

**RESOLUTION NO. 1006 -2012, PROHIBITING THE USE OF  
HYDRAULIC FRACTURING BRINE ON COUNTY PROPERTY  
OR ROADWAYS**

**WHEREAS**, hydraulic fracturing is a highly controversial form of mining which uses pressurized fluid to break rock formations and release natural gas that is then collected; and

**WHEREAS**, the fluids used in hydraulic fracturing contain a variety of chemicals, the exact contents of which are unknown; and

**WHEREAS**, hydraulic fracturing produces a liquid waste product with high levels of salinity, commonly known in the industry as fracking brine; and

**WHEREAS**, some businesses which perform hydraulic fracturing would like to dispose of such brine by providing it to local governments as a road de-icing agent for use in the winter; and

**WHEREAS**, the ingredients in fracking brine are vastly different from the brine commonly applied to roadways by municipalities prior to a winter storm, which is composed primarily of water and salt; and

**WHEREAS**, some of the chemicals found in fracking brine have been linked to health problems associated with the respiratory system and other organs; and

**WHEREAS**, the County of Suffolk is situated atop a sole-source aquifer, which provides drinking water for County residents; and

**WHEREAS**, when applied to roadways, fracking brine has the potential to pollute surface and groundwater; and

**WHEREAS**, to protect the health and safety of County residents and local drinking water, Suffolk County should prohibit the use of hydraulic fracturing brine on County roadways and properties; now, therefore be it

**1st RESOLVED**, that the Department of Public Works shall not utilize brine created in the hydraulic fracturing process on County roadways or property; and be it further

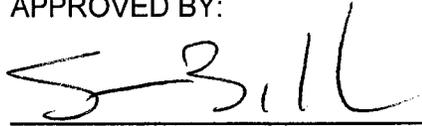
**2nd RESOLVED**, that the Department of Public Works is hereby authorized, empowered and directed to enforce this policy with all subcontractors it engages for road work; and be it further

**3rd RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20), (21) and (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency

administration, management and information collection, and the Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution.

DATED: November 20, 2012

APPROVED BY:



County Executive of Suffolk County

Date: 12-3-2012

SUFFOLK COUNTY  
County Legislature  
RIVERHEAD, NY



*This is to Certify That I,* TIM LAUBE, Clerk of the County Legislature of the County of Suffolk, have compared the foregoing copy of resolution with the original resolution now on file in this office, and which was duly adopted by the County Legislature of said County on November 20, 2012 and that the same is a true and correct transcript of said resolution and of the whole thereof.

*In Witness Whereof, I* have hereunto set my hand and the official seal of the County Legislature of the County of Suffolk.

*Tim Laube*

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Clerk of the Legislature

**Motion:**

Romaine, Schneiderman, Browning, Muratore, Anker  
Calarco, Montano, Cilmi, Lindsay, Hahn, Barraga,  
Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Spencer

**Co-Sponsors:**

Romaine, Schneiderman, Browning, Muratore, Anker  
Calarco, Montano, Cilmi, Lindsay, Hahn, Barraga,  
Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Spencer

**Second:**

Romaine, Schneiderman, Browning, Muratore, Anker  
Calarco, Montano, Cilmi, Lindsay, Hahn, Barraga,  
Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Spencer

LD	Legislator	Yes	No	Abs	NP	R
1	Edward P. ROMAINE					
2	Jay H. SCHNEIDERMAN					
3	Kate M. BROWNING					
4	Thomas MURATORE					
5	Kara HAHN					
6	Sarah S. ANKER					
7	Rob CALARCO					
9	Ricardo MONTANO				/	
10	Thomas CILMI					
11	Thomas F. BARRAGA					
12	John M. KENNEDY, JR.					
13	Lynne C. NOWICK					
15	DuWayne GREGORY					
16	Steven H. STERN					
17	Lou D'AMARO					
18	William SPENCER					
14	Wayne R. HORSLEY, D.P.O.					
8	William J. LINDSAY, P.O.					
	Totals	17	1	1	1	

MOTION
<input checked="" type="checkbox"/> Approve
Table: _____
Send To Committee _____
Table Subject To Call _____
Lay On The Table _____
Discharge _____
Take Out of Order _____
Reconsider _____
Waive Rule _____
Override Veto _____
Close _____
Recess _____
APPROVED <input checked="" type="checkbox"/> FAILED _____
No Motion _____      No Second _____

RESOLUTION DECLARED
<input checked="" type="checkbox"/> ADOPTED
NOT ADOPTED _____

Roll Call \_\_\_\_\_ Voice Vote

*Tim Laube*

Tim Laube, Clerk of the Legislature