



MEMORANDUM

To: Mayor and City Councilors
From: Rich Olson, City Manager
Date: April 3, 2013
Re: Consideration – Adoption of Resolution Opposing Disposal of Fracking Waste in Eastern North Carolina

BACKGROUND:

On March 6, 2013, Mayor Peel and I were asked to attend a meeting of the Boards of County Commissioners for Pasquotank, Camden, Currituck, Chowan and Perquimans. One of the issues discussed was Senate Bill 76, which was co-sponsored by our State Senator Bill Cook. Senate Bill 76 would lift the state-wide ban on fracking.

ANALYSIS:

Primarily, fracking operations occur in the western part of the state. However, the Bill has unintended consequences of having all fracking-related waste disposed of in Eastern North Carolina. The eastern part of North Carolina would receive very little of the economic benefit from fracking. Fracking waste includes carcinogens, corrosive salts, metals and other chemicals, which could harm the aquifer in the eastern part of the state.

Staff has modified the resolution that several of the surrounding counties have adopted to reflect no official position on fracking; because in all likelihood, the Legislature will approve fracking in North Carolina. Our approach is only to address the waste by-products.

STAFF RECOMMENDATION:

By motion, adopt the attached resolution opposing the disposal of fracking waste in Eastern North Carolina and direct City staff to forward a copy to all members of our legislative delegation.

RCO/vdw

**RESOLUTION OPPOSING THE DISPOSAL OF FRACKING WASTE
IN EASTERN NORTH CAROLINA**

WHEREAS, hydraulic fracturing, or "fracking," is a method of extracting natural gas that involves injecting, at an extremely high pressure, a mixture of water, sand, and toxic chemicals to break up shale or other rock formations otherwise impermeable to the flow of natural gas; and

WHEREAS, North Carolina does not currently allow either horizontal drilling or hydraulic fracturing, and the current North Carolina study of in-state shale gas resources and of the potential impacts of reversing this ban and allowing drilling and fracking to extract these resources was undertaken with insufficient time and without adequate funding; and

WHEREAS, Senate Bill 76, which would lift the state's ban on fracking, was co-sponsored by Senator Bill Cook, was passed by the Senate, and will be considered by the House of Representatives; and

WHEREAS, fracking operations in North Carolina would be concentrated in Western North Carolina, however it has been reported that there are no viable options for disposal of fracking waste in the western part of the state and that Eastern North Carolina might be an option for deep-well disposal of fracking waste; and

WHEREAS, the wastewater produced from hydraulic fracturing includes carcinogenic, corrosive, and/or toxic salts, metals, chemicals and radioactive materials; and

WHEREAS, the disposal of fracking byproducts into the aquifer could have a detrimental impact on the environment, including contamination of drinking water wells and surface waters; and

WHEREAS, Section 5 of the North Carolina Constitution states that "It shall be the policy of the State to conserve and protect its lands and waters for the benefit of all its citizenry, and to this end it shall be a proper function of the State of North Carolina and its political subdivisions... to control and limit the pollution of our air and water... and in every other appropriate way to preserve as part of our common heritage of this State its forests, wetlands, estuaries, beaches, historical sites, open lands, and places of beauty"; and

NOW THEREFORE BE IT RESOLVED, that the City Council of the City of Elizabeth City is **greatly opposed** to the disposal in Eastern North Carolina of fracking waste and byproducts from other areas of the state.

BE IT FURTHER RESOLVED, that the City Council of the City of Elizabeth City urges the North Carolina General Assembly to pursue viable options for the proper disposal of fracking waste in the geographic areas that receive economic benefit from fracking operations.

ADOPTED this 8th day of April, 2013.

Joseph W. Peel
Mayor

Dianne S. Pierce-Tamplen, MMC
City Clerk