

## **RESOLUTION NO.**

**WHEREAS**, the City Council of the City of Austin is deeply concerned about high-volume horizontal hydraulic fracturing (“fracking”) and its growing threat to our environment and public health; and

**WHEREAS**, natural gas production, including fracking, produces an enormous amount of hazardous waste, including chemically-laden waters from deep underground, naturally occurring radioactive material, and toxic fracking fluids that flow back to the surface; and

**WHEREAS**, it is estimated that hundreds of chemicals and other dangerous substances can be used in fracking fluid, many of them toxic and some of them known carcinogens, and fracking operations in Texas produced 260 billion gallons of toxic waste in 2012 alone; and

**WHEREAS**, as a result of inadequate or nonexistent regulations, waste from fracking is often mismanaged; and

**WHEREAS**, gas companies frequently store hazardous waste in open pits, which, if poorly constructed, can leak wastes into the surrounding land and are also liable to overflow, especially during rain events; and

**WHEREAS**, according to the Upper Trinity Groundwater Conservation District in North Texas, open pits of drilling mud waste contaminated four family water wells in Montague County in 2011; and

**WHEREAS**, Texas’ thousands of deep disposal wells are a common destination for fracking waste, but these wells can also fail over time, allowing the wastewater and its pollutants to mix with groundwater or surface water; and

**WHEREAS**, the Railroad Commission of Texas has acknowledged that wastewater injection into a disposal well contaminated the Cenozoic Pecos Alluvium Aquifer with 6.2 billion gallons of water near Midland; and

**WHEREAS**, there is growing evidence that disposal of fracking waste deep underground is responsible for the recent increase in earthquakes in Texas; and

**WHEREAS**, oil and gas companies lobbied to have their waste exempted from key provisions of the nation's hazardous waste law, the Resource Conservation and Recovery Act, even though it is often laced with cancer-causing and even radioactive material; and

**WHEREAS**, as a result, fracking waste disposal sites face weaker standards and fewer inspections than if the waste was designated hazardous; and

**WHEREAS**, in their review of the Railroad Commission of Texas' record of investigating well leaks, the Texas Sunset Commission wrote, "Part of the reason for the large number of violations is that the Commission's enforcement process is not structured to deter repeat violations;" and

**WHEREAS**, because the state of Texas provides limited active protection of the public from the effects of fracking, we need the federal government to act to protect communities in Texas; **NOW, THEREFORE**,

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

Council affirms its support of Texas' environment, drinking water, and health and thereby supports HR 2825 of the 113<sup>th</sup> Congress, the CLEANER Act,

which proposes to close the loopholes that exempt fracking from key provisions of our nation's hazardous waste law.

**ADOPTED:** \_\_\_\_\_, 2014    **ATTEST:** \_\_\_\_\_  
Jannette S. Goodall  
City Clerk