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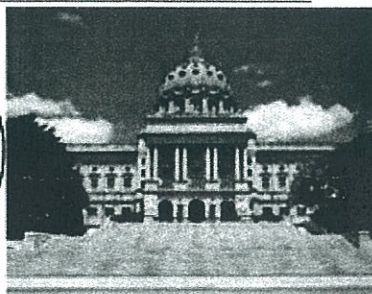


HOUSE OF REPRESENTATIVES 2:18  
COMMONWEALTH OF PENNSYLVANIA  
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**Philadelphia Delegation of the Pennsylvania House of Representatives**



March 24, 2011

Carol Collier  
Executive Director  
Delaware River Basin Commission (DRBC)  
P.O. Box 7360  
25 State Police Drive  
West Trenton, NJ 08628

Dear Ms. Collier and Commissioners:

We write to you today as members of the Philadelphia Delegation of the Pennsylvania House of Representatives. As legislators, we are collectively vigilant about the public health of Southeast Pennsylvania. Most of Philadelphia's tap water comes from the main stem of the Delaware River and all of it comes from water protected by the Delaware River Basin Commission (DRBC). We appreciate the fact that the DRBC has taken a more judicious and conscientious approach to managing natural gas than other governing bodies for watersheds in our state, but hydrofracking will begin if the Commission promulgates these rules. We are, therefore, very interested in them and concerned that they do not go far enough.

Our concerns:

**Chemical Disclosure:** The DRBC could have removed the veil of secrecy off the hydrofracking chemicals, as Rep. George attempted to do in the previous session with House Bill 2213 and Sen. Williams is currently pursuing with SB 127. As long as extractive industries are given the option to invoke trade secrecy, they certainly will. So far, we don't even know the volume of additives drillers are using that are federally regulated drinking water contaminants.

**Wastewater:** By relying on Pennsylvania's Chapter 95, the DRBC has failed to protect its special waters from the peculiar contaminants of fracking fluid. We expect these will include, at the least, high volumes of diesel fuel, hydrochloric acid, anti-freeze and arsenic. Preliminary work out of the University of Pittsburgh has shown that the treated hydrofracking water discharged by Pennsylvania wastewater facilities is dangerously polluted. It shows that produced water is a new waste stream that requires an updated set of standards that goes beyond total dissolved solids.

**Tree Cover and Cumulative Impact:** The DRBC comments should include some sort of cumulative impact provision. It should provide itself room to slow or halt fracking if its impact on water quality or aquatic life appears to be accelerating more rapidly than anticipated. Preliminary research by the Academy of Natural Science suggests we should expect water quality degradation around fracking sites even without dramatic incidents. Further, thousands of five-acre well pads will be built in the Delaware River's headwaters. As the Philadelphia Water Department rightly noted in 2009: loss of tree cover is one of the most immediate threats to Philadelphia's drinking water supplies.

**Permit-by-Rule:** We understand that hydrofracking is very controversial and that every single permit will likely be fought, but we cannot support a permit-by-rule for the office of the executive director. Technical reviews and, more importantly, public comments are critical checks against an industry determined to move as quickly as possible.

**In closing, we wish the DRBC to consider the multi-year study of hydrofracking's drinking water impacts presently underway by the EPA.** Each of us would very much like to see the data from the EPA's work incorporated into any regulations made to protect our drinking water supply. The natural gas has been beneath our state for millions of years and we expect the Northeast corridor will have a strong market for this fuel for many years to come. If we go more slowly, though, we may find that the science reveals more severe unintended consequences of moving quickly than any of us could have foreseen.

On behalf of the Philadelphia Delegation leadership and its members throughout the city of Philadelphia, thank you for your consideration of these comments.

Sincerely,



Rep. Jewell Williams, Chairman

Rep. Cherelle Parker, Vice Chair

Rep. Babette Josephs, Co-Vice Chair

Rep. Tony Payton, Co-Vice Chair

Rep. John Sabatina, Jr., Co-Vice Chair