

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF DUCK, NORTH
CAROLINA, OPPOSING THE SUBSURFACE INJECTION OF FRACKING WASTE IN
EASTERN NORTH CAROLINA

Resolution No. 13-11

WHEREAS, the protection of Dare County's and the Town of Duck's source of future drinking water supplies is vital to the current and future residents of Dare County and the Town of Duck; and

WHEREAS, proposed Senate Bill 76 will authorize the Department of Environment and Natural Resources (DENR) to issue permits on or after March 1, 2015 for oil and gas exploration and development activities in the State with Part IV of the proposed legislation amending the existing statute governing subsurface fluid injection; and

WHEREAS, the intent of the amendment of Part IV of SB76 is to lift the ban on subsurface injection through adoption of the following specific language: *"The discharge of any wastes to the subsurface or groundwaters of the State by means of wells is prohibited. This section shall not be construed to prohibit (i) the operation of closed-loop groundwater remediation systems in accordance with G.S. 143-215.1A or (ii) injection of hydraulic fracturing fluid for the exploration or development of natural gas resources and water produced from subsurface geologic formations during the extraction of natural gas, condensate, or oil in North Carolina;"* and

WHEREAS, SB76, therefore, provides for the termination of the current ban on the injection of liquid wastes by means of wells into the groundwater system in North Carolina, and SB76 specifically addresses the disposal of fluids produced during the process of hydraulic fracturing associated with the development of natural gas resources; and

WHEREAS, while SB76 does not include language which specifically identifies where waste disposal (via well injection) will be permitted, there has been a significant amount of public discussion about the disposal of fracturing fluids into the aquifer systems of the North Carolina Coastal Plain; and

WHEREAS, one specific area that has been targeted is the saline part of our Coastal Plain aquifers, throughout introduction of contaminants via injection wells which would directly threaten the utilization of all aquifers as potable water sources; and

WHEREAS, the Coastal Plain province is blessed with thick and prolific aquifers that provide the bulk of water for municipal, agricultural, industrial and residential use within the region; and

WHEREAS, Dare County and the Town of Duck utilizes both the fresh water and salt water portions of our aquifers to meet its current and future water supply demands; and the saline portions of the aquifer system will become an increasingly important water source as population demands continue to increase; and

WHEREAS, the fresh and saline groundwater resources of the Coastal Plain of North Carolina are vital to the future of the region and the State of North Carolina as a whole; and the Town Council of the Town of Duck emphatically states its position that the North Carolina General Assembly not pass SB76, or any other legislation which effectively lifts the ban on injecting liquid wastes into the fresh or saline parts of the groundwater systems of North Carolina without first completing a thorough study of the potential effects of these actions.

NOW, THEREFORE, BE IT RESOLVED, this 1st day of May, 2013, that the Town Council of the Town of Duck, North Carolina, does hereby urge the North Carolina General Assembly to maintain current laws in North Carolina that prevent the disposal of hydraulic fracturing waste through underground injection or above ground storage in Eastern North Carolina and to take no action that would weaken these laws before a viable option for disposal of fracking waste is found that does not include Eastern North Carolina.

Adopted this 1st day of May 2013.

Mayor

ATTEST:

Clerk