

May 8, 2012 – Town of Caroline

Resolution 103 of 2012

Resolution Supporting State Senate Bill S4616 (Avella)/Assembly Bill A7013 (Sweeney) to Amend the Environmental Conservation Law in Relation to the Uniform Treatment of Waste

Motion was made by Ms. Weiser; seconded by Mr. Frongillo

WHEREAS this bill S 4616 (Avella)/A7013 (Sweeney) would require hazardous wastes produced from oil and natural gas activities to be subject to the requirements for treatment of hazardous wastes; and

WHEREAS currently the oil and gas industry enjoys exemptions from New York State laws governing hazardous waste transport and disposal. Though a great deal of the wastewater generated by hydraulic fracturing meets the state definition of hazardous, it is not required to be treated as such; and

WHEREAS the oil and gas industry is not required to disclose the chemicals used in the hydraulic fracturing process but the following chemicals are often found in waste water resulting from the hydraulic fracturing process: benzene, toluene, formaldehyde, salts, heavy metals, and radioactive particles; and

WHEREAS closing this exemption loophole will require hydraulic fracturing flowback and produced water to be monitored through a manifest system and that extra safeguards will be in place to avoid accidents and ensure proper waste treatment; and

WHEREAS such a designation will keep fracking wastes out of municipal treatment plants and the waterways leading to sources of drinking water.

THEREFORE BE IT RESOLVED that the Town of Caroline supports the immediate passage of the New York State Senate bill S4616 introduced by Senator Avella which is the same bill as Assembly bill A7013 introduced by Assemblyman Sweeney that would amend Section 27-0903 of the New York State Environmental Conservation Law. Further

RESOLVED this resolution be sent by the Town Clerk to Governor Andrew Cuomo, N.Y. Senate Majority Leader, Dean Skelos; Senate Minority Leader Sampson, N.Y. Assembly Speaker, Sheldon Silver; N.Y. Senators O'Mara, Seward, Nozzolio, Avella, Squadron, Kreuger, Perkins, Serrano, and Perrault; U.S. House Representatives Maurice Hinchey and Richard Hanna, N.Y. Assemblywoman, Barbara Lifton; U.S. Senators Kirsten Gillibrand and Charles Schumer; DEC Commissioner Joseph Martens; EPA Region 2 Director, Judith Enck.

Adopted Barber: Aye; Frongillo: Aye; Adams: Absent; Snow: Aye; Weiser: Aye