

Form Letters

Correspondence ID: 56 Database Entry Date: 12/12/2010 Name: Kept Private

Organization:

Address: Kept Private New York NY 10011 USA

Correspondence Text: Total Copies Received: 2

Dear DRBC: The draft drilling regulations you've just proposed are flawed in several respects: 1) They call for "decision-making based on sound scientific principles"; but the most sensible way to provide the basis of such a decision is to wait for the completion of the EPA's comprehensive study of hydrofracking, so as to be guided by its findings. 2) The draft regulations note that gas wells "may have a substantial effect, either individually or cumulatively, on the surface water and groundwater resources of the basin"; yet the DRBC has refused to conduct a cumulative impact study to determine what those effects might be. 3) Whatever regulations are proposed, the DRBC lacks the staff to enforce them, and will have to rely on already overburdened state agencies, and on self-reporting by an industry that is notorious for cutting corners and evading regulatory oversight. 4) The draft regulations will ensure that the taxpayer, not the gas industry, bears the cost of cleaning up the inevitable environmental accidents. Drillers will be permitted to develop a gas well by putting up as little as \$125,000. Cabot Energy has already tried to saddle Pennsylvania taxpayers with the \$12 million dollar cost of bringing clean water to Dimock after they polluted the aquifer in that town. 5) In issuing its draft regulations before it has the necessary scientific studies in hand, the DRBC has ignored the urgent appeals of New York State Governor David Paterson, New York City Mayor Michael Bloomberg, New York Congressman Maurice Hinchey, the New York City Council, the Philadelphia City Council, the U.S. Fish and Wildlife Service, and the National Park Service. Nothing could be more important than getting this right. I urge the DRBC to put any issuing of regulations on hold until the EPA study of hydrofracking is completed, and to make the conclusions of that study the basis of its own deliberations.

Correspondence ID: 67 Database Entry Date: 12/13/2010 Name: Dintiman, Robin A

Organization: Highland Concerned Citizens

Address: 56 York Lake Rd Barryville NY 12719 USA

Correspondence Text: Total Copies Received: 2

You call for "decision-making based on sound scientific principles"-that's a reasonable standard, but one that the DRBC cannot possibly hope to meet. Because there is not a single credible study of hydraulic fracturing and drinking water safety, the commission lacks the knowledge it needs to effectively ensure safe drinking water for the fifteen million Americans who get their water from the Upper Delaware River Basin. The draft regulations note that gas wells "may have a substantial effect, either individually or cumulatively, on the surface water and groundwater resources of the basin," yet the DRBC refused to conduct a cumulative impact study to determine what those effects might be. The useful provisions that the draft regulations do contain amount to little more than a wish list, since the DRBC lacks the staff to enforce its own regulations. Instead it will have to rely on already overburdened state agencies and self-reporting by an industry that is notorious for cutting corners and evading regulatory oversight. The draft regulations will ensure that the taxpayer, not the gas industry, bears the cost of cleaning up the inevitable environmental accidents. Drillers will be permitted to develop a gas well by putting up as little as \$125,000. Cabot Energy has already tried to saddle Pennsylvania taxpayers with the twelve million dollar cost of bringing clean water to Dimock after they polluted the aquifer in that town.

Correspondence ID: 123 Database Entry Date: 1/28/2011 Name: Kept Private

Organization:

Address: Kept Private Damascus PA 18415 USA

Correspondence Text: Total Copies Received: 2

Dear Commissioners- There is a need for a greater time period before allowing your new regulations to be effective. There is a need for a cumulative environmental impact study. There is also a need for a monitoring and enforcement policy. This is most important before allowing your regulations to go forward. We need full disclosure of all the effects of gas drilling, otherwise we are not safe from the negative results of this process. There have been a recent explosion of a natural gas pipeline in Philadelphia that caused several deaths. This led to the Philadelphia utility to decide not to accept marcellus shale gas. There has also been unusual earthquakes in Arkansas which led this state to place a moratorium on drilling. There has been a recent report that Pennsylvania has allowed the dumping of fracking flowback water into our streams included within the Delaware River Basin. There is also a recent report that the marcellus gas is much more radioactive than conventional gas. This is a travesty of our environment and needs to be aborted. We all have the right to have fresh clean water and fresh clean air. It is wrong to subject human beings to potential harmful substances even if this doesn't happen all of the time. We need to change our energy needs from fossil fuels to alternative energy and this country should give more tax benefits to people who are willing to invest in these newer energies.

