



Kriss Worthington

Councilmember, City of Berkeley, District 7
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ACTION CALENDAR
 May 17, 2011

To: Honorable Mayor and Members of the City Council
 From: Councilmember Kriss Worthington

Subject: Support FRAC Act, H.R. 1084/S.587, and BREATHE Act, H.R. 1204 to Repeal the Fracking Exemption to the Safe Drinking Water Act and Require Disclosure of Chemicals Used in Fracking

RECOMMENDATION

Adopt a Resolution supporting the Fracturing Responsibility and Awareness of Chemicals Act ("FRAC Act"), H.R. 1084/S.587, and the Bringing Reductions to Energy's Airborne Toxic Health Effects Act ("BREATHE Act"), H.R. 1204 to repeal the fracking exemption to the Safe Drinking Water Act and require disclosure of chemicals used in fracking.

BACKGROUND

Fracking is the hydraulic fracturing for natural gas that involves the use of chemical and hazardous material during construction, drilling, hydraulic fracturing, gas production and delivery, well maintenance, and workover operation. 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.

Many of the chemical constituents injected during hydraulic fracturing have documented adverse health effects and/or adverse environmental impacts. 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. The pollution of water caused by fracking threatens the long term economic well being of communities, as businesses and consumers depend on clean drinking water.

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.

The Bringing Reductions to Energy's Airborne Toxic Health Effects Act ("BREATHE Act"), which is currently pending in Congress would repeal the exception to the Clean Air Act for aggregation of emissions from oil and gas development sources.

FINANCIAL IMPLICATIONS

Unknown.

CONTACT PERSON

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Attachment:

1. Resolution Calling for the End of Fracking

RESOLUTION NO. -N.S.

CALLING FOR THE END OF 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 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*; 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, the pollution of water caused by fracking threatens the long term economic well being of communities, as businesses and consumers depend on clean drinking water; and

WHEREAS, the problems associated with fracking were featured in the Academy Award nominated documentary *Gasland*; 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 Bringing Reductions to Energy's Airborne Toxic Health Effects Act ("BREATHE Act"), which is currently pending in Congress would repeal the exception to the Clean Air Act for aggregation of emissions from oil and gas development sources; and

WHEREAS, protection of water supplies and resources is better accomplished by prevention of contamination and environmental degradation, rather than attempting to clean up contamination and restoring degraded environments after the fact.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the City of Berkeley supports the FRAC Act and BREATHE Act.