in the United States; and

WHEREAS, Franklin Township respects the irreplaceable value of its forests and watersheds and places the health and safety of its residents above the short term interests of a highly-polluting industry; and

WHEREAS, Franklin Township is concerned for communities who have lost local autonomy and municipal rights to create environmental and public health protections more effective than state standards when the Pennsylvania legislature passed SB1100/HB1950, effectively preventing communities in Pennsylvania from adopting local fracking bans;

NOW, THEREFORE, BE IT RESOLVED, that on the 28th day of February 2012, Franklin Township continues to support and call for a statewide and national ban on

hydraulic fracturing for natural gas, banning the treatment, disposal and storage of dangerous fracking waste in New Jersey and preventing our drinking water supplies from being used for fracking;

AND BE IT FURTHER RESOLVED, that Franklin Township opposes the NATGAS Act.

AND BE IT FURTHER RESOLVED that Franklin Township will send a copy of this resolution to our Congressional Representative and US Senators urging them to oppose the NATGAS Act (S.1863/H.R.1380), support the FRAC Act and support a national ban on fracking.

AND BE IT FURTHER RESOLVED that Franklin Township will send a copy of this resolution to NJ Governor Chris Christie and our NJ State Assemblypersons and Senators urging them to support a statewide ban on fracking (A567/S246), and support legislation that would ban on the treatment, processing, disposal, or storage of fracking waste in NJ.

CERTIFICATION

I, Ann Marie McCarthy, Clerk of the Township of Franklin, in the County of Somerset, do hereby certify that the foregoing is a true and correct copy of a resolution duly adopted by the Township Council at a regular meeting held on this 28th day of February 2012

IN WITNESS WHEREOF I have hereunto set my hand and affixed the seal of said Township this 28th day of February 2012



Ann Marie McCarthy
Township Clerk



PLEASE SEND A COPY OF THIS SIGNED RESOLUTION TO:

1. *Assemblyman Joseph Egan, 100 Bayard St., New Brunswick, NJ 08901*
2. *Assemblyman Upendra Chivukula, 888 Easton Avenue, Somerset, NJ 08873*
3. *Senator Bob Smith, 216 Stelton Rd., Ste. E5, Piscataway, NJ 08854*
4. *Congressman Frank Pallone, 67/69 Church St., Kilmer Sq., New Brunswick, NJ 08901*
5. *Congressman Rush Holt, 50 Washington Road, West Windsor, NJ 08550*
6. *Senator Robert Menendez, One Gateway Center, Suite 1100, Newark NJ 07102*
7. *Senator Frank Lautenberg, One Gateway Center, 23rd Floor, Newark, NJ 07102*
8. *Delaware Riverkeeper Network, 300 Pond Street, 2nd Floor, Bristol, PA 19007*
9. *Food and Water Watch, 100 Bayard Street, Suite 310, New Brunswick, NJ 08901*

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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 a 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 can contain radioactive elements and has been discharged into rivers that supply drinking water for millions, according to the *New York Times*.

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

WHEREAS, in 2005, as part of the federal Energy Policy Act and over objections of health care, scientific, environmental, and conservation communities, regulation of hydraulic fracturing fluids under the Safe Drinking Water Act by the Environmental Protection Agency was exempted, thereby allowing oil and gas companies to use these substances without federal oversight or standards; and

WHEREAS, the oil and gas industry is not required by federal law to publicly disclose chemical formulas of hydraulic fracturing fluids so that this information is publicly available for health and safety purposes; 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, 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 wise stewardship of our natural resources involves protection of Franklin Township's water supplies and water resources for generations to come; and

WHEREAS, protection of Franklin Township's 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 14th day of June 2011, Franklin Township supports a statewide and national ban on hydraulic fracturing for natural gas, banning the import and disposal of dangerous fracking waste in New Jersey and preventing our drinking water supplies from being depleted for fracking;

AND BE IT FURTHER RESOLVED, that Franklin Township supports the FRAC Act;

AND BE IT FURTHER RESOLVED that Franklin Township will send a letter to our State Representatives, Congressional Representative and Senator Menendez calling for a ban on fracking and asking our federal representatives to join Senator Lautenberg, Congressman Pallone and Congressman Holt as co-sponsors the FRAC Act, H.R. 1084/ S. 587;

AND BE IT FURTHER RESOLVED that Franklin Township supports strong regulation by the Delaware River Basin Commission to prevent pollution and avoid degradation of the water resources and ecosystems of the Delaware River Watershed.

CERTIFICATION

I, Ann Marie McCarthy, Clerk of the Township of Franklin, in the County of Somerset, do hereby certify that the foregoing is a true and correct copy of a resolution duly adopted by the Township Council at a regular meeting held on the 14th day of June 2011.

IN WITNESS WHEREOF I have hereunto set my hand and affixed the seal of said Township this 15th day of June 2011.

Ann Marie McCarthy
Township Clerk