Correspondence ID: 124 Database Entry Date: 1/28/2011 Name: Kept Private

Organization:

Address: Kept Private East Brunswick NJ 08816 USA

Correspondence Text: Total Copies Received: 20

Dear Delaware River Basin Commission, I am writing to urge you to extend the public comment period and expand the locations for the public hearings. Millions of people would be affected by drilling in the Marcellus Shale and they all have a right for their voices to be heard. The public comment period should be a minimum of six months in order to provide sufficient notice for each hearing and to give the public adequate time to review the rules in order to comment accordingly. Given the technical and policy issues involved the public participation process must provide additional time for the public to review the rules and be able to provide meaningful comments. Additional public hearings should be added and the locations should be expanded. All of the Basin States including New York, New Jersey, Pennsylvania, and Delaware should have a hearing. The areas greatly dependent on the Delaware River for their water supply including New York City, Philadelphia, and the South Jersey area should have at least one public hearing. Since Pennsylvania is such a large state, one Hearing should be held in the Upper Delaware region, one in the central Watershed area and one in the southeastern area. Rules should not be adopted and no gas drilling should begin until scientific studies are completed by New York, EPA, and a cumulative impact analysis done of natural gas development impacts on the water resources of the Delaware River Watershed Please extend the public comment period and expand the public hearing locations! Sincerely, Eva Evers

Organization:

Address: Kept Private

Woodland Park NJ

07424

USA

Correspondence Text:

Total Copies Received: 3

Dear Delaware River Basin Commission, I am writing to urge you to extend the public comment period and expand the locations for the public hearings. Millions of people would be affected by drilling in the Marcellus Shale and they all have a right for their voices to be heard. The public comment period should be a minimum of six months in order to provide sufficient notice for each hearing and to give the public adequate time to review the rules in order to comment accordingly. Given the technical and policy issues involved the public participation process must provide additional time for the public to review the rules and be able to provide meaningful comments. Additional public hearings should be added and the locations should be expanded. All of the Basin States including New York, New Jersey, Pennsylvania, and Delaware should have a hearing. The areas greatly dependent on the Delaware River for their water supply including New York City, Philadelphia, and the South Jersey area should have at least one public hearing. Since Pennsylvania is such a large state, one Hearing should be held in the Upper Delaware region, one in the central Watershed area and one in the southeastern area. Rules should not be adopted and no gas drilling should begin until scientific studies are completed by New York, EPA, and a cumulative impact analysis done of natural gas development impacts on the water resources of the Delaware River Watershed Please extend the public comment period and expand the public hearing locations! Also, * The rules do not require a comprehensive plan and will not prohibit shale drilling in the flood plain and other environmentally sensitive areas. * The rules do not limit the total amount of Marcellus Shale drilling permits or the number of wells. The average well uses 2.5 to 4.5 million gallons of water for fracking, many wells are fracked two to three times. Drilling will require trillions of gallons of water. * The rules do not regulate the clearing of forests. Each well will destroy 15 acres of forest and require a half mile of roadway. There are currently proposals for more than 50,000 wells. This could mean the removal of 750,000 acres of woodlands and 25,000 miles of road. With all the runoff and pollution that comes with that. * The rules do not look at the impact from the building of roads. The secondary impacts of drilling road construction. Road construction for truck transport of process water and waste fluids will carve through our natural areas. This will fragment the forest inviting in invasive species and altering the ecosystem. * The rules do not provide proper management of stormwater or water used for fracking, or the discharge and storage of polluted waters. Thirty to 70% of this water is left in the wells, and can lead to contamination of drinking water wells. Sufficient properly licensed and operated water treatment facilities do not exist and are not planned in the Delaware River Watershed to manage the waste fluids. Many of these places are in such rural areas that they lack sewage plants altogether. * The rules do not adequately regulate the associated pipelines. New Jersey will also be impacted by six proposed natural gas pipelines from the River Basin through the Highlands region of the state. The proposed lines include the Tennessee, Transco, Iroquois, Algonquin, Columbia and Millenium lines. * The rules do not provide real regulatory authority to deal with the contaminated ground water that may be left behind, which could get in to streams or the aquifer. There is no comprehensive list of the toxic chemicals involved that could end up in the water supply. Drilling for natural gas in the Marcellus Shale involves horizontal drilling and hydraulic fracturing. This requires mixing millions of gallons of water with toxic chemicals including volatile organic chemicals like benzene, methyl benzene, formaldehyde, and others that are linked to cancer. The process also releases toxic chemicals like arsenic and mercury that are naturally trapped in the shale.

Correspondence ID: 153 Database Entry Date: 1/31/2011 Name: Avant, Grady M

Organization: FrackAlert, Inc.

Address: Milanville PA 18443 USA

Correspondence Text: Total Copies Received: 44

Members of the Commission, The practice of high-volume hydraulic fracturing has already wreaked havoc in several western states and in parts of Pennsylvania, poisoning water wells and aquifers, contaminating streams and soil, and spoiling air quality. Pennsylvania's Department of Environmental Protection has issued over 1,400 violations of the state's oil and gas laws in the Marcellus Shale in the last two and a half years. Much of the damage cannot be remediated at any cost. The current DRBC moratorium on drilling permits is supposed to protect the river, and subsequently all who live in, near, downwind, or down river, until a thorough scientific study, such as the one currently being conducted by the Environmental Protection Agency, could determine whether it will be safe to hydraulically fracture the projected 10,000 to 20,000 Marcellus shale gas wells in the Delaware River Basin. I join the Philadelphia City Council, and other state and federal agencies in urging the DRBC to extend its moratorium on permits for gas well drilling and water withdrawal related to drilling and high-volume hydraulic fracturing, until the EPA completes its ongoing study, and until an impact study can be conducted to determine the effects of gas fracking in the Delaware River watershed on the health, environment, and economies of those who live in the Delaware River Basin. Our water, land, air, economic viability, and health are at stake. Jobs cannot be created or communities sustained in areas where drinking water and health are threatened. The DRBC has an impressive history of cleaning up and maintaining a once toxic river. Do not rush to allow drilling in the basin and put our futures and the conservation efforts of the past 50 years at risk.

