



Tompkins County Council of Governments

320 North Tioga Street
Ithaca, NY 14850

Meeting: 12/20/12 03:00 PM
Department: Legislature Office
Category: Roads and Bridges
Functional Category:

ADOPTED

DOC ID: 3915

RESOLUTION NO. 004-2012

Support of the Tompkins County Legislature's Ban on the Use of Hydrofracking By-Product Brine on County Roads and Property

WHEREAS, the Tompkins County Council of Governments sponsored a public hearing on December 1, 2011 to allow area residents the opportunity to officially weigh in on New York State's proposed gas drilling rules and to provide verbal and written comments on the draft Supplemental Generic Environmental Impact Statement (dSGEIS) on the Oil, Gas and Solution Mining and regulations that will govern high-volume hydraulic fracturing and heard from over 850 individuals, and

WHEREAS, on December 18, 2012 the Tompkins County Legislature imposed a ban on the spraying, depositing, placing of all hydrofracking by-products, including brine liquid upon Tompkins County roads and properties and this prohibition will be reflected in relevant bidding documents and contracts,

WHEREAS, the definition of a "natural gas and oil by-product" is any refuse, sludge, or other waste materials, whether or not recycled or reused or intended to be recycled or reused, including solid, liquid, semi-solid, or contained gaseous material that results from, is associated with, or produced as a byproduct of natural gas and oil exploration or extraction, including, without limitation, production brine, produced waters, flowback, flowback fluids, or hydraulic fracturing fluids, and

WHEREAS, the mineral properties of this by-product brine include certain chlorides that lower the freezing point and/or draw moisture from the air allowing the hydrofracking by-product brine to be used as a deicing agent in snow and ice control and/or being used as dust control on gravel roads, and

WHEREAS, Tompkins County officials have been made aware that roads in certain areas adjacent to hydrofracking sites are being sprayed with hydrofracking by-product liquid brine, and

WHEREAS, the Tompkins County Council of Governments recognizes the dangers of additional harmful contents contained within this hydrofracking by-product brine, now therefore be it

RESOLVED, That Tompkins County Council of Governments hereby supports the Tompkins County Legislature's ban on the spraying, depositing, and placing of all hydrofracking by-products, including brine liquid upon Tompkins County roads and properties,

RESOLVED, further, That Tompkins County Council of Governments urges member municipalities to consider adopting a similar resolution,

RESOLVED, further, That copies of this resolution shall be sent to Governor Andrew Cuomo, New York State Department of Transportation Commissioner Joan McDonald, New York State Department of Environmental Conservation Commissioner Joe Martens, New York State Department of Environmental Conservation Executive Deputy Commissioner Marc S. Gerstman Chair of the Senate Committee on Environmental Conservation Mark Grisanti, Senate Majority Leader Dean Skelos, Deputy Senate Majority Leader Thomas W. Libous, Senate Minority Leader John Sampson, Deputy Minority Leader Neil D. Breslin, New York State Senators James Seward, Michael Nozzolio, Thomas O'Mara, New York State Assembly Speaker Sheldon Silver, Assembly Majority Leader Ron Canestrari, Assembly Minority Leader Brian Kolb, Chair of the Assembly Committee on Environmental Conservation Robert Sweeney, Chair of the Assembly Energy Committee Kevin Cahill, Assemblywoman Barbara Lifton, Attorney General Eric Schneiderman, New York State Association of Counties, the New York Association of Towns, and the New York Conference of Mayors, Tompkins County Legislature, and all municipalities and Highway Superintendents located within Tompkins County.