CITY OF OBERLIN, OHIO

RESOLUTION No. R12-09 CMS

A RESOLUTION REQUESTING THAT GOVERNOR JOHN R. KASICH AND THE OHIO STATE LEGISLATURE MOVE SWIFTLY TO PLACE A MORATORIUM ON HORIZONTAL HYDRAULIC FRACTURING AND BRINE INJECTION WELLS IN THE STATE OF OHIO UNTIL FURTHER STUDY AND RISK ASSESSMENT IS COMPLETED AND DECLARING AN EMERGENCY

WHEREAS, the City of Oberlin is dedicated to protecting the health of its citizens and recognizes that water is critical for life; and

WHEREAS, horizontal hydraulic drilling, also known as fracking, is an unconventional type of natural gas extraction that threatens the health of both the public and the environment, and requires larger drill pads, deeper wells, and tens of millions of gallons of water, while producing two hundred times more volatile organic compounds, four times as many drill cuttings, and fifty million gallons of wastewater, as compared to traditional wells; and

WHEREAS, the City of Oberlin finds that the fracking industry has been granted exceptions to multiple regulations since 2005, such as the Safe Drinking Water Act and Clean Water Act, and employs hundreds of unknown chemicals of concern; and

WHEREAS, in a study of Pavilion, Wyoming, the Environmental Protection Agency (EPA) recently documented water contamination from fracking chemicals; and

WHEREAS, the Oberlin City Council acknowledges the current provisions of Ohio Revised Code Section 1509.02 that give the Ohio Department of Natural Resources (ODNR) authority to permit oil and gas wells; and

WHEREAS, the ODNR is projecting to permit 3,000 fracking wells in Ohio over the next three years; and

WHEREAS, fracking wastewater, which is laced with hundreds of chemicals of concern,

heavy metals, and naturally occurring radioactive materials (NORM), is currently being disposed of on Ohio roadways and injected underground at one of Ohio's 177 class II injection wells; and

WHEREAS, projections from the ODNR estimate that two hundred billion gallons of fracking waste will be produced in-state, and Ohio continues to accept billions of gallons of fracking wastewater from out of state; and

WHEREAS, Ohio has experienced a dozen unusual earthquakes, the most recent and severe occurring on December 31, 2011, caused by a class II injection well disposing of fracking wastewater, which resulted in a moratorium on injection wells in the Youngstown area; and

WHEREAS, drilling muds and drill cuttings from fracking wells contain heavy metals, chemicals, and NORM, which is currently disposed of at solid waste landfills; and

WHEREAS, clean water is vital for economic health and our agricultural economy; and

WHEREAS, the City of Oberlin recognizes that the disposal of fracking wastewater is a significant challenge due to the volume and chemical complexity of the waste, this causes significant concern for the City of Oberlin due to fears that fracking wastewater may eventually reach local streams and rivers, which supply our drinking water; and

WHEREAS, methane is approximately twenty one (21) times more potent a greenhouse gas than carbon dioxide and fugitive emissions from fracked wells cause the carbon footprint of natural gas combustion to be greater than coal, thus accelerating global climate change.

WHEREAS, the citizens of Oberlin may receive little economic benefit from fracking, but will share the burden and costs to infrastructure, health care, water treatment, and overall environmental degradation; and

WHEREAS, numerous townships, cities, states, and countries have banned or issued moratoriums on horizontal hydraulic fracturing and waste injection wells, including the states of

New Jersey, North Carolina, and New York; the cities of Buffalo, NY and Pittsburgh, PA; the Delaware River Gap; and internationally, in the Canadian Province of Quebec, and the European countries of Germany, France and Bulgaria; and

WHEREAS, the EPA is currently conducting a study, to be completed in 2015, to determine the risks associated with this new industry; and

WHEREAS, bills have been introduced in the Ohio State House of Representatives and the Ohio State Senate to enact a moratorium on horizontal hydraulic fracturing and injection wells until the completion of the EPA study.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Oberlin, County of Lorain, State of Ohio, five-sevenths (5/7ths) of all members elected thereto concurring:

SECTION 1. That the Council of the City of Oberlin hereby respectfully requests that Governor John R. Kasich and the Ohio State Legislature move swiftly to place a moratorium on horizontal hydraulic fracturing and brine injection wells until further study and risk assessment is completed.

SECTION 2. That the Clerk of Council is hereby authorized and directed to transmit a duly certified copy of this Resolution to Governor John R. Kasich of the State of Ohio, and to the Oberlin delegation of the Ohio General Assembly, as well as the Leadership of the Ohio House and Senate.

SECTION 3. That it is hereby found and determined that all formal actions of this Council concerning or relating to the adoption of this Resolution were adopted in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 4. That this Resolution is hereby declared to be an emergency measure

necessary for the immediate preservation of the public peace, health and safety of the citizens of the City of Oberlin, or to provide for the usual daily operation of a municipal department, to wit:
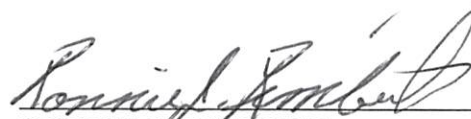
"to authorize a resolution indicating the opinion of Oberlin City Council on a matter of great importance to the citizens of the municipality in a timely manner", and shall take effect immediately upon passage.

PASSED: 1st Reading – June 4, 2012 (A, S, E)
2nd Reading –
3rd Reading –

ATTEST:

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BELINDA B. ANDERSON, CMC
CLERK OF COUNCIL

POSTED: 06/05/20112

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RONNIE J. RIMBERT
PRESIDENT OF COUNCIL

EFFECTIVE DATE: 06/04/2012