Organization:

Address: New York NY 10035 USA

Correspondence Text: Total Copies Received: 43

* The Delaware River Basin Commission claims it wants regulations "based on sound scientific principles," but it doesn't have a single credible study it can rely on to promulgate regulations that will protect drinking water. At the very least, the DRBC should hold off on formulating regulations until it has had the opportunity to study the ongoing EPA study of hydraulic fracturing and drinking water safety that is due to be released in 2012. * The DRBC's draft regulations note that gas wells "may have a substantial effect, either individually or cumulatively, on the surface water and groundwater resources of the basin," yet the DRBC has refused to conduct a cumulative impact study to determine what those effects might be. * The DRBC does not have the staff to regulate drilling and fracking. The commission has not even been able to prevent drillers from illegally disposing of toxic wastewater that has been brought into the basin from elsewhere. * It is unrealistic for the DRBC to rely on feckless and overburdened state agencies to enforce its regulations. The NYS Department of Environmental Protection has recently undergone draconian staff reductions, and the PA Department of Environmental Protection has been unable to prevent well blowout, toxic spills, and aquifer contamination in other parts of the state. * The commission claims that it will rely on New York State and Pennsylvania to administer "natural gas and exploratory well construction and operation standards." But as the commissioners are well aware, New York has yet to adopt regulations or procedures to govern any aspect of high-volume fracturing, including well construction. Consequently, in New York, well setbacks from occupied homes, public buildings, public roads, and from public and domestic water supply wells will be based on rules and regulations put in place long before the state began to draft its Supplemental Generic Environmental Impact Statement. As the New York State Commissioner has already stated, the DRBC should not promulgate hydraulic fracturing regulations before it has seen, and analyzed, the regulatory package being developed in Albany. * The draft regulations note that the compact states have an obligation "to protect human health and the environment, including water resources," but by claiming it will rely on non-existent state regulations, the commission is abdicating its own responsibility to protect the basin and the fifteen million Americans who depend on it for their drinking water. * The DRBC also intends to rely on the industry to report violations. An industry that is notorious for cutting corners and evading regulatory oversight should not be trusted to police itself. This is another instance in which the DRBC is attempting to shirk its responsibility to protect the public. * "Approval by Rule" allows the executive director of the DRBC to fast track drilling projects, including additional well pads, that have not been subjected to the full permitting process or to public oversight, This provision should be struck from the regulations. * The proposed DRBC regulations will ensure that the taxpayer will have to pay the cost of cleaning up environmental accidents. Drillers will be permitted to develop a gas well pad by putting up as little as \$125,000-and the executive director can decide to reduce even that paltry amount by 25 percent. * In promulgating draft regulations before appropriate scientific studies have been undertaken, the DRBC ignored urgent appeals by New York State Governor Paterson, New York City Mayor Michael Bloomberg, New York Congressman Maurice Hinchey, the New York City Council, the Philadelphia City Council, the U.S. Fish and Wildlife Service, and the National Park Service. * The draft regulations do not prohibit the "grandfathering in" of gas extraction operations that are subsequently found to be unsafe. If the DRBC rushes ahead and issues regulations without appropriate scientific analysis, gas corporations must understand that any existing extraction operations may be immediately subject to revised regulations. Even if the DRBC persists on its reckless course, drillers should be encouraged to "wait for the science." * The draft regulations have not been subjected to an appropriate level of public scrutiny because the commission has not allowed sufficient time for public comment, it has needlessly restricted the means by which the public can submit comments, and it is holding just three public hearings on an issue that is liable to impact fifteen million Americans.

Correspondence ID: 421 Database Entry Date: 2/8/2011 Name: Stahl, Michele E

Organization: Northern Wayne Property Owners Alliance

Address: 606 Oregon Tpke Honesdale, PA 18431 Honesdale PA 18431 USA

Correspondence Text: Total Copies Received: 53

I oppose the DRBC draft regulations for the following reasons: 1) The excessive setbacks and all-inclusive definition of what constitutes a water body will prevent drilling on virtually all land in the basin. 2) States' rights as well as property owners' rights are not being considered and may be violated. Is this Constitutional? 3) DRBC is overstepping the limitations of its Compact by getting involved in land use issues and is ignoring its responsibility to the economic development of the basin. 4) Tremendous power is given to the Executive Director and Staff. What will be next? 5) There is much duplication of what is already well regulated by the states. 6) Other industries would be adversely affected, for example, timber, farming, construction, contractors if the DRBC enlarges the scope of its jurisdiction. 7) The regulations are discriminatory against the oil and gas industry, holding them to a different standard. 8) The regulations are discriminatory against landowners in NEPA as they will not be able to benefit economically as their neighbors in the rest of the state can. 9) The concerns/needs of those downstream supersede those of the taxpayers/residents of the headwaters. (Locals are valued only as a "source watershed." After all, there are just a few of them because this area is "sparsely populated.") 10) The regulations are fee driven without regard for industry best practices and advancements in technology. As a result, the DRBC may no longer be dependent on the states for funding and could become a super agency answering to no one. 11) The regulations are so vague in many places that they fail to establish a real regulatory scheme that anyone can follow. 12) There are no time limits on the DRBC to act.

