

# Borough of Union Beach

Resolution 2014-143

Meeting of July 17, 2014

RESOLUTION IN SUPPORT OF NEW JERSEY STATE  
ASSEMBLY BILL NO. 2108 AND SENATE BILL NO. 1041  
PROHIBITING THE TREATMENT, DISCHARGE, DISPOSAL, OR  
STORAGE OF WASTEWATER, WASTEWATER SOLIDS, SLUDGE,  
DRILL CUTTINGS OR OTHER BYPRODUCTS FROM NATURAL GAS  
EXPLORATION OR PRODUCTION USING HYDRAULIC FRACTURING.

WHEREAS, in the State of New Jersey 216<sup>th</sup> Legislature A.2108 was introduced in the Assembly on January 16, 2014 and S.1041 was introduced in the Senate on January 30, 2014; and

WHEREAS, the Bills introduced prohibited treatment, discharge, disposal, or storage of wastewater, wastewater solids, sludge, drill cuttings or other byproducts from natural gas exploration or production using hydraulic fracturing; and

WHEREAS, the term "hydraulic fracturing" shall include "fracking," "hydrofracking," "hydrofracturing," and other colloquial terms for this drilling technique, which refer to the drilling technique of expanding fractures or creating new fractures in rock by injecting water, often with chemicals, sand, or other substances, and often under pressure, into or underneath the surface of the rock for the purposes including, but not necessarily limited to, well drilling and natural gas exploration and production; and  
Whereas, the practice of the frilling technique of hydraulic fracturing for natural gas exploration and production has been found to use a variety of contaminating chemicals and materials and uses vast quantities of water mixed with chemicals and solids pumped in the process resulting in millions of gallons of contaminated water flowing back of the well causing dangers and uncertainties for wastewater treatment plants, the environment and health and safety of the public; and

WHEREAS, wastewater, wastewater solids or sludge, drill cuttings and/or other byproducts from the fracking process have been known to contain toxic levels of contaminants such as benzene, naphthalene, toluene, formaldehyde, diesel, cadmium, mercury, arsenic, and unknown quantities of hundreds of other undisclosed carcinogenic and endocrine-disrupting chemicals, heavy metals, and radioactive materials; and

WHEREAS, Pennsylvania's Department of Environmental Protection has documented three facilities in NJ as accepting waste from hydraulic fracturing operations, posing a direct threat to NJ's drinking water; and

WHEREAS, the treatment, discharge, disposal, or storage of fracking waste pose a threat to NJ's air, land, aquifers and surface waters through the risk of spills and accidents, open pit storage, truck transport on roadways, and severe weather events that cause flooding; and

WHEREAS, fracking is exempt from important regulations meant to protect public health and the environment, specifically sections of the Clean Air Act, Clean Water Act, Safe Drinking Water Act, Resource Conversation and Recovery Act, Superfund, and National Environmental Policy act;  
and

WHEREAS, no federal or State standards have been adopted governing the treatment and disposal of hydraulic fracturing waste;

NOW, THEREFORE, BE IT RESOLVED that the Borough of Union Beach hereby supports a statewide ban on the treatment, discharge, disposal, or storage of wastewater, wastewater solids, sludge, drill cuttings or other by products from natural gas exploration or production using hydraulic fracturing.

PASSED, APPROVED AND EFFECTIVE ON THIS 17<sup>th</sup> DAY OF JULY 2014.

BE IT FURTHER RESOLVED that certified copies of this signed Resolution be forwarded to:

1. Mayors of all Monmouth County municipalities
2. Monmouth County Freeholders and Clerk of the Board
3. Senator Joseph M. Kyrillos, 10 Highway 35, 2<sup>nd</sup> Floor, Red Bank, NJ 07701
4. Assemblywoman Amy Handlin, 225 Route 35, Suite 202, Red Bank, NJ 07701
5. Assemblyman Declan O'Scanlon, 32 Monmouth Street, 3<sup>rd</sup> Floor, Red Bank, NJ 07701
6. Congressman Frank Pallone, 67 Church Street, New Brunswick, NJ 07102
7. Senator Robert Menendez, One Gateway Center, Suite 1100, Newark, NJ 07102
8. Senator Cory Booker, One Gateway Center, 23<sup>rd</sup> Floor, Newark, NJ 07102
9. Governor Christie, Office of the Governor, Post Office Box 001, Trenton, NJ 08625

Offered by Councilman Cocuzza, seconded by Councilman Andreuzzi and approved by the following roll call vote:

Roll Call Vote:

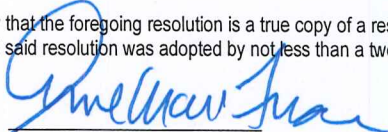
Ayes: Council Wicki, Councilwoman Roche, Councilman Williams,  
Councilman Andreuzzi and Councilman Cocuzza

Nays: None

Absent: Councilman Mascilak

Abstain: None

I, Anne Marie Friscia, Borough Clerk of the Borough of Union Beach, do hereby certify that the foregoing resolution is a true copy of a resolution of duly passed and adopted by the Governing Body at the Council Meeting held on July 17, 2014 and said resolution was adopted by not less than a two-thirds vote of the members of the Mayor and Council of the Borough of Union Beach.

  
Anne Marie Friscia, Borough Clerk

Witness my Hand and Seal of the  
Borough of Union Beach  
This 17<sup>th</sup> Day of July 2014