Correspondence ID: 506 Database Entry Date: 2/13/2011 Name: Kept Private

Organization:

Address: Kept Private New York NY 10023 USA

Correspondence Text: Total Copies Received: 11

The DRBC should postpone formulating regulations until it reviews the ongoing EPA study on hydraulic fracturing and drinking water safety due in 2012. The DRBC should conduct its own cumulative impact study to determine the effects that gas wells will have on surface water and ground water resources in the Delaware River Basin. Is this not being done because of a staff shortage? The DRBC does not have the staff to regulate drilling and fracking. It has not even been able to prevent drillers from illegally disposing toxic wastewater that has been brought into the basin from elsewhere. The DRBC is "to protect human health and the environment, including water resources." Fifteen million Americans are depending on this credo for their drinking water. The proposed DRBC regulations do not ensure this and taxpayers will have to pay the cost of cleaning up environmental accidents. Drillers will be permitted to develop a gas well pad by putting up as little as \$125,000, which can be reduced by the executive director. In promulgating draft regulations before appropriate scientific studies have been undertaken the DRBC is ignoring the appeals of NYS Governor Paterson, NYC Mayor Bloomberg, NY Congressman Maurice Hinchey, the NYC Council, the Philadelphia City Council, the US Fish & Wildlife Service, and the National Park Service. As the New York State Commissioner has already stated, the DRBC should not promulgate hydraulic fracturing regulations before it has analyzed the regulatory package being developed in Albany.

Correspondence ID: 554 Database Entry Date: 2/15/2011 Name: N/A, N/A

Organization: Action United

Address: Philadelphia PA 19146 USA

Correspondence Text: Total Copies Received: 2

Sample comments for Delaware River Basin Commission As a threshold matter, I do not believe that the draft regulations should have been released, without the completion of detailed environmental impact analyses, their public release, and a period for discussion. Without a clear analysis of the risks, and the measures that would be necessary to eliminate or minimize them, you cannot know what to regulate. You are flying blind, trying to navigate without instruments, and disaster is almost guaranteed as a result. That said, the draft regulations are exceedingly weak and do not offer any incentive to drilling companies to make their operations safe. The financial assurance [Sec. 7.3(k)8] is an insult. This is not enough to even begin clean-up on a serious mishap, nor is it enough to fund well-sealing and remediation should a company fail to meet its responsibility, nor is it a sufficient sum to encourage safe practices on the part of the drillers. Similarly, Section 7.3 (k)17 reinforces the inadequacy of this sum. Experience in regions where fracking is long standing show that there are effects on the hydrologic system, including penetration of gas and fracking fluids into ground water, where we have no idea of the duration of the impact. These funds should be increased by at least a factor of 10, with a right of the DRBC, in addition, to put a lien on assets of the company as well to enforce remediation. The financial impact of misconduct must be steep enough to force drillers to build in safety. Section 7.5(b)4 is another example of a proposed regulation which is far too generous to the gas drillers, and which experience has already shown will not be sufficient to protect the water supply. The setbacks should be much greater, and should be based on a multiple of the horizontal distance of the frack bore to the body or occupied building. What good does 500 feet do when the horizontal bore may go 10 or 20 times as far? Without observation and perhaps experimental studies as to the upward percolation of fluids from frack bores, a superficial setback is simply useless. _____

Organization: Riverkeeper

Address: Kept Private

Goshen

NY

10924

USA

Correspondence Text:

Total Copies Received: 33

- The draft rules do not address the cumulative impacts of water withdrawal and well development; there is no method to control the environmental toll that natural gas drilling and water depletion will take on the land, streams, and River. There are no spacing requirements for the tens of thousands of wells expected that would limit how many wells can be drilled and how close they can be to each other, facilitating the conversion to an industrial landscape. How will the loss of clean, freshwater flows from the headwaters of the River and the destruction of the now 89% forested Upper Delaware affect water quality, clean drinking water, habitats and ecological needs downstream?
- The draft rules do not place any restrictions on the chemicals that drillers can use to drill and hydraulically fracture gas wells. Considering the hundreds of dangerous chemicals that are used, many of them carcinogenic and hazardous, and the fact that diesel fuel, a toxic substance, is being used in some areas to stimulate gas extraction, the DRBC's "hands off" approach to this central aspect which they could rightfully regulate is irresponsible. Why isn't the DRBC prohibiting the use of contaminants in gas extraction processes or at least waiting for the EPA to finish its study of hydraulic fracturing practices to protect drinking water?
- The draft rules do not prescribe wastewater standards for all of the specific constituents of gas drilling wastewater that would require the removal of all toxic substances but rather require a treatability analysis that is poorly defined, does not address the contaminants used in hydraulic fracturing and most of the dangerous constituents in flowback produced by hydraulic fracturing and will lead to discharge of pollutants. How can the DRBC move ahead without controlling this toxic wastewater, described by the U.S. Department of Energy as 10 times more toxic than offshore oil well wastewater?
- The draft rules rely on weak State regulations in many areas such as stormwater management (much gas well development is largely exempted), drilling and casing construction and safety (substandard State requirements in PA), air emission controls (PA exempts gas wells from air standards), and inadequate setbacks and floodplain protection (both NY and PA do not have large enough buffers nor adequately protective no-drill safety areas; homes, public buildings, public roads, public water supply wells and domestic water supply wells are all left out of DRBC oversight and relegated to inadequate state setbacks that have resulted in pollution incidents from gas drilling throughout Pennsylvania). This puts people and their health at risk, increases the likelihood of pollution incidents, will foul air, kill aquatic species, and degrade the exceptional water quality of the River and its tributaries.
- While a 500 foot setback of gas well pads from water bodies, wetlands, surface water supply intakes and water supply reservoirs and no siting of well pads in the DRBC's defined "flood hazard area" is proposed and is stricter than State requirements, stricter requirements are still needed. Setbacks should be based on a minimum 300 foot buffer beyond the floodplain/flood hazard area as defined by riparian soils to assure adequate protection for streams and to prevent flood damages. Water supply intakes and reservoirs need protection based on drainage patterns and the condition of the setback area in order to provide needed buffering; depending on conditions such as slope and vegetation, 500 feet may provide no protection. Water supplies, floodplain protection, and stream setbacks need to be set based on site specific analysis and require mandated management measures.
- The rules would allow for fast track approvals (Approval by Rule) by the Executive Director without public input for much of the gas drilling and some water withdrawals. This loophole will lead to the "death of a thousand cuts". How can DRBC allow this when they're supposed to maintain the River's exceptional quality?
- The public comment period should be extended for another 120 days and at least one Hearing held in every state (3 in PA because of the length of the Watershed), and in New York City and Philadelphia, where major populations drink Delaware River water.
- Verbal testimony is key to the input process, and three hearings will not be at all sufficient to allow input from the affected public. In addition, public hearings should be held at geographically accessible and diverse locations. There should be at least one public hearing in each Basin state: Delaware, New Jersey, New York, and Pennsylvania, and at least one public hearing in each of the two largest population centers that rely on the Delaware River for water supplies, New York City and Philadelphia. Since Pennsylvania is such a large state, one hearing should be held in the Upper Delaware region, one in the central Watershed area, and one in the southeastern area

Correspondence ID: 662

Database Entry Date: 2/16/2011

Name: Kept Private

Organization: NWPOA

Address: Kept Private

Damascus

PA

18415

USA

Correspondence Text:

Total Copies Received: 206

February 15, 2011 Commission Secretary Delaware River Basin Commission P.O. Box 7360 25 State Police Drive West Trenton, NJ 08628 Dear Commissioners, The economic livelihood of residents of the upper Delaware River basin is threatened. Our growth has all but halted, our manufacturing has disappeared and our schools are losing enrollment. We now have an opportunity to turn it all around with natural gas, an industry already creating tremendous economic advancements in neighboring parts of Pennsylvania. Unfortunately, while drilling is already safely taking place in most of Pennsylvania under regulations developed by the state and the Susquehanna River Basin Commission, the draft regulations finally released by the DRBC are flawed and must be corrected. These regulations would impose a 500 foot setback from any waterbody, however tiny, limiting drilling to no more than 0.5% of the land typically found in this area and, even worse, making it impossible to reach those sites with access roads. No other industry has to live by such arbitrary rules. Indeed, the 500 foot setback is several times what the states have adopted and attempts to impose a public water supply standard on any water body, which will have the practical effect of prohibiting drilling everywhere in the upper basin. What very few sites that might meet the standard will not be reachable and will be found on forested plateaus that are also off-limits under the regulations. These additional, duplicative standards should be completely removed. These regulations, which would insert the DRBC into entirely new matters of land use, forest management and habitat protection, display an absurd level of concern with forest removal. They would largely prohibit clearing of more than 3 acres of land for a well pad, even though 5 acres are required and drilling companies already have a cost incentive to avoid forested areas. More to the point, two-thirds of our area is already wooded and forest cover is growing by the year, as an in-depth study of Wayne County has demonstrated, indicating there is no threat and no need for new regulation. We are annually adding more forest cover than will ever be removed as a result of gas drilling. All proposed standards related to forest removal, habitat protection and similar items, all of which are already regulated by the states, should be deleted. Although it is suggested, in the introduction to the draft regulations, that duplication of state regulations would be avoided by agreements between the states and the DRBC, it is not clear how and when those agreements take force. Moreover, there are numerous contradictions to this policy statement throughout the regulations and particularly with respect to Section 7.5, which should be removed in its entirety. The regulations also empower the DRBC to regulate land use for the first time, taking away still more of our property rights and treading all over what has always been the prerogative of the states. This is simply intolerable as we have far too many agencies already involved in land use decisions, making it nearly impossible to do business in the Northeast and especially in areas of special protection waters. Our economic future cannot be sacrificed to a purist vision that leaves our region in pastoral poverty. These regulations, incredibly, establish no deadline for the DRBC to act on applications and give the Executive Director new unbridled authority to stop almost anything, anytime, for almost any reason. They are far too amorphous and subjective. The requirement for master planning by drillers is a prime example, as technology is changing so rapidly as to make it pointless. It is a back-door attempt to identify cumulative impacts that cannot be measured in advance, when it is, instead, continuous monitoring that is needed. There appears to be a deliberate strategy of setting unrealistic objective standards that immediately force applicants into nebulous areas of discretionary authority, where they can be held up indefinitely, making bonding impossible to obtain and setting applicants up for defeat by delay. The regulations must be more objective throughout, with realistic standards, far less discretion on the part of the Executive Director and concrete deadlines for DRBC decisions. These regulations, in their current form, will deprive us of the best opportunity we have to turn things around economically. They must be revised to reflect the balance intended by the Compact, which says "the government, employment, industry, and economic development of the entire region and the health, safety, and general welfare of its population are and will continue to be vitally affected by the use, conservation, management, and control of the water and related resources of the Delaware River Basin." The economic part of this mission has been totally ignored in the draft regulations and this cannot stand. Sincerely, Barbara Matos NWPOA

Organization:

Address: Kept Private

Jersey City

NJ

07304

USA

Correspondence Text:

Total Copies Received: 122

Dear Delaware River Basin Commissioners and Executive Director Collier: The release of Draft Natural Gas Drilling Regulations is premature and is not founded upon a full understanding of the cumulative impacts of drilling thousands of wells in the Delaware River Basin. As a Trout Unlimited (TU) member, I strongly urge the Delaware River Basin Commission (DRBC) and Executive Director Collier to postpone the adoption of final gas drilling regulations and the issuance of any gas drilling permits, until a full analysis is conducted that evaluates the cumulative impacts of gas drilling on the Delaware River system, its communities, and its fish and wildlife. Gas drilling in the Marcellus Shale presents an unprecedented threat to the water resources of the Delaware River basin. The Marcellus Shale geologic formation underlies approximately 36% of the Basin, comprising mostly of the sparsely populated, headwater stream areas that are designated as Special Protection Waters. To access Marcellus Shale gas deposits, a combination of horizontal drilling and hydraulic fracturing is employed. Each well uses between three to eight million gallons of water for the hydraulic fracturing process. Water withdrawals from surface and groundwater sources may decrease stream flows and the assimilative capacities of water bodies and aquifers, thereby impacting water quality and threatening the survival of fish and other aquatic life. Land disturbances associated with the siting and operation of gas well pads in the Basin may have substantial impact on the water resources. In addition, drilling processes generate a high volume of wastewater that must be stored, transported and treated, which creates an opportunity for spills, leaks and illegal discharges. Each of these potential impacts needs to be considered collectively to determine how to best protect the water quality and quantity of the Basin, prior to the development of gas drilling regulations and the issuance of permits. I commend the DRBC for taking a step in the draft regulations toward protecting sensitive resources, such as the 500 foot setback requirement from water bodies, wetlands and water supply reservoirs, and the prohibition of siting well pads within the 100-year floodplain. However, without a basic fundamental understanding of how the individual impacts will collectively and cumulatively impact water resources, these protections could prove ineffective and meaningless. In two separate Determinations, dated May 19, 2009 and June 14, 2010, respectively, DRBC Executive Director Collier recognized that there is a potential for water withdrawals, wastewater disposal and other activities associated with Marcellus Shale gas drilling to have a cumulative impact on water quality of Special Protection Waters within the Basin. Additionally, in Section 7.4 (b) of the draft regulations, the DRBC acknowledges that gas drilling and the massive water withdrawals required may have a substantial effect, either individually or cumulatively, on the surface water and groundwater resources of the basin. Despite these acknowledgements, the DRBC has rushed to release draft gas drilling regulations without the basic fundamental understanding of cumulative impacts that is necessary to properly manage gas drilling and to protect water resources. Any rulemaking process must consider the impact of a comprehensive build-out of all wells, water withdrawals and wastewater discharges. Only when those impacts have been determined, will the Commission be in the position to develop regulations that adequately protect the Delaware River and its communities, fish and wildlife. Again, I strongly urge the DRBC and Executive Director Collier to postpone the adoption of final natural gas drilling regulations and the issuance of gas drilling permits, until a full comprehensive cumulative impact study has been conducted to ensure protection of the prized natural resources of the Delaware Basin. Thank you for your time and consideration. Sincerely, Christopher Ford 4 Beacon Way Jersey City, NJ

Correspondence ID: 763 Database Entry Date: 2/17/2011 Name: Ficarelli, Buddy

Organization: MSA

Address: Massapequa Park NY 11762 USA

Correspondence Text: Total Copies Received: 30

Delaware River Basin Commission (DRBC), Please assess the cumulative impacts of all gas wells, water withdrawals and wastewater discharges before allowing gas drilling to go forward in the Delaware River Basin. Set wastewater standards for the specific constituents of gas drilling wastewater and strengthen treatment requirements before allowing treated gas drilling wastewater to be discharged back into the Basin's waterways. Postpone the issuance of final gas drilling regulations until the DRBC can be sure that gas drilling won't impair the Basin's water resources, or harm fish and wildlife. Thank you - Buddy Ficarelli

Correspondence ID: 849 Database Entry Date: 2/17/2011 Name: Kept Private

Organization: Protecting Our Waters

Address: Kept Private Philadelphia PA 19143 USA

Correspondence Text: Total Copies Received: 2

I am concerned that the public comment period for these complex, premature and inadequate regulations is so short. It should be extended beyond March 16th, and more than three public hearings should be held for crucial decisions affecting this huge, four-state, 13,000 square mile watershed! These regulations could potentially have a huge impact on Philadelphia's drinking water, yet in this city of over 5 million people, DRBC has scheduled no public hearing. I can't help believing that this is intended to exclude the city - Pennsylvania's most populous area, and one that stands to gain nothing and lose much from fracking in its watershed - from this process.

Organization:

Address: Kept Private

Easton

PA

18044

USA

Correspondence Text:

Total Copies Received: 16

The Delaware River Basin Commission should not permit gas exploration or drilling within the basin until the applicant gas drillers ensure that the process is safe and not harm water quality. The Commission has a statutory obligation to protect the water quality for the 15 million residents of the basin, since the River, its tributaries, and its groundwater are the source of our drinking water and the economic wellbeing. The Commission should impose a strict burden on the applicants to demonstrate that the activities will not cause harm. The public's opportunity to have input into the rulemaking is inadequate and more hearings and a longer comment period is needed to provide adequate time to review and digest the proposed rules; the public needs to be involved. The comment period should be extended for another 120 days and at least one hearing should be held in every region where major populations drink Delaware River water. At present, we know of no state that adequately regulates gas exploration or drilling to protect the public health, welfare and safety. The Commission should not proceed until it develops the most comprehensive and protective regulations in the nation. We recommend that (these recommendations are similar to those posted by Delaware Riverkeeper Network and Damascus Citizens for Sustainability) :

1. The draft rules do not address the cumulative impacts of water withdrawal and well development; there is no method to control the environmental toll that natural gas drilling and water depletion will take on the land, streams, and the Delaware River. The draft rules do not require well pads to be consolidated. Thousands of wells are expected to be drilled. The Commission needs limit how many wells can be drilled and how close they can be to each other. Failure to do so will lead to the conversion of the Delaware River basin into an industrial landscape. The loss of clean, freshwater flows from the headwaters of the River and the destruction of the now forested Upper Delaware will certainly affect water quality, clean drinking water, habitats and ecological needs downstream.
2. The draft rules do not place any restrictions on the chemicals that drillers can use to drill and hydraulically fracture gas wells. Considering the hundreds of dangerous chemicals that are used, many of them carcinogenic and hazardous, and the fact that diesel fuel, a toxic substance, is being used in some areas to stimulate gas extraction, the Commission's lack of supervision of this crucial aspect of drilling is irresponsible.
3. The draft rules do not prescribe wastewater standards for all of the specific constituents of gas drilling wastewater. The Commission should require the removal of all toxic substances. Instead, the draft rules simply require a "treatability analysis" that is poorly defined and does not address the contaminants used in hydraulic fracturing. The Commission should not proceed without controlling this toxic wastewater.
4. The draft rules rely on inadequate State regulations in many areas such as stormwater management (much gas well development is largely exempted), drilling and casing construction and safety, air pollution emission controls, and inadequate setbacks and floodplain protection. Both NY and PA do not have sufficient stream buffers and do not establish no-drill safety areas. Homes, public buildings, public roads, public water supply wells and domestic water supply wells are all left out of Commission oversight and relegated to inadequate state setbacks. Current regulations have resulted in pollution incidents from gas drilling throughout Pennsylvania. This puts people and their health at risk, increases the likelihood of pollution incidents, will foul air, kill aquatic species, and degrade the exceptional water quality of the River and its tributaries.
5. While a 500 foot setback of gas well pads from water bodies, wetlands, surface water supply intakes and water supply reservoirs is proposed and is stricter than current State requirements, even stricter requirements are needed. Setbacks should be based on a minimum 300 foot buffer beyond the floodplain/flood hazard area as defined by riparian soils to assure adequate protection for streams and to prevent flood damages. Water supply intakes and reservoirs need greater protection based on drainage patterns. Depending on conditions such as slope and vegetation, 500 feet may provide no protection. Water supplies, floodplain protection, and stream setbacks need to be set based on site specific analysis.
6. The draft rules allow for "fast track" approvals (Approval by Rule) by the Executive Director without public input for much of the gas drilling and some water withdrawals. This loophole can easily be abused and can lead to multiple wells escaping Commission review. Bypassing the rules will not ensure that the Delaware River's exceptional water quality is maintained. The Commission has no obligation to facilitate gas exploration or make drilling easier. It does have an obligation to protect the public who rely on the basin's water.

Organization:

Address:

Cochecton

NY

12726

USA

Correspondence Text:

Total Copies Received: 1976

Despite widespread opposition, the Delaware River Basin Commission (DRBC) prematurely issued draft gas development regulations for the Delaware River Basin. The undersigned rejects hydraulic fracturing in the Delaware River Basin. Drilling for gas through this method has been problematic throughout the country. Allowing hydraulic fracturing would deplete and gravely imperil the core asset that the DRBC is chartered to conserve: the water resources of the Delaware River Basin that serve the basic needs of some 15 million people. Please do not issue regulations permitting hydro-fracturing without first addressing the following issues with the current draft: _ Regulations should be based upon a comprehensive Cumulative Impact Study, not on existing state regulations. This draft fails to take into account the cumulative impacts (across multiple wells) of water withdrawal and the full life cycle of well development among other topics. _ A lack of restrictions on the chemicals that may be used to hydraulically fracture gas wells. Chemicals currently used for fracking are known to be hazardous to human health. _ Poorly defined wastewater standards for all of the specific constituents of gas drilling wastewater. _ Reliance on flawed state regulations that are filled with exemptions and loopholes, and on state agencies that are not even remotely equipped to oversee widespread well development. _ Regulations should be Basin wide and uniform. Whenever various states or the federal requirements differ the most stringent regulations should always be required. _ Setback rules that do not incorporate buffers for floodplain/flood hazard areas. _ Allowance for fast-track approvals ("Approval by Rule") without public input. _ Lack of sufficient opportunity for public participation, including but not limited to hearings at places and times convenient to the major affected population centers. It has not been established that drilling is safe. On the contrary, hydraulic fracturing is inherently contaminating and should not be permitted until and unless the following contextual issues are resolved: _ Externalization of risk via regulatory exemptions such as those written into the Energy Policy Act of 2005 _ Lack of any effective regulatory regime, best practices, and safety culture that might mitigate the hazards inherent in this process _ Lack of demonstrated technical capabilities to detect and reverse the effects of accidents or mismanagement Given the value of the resources that the DRBC is chartered to manage, and the irreparable harm that can result from accidents or the mismanagement of drilling activities, the DRBC should permit no hydraulic fracturing until and unless all of the above mentioned issues are addressed and the process is proven safe as practiced. Sincerely, Amy Miller

Correspondence ID: 1009 Database Entry Date: 2/19/2011 Name: Kept Private

Organization:

Address: Kept Private Philadelphia PA 19144 USA

Correspondence Text: Total Copies Received: 2

Dear Commissioners and Executive Director Carol Collier: I am writing to ask that you extend the public comment period beyond March 16th, withdraw the draft regulations, and ban fracking in our watershed. Too many people are having their water poisoned. Benzene, toxic levels of salt, cadmium, chromium, acids, lead, Radium 226, uranium, biocides – these are simply not substances we should be mixing with water, mobilizing from deep underground, leaving deep underground, or dumping (partially treated or untreated, intentionally or by accident) into our rivers and streams. To put it quite simply, the living systems we depend on – Air, Water, Earth – are strained already and it makes absolutely no sense to experimentally strain these systems past the breaking point to line the pockets of a few. I would rather consume less, live with less, be uncomfortable, and watch our waters become healthier than continue the wasteful American way of life and watch our air, water, earth and climate become progressively more poisoned. Gas companies can afford to buy properties they contaminate, as they did recently with Ron Gulla of Hickory, Pennsylvania. Gas companies can afford to keep tremendous damage out of sight, as happened in West Virginia recently when drillers sprayed 100,000 gallons of toxic flowback on the forest itself, killing over 150 trees (they'd already cut down 700 trees just to get right of way to this one well). Gas companies can afford to pay the fines and penalties occasionally levied against them – to them, that's just the cost of doing business. But this is our air, water, and earth. These are the vital living systems upon which we depend. I heard Mike Bastion of Bradford County, PA describe his cat developing a 106 degree fever after being exposed to a toxic spill from the shale gas drilling pad near his property. A setback from human properties may protect pets and people somewhat, but it won't protect wildlife. Mike Bastion also described watching a yellow-hammer woodpecker trying to get the same toxic substance off its feathers which almost killed his cat. To me, all the shale gas drilling in the region isn't worth the death of one woodpecker. Hundreds of direct animal deaths have already been reported, and physicians believe humans have also died from exposure to fracking chemicals in Rifle, Colorado. Why would we invite such poison into our watershed? Ban shale gas drilling here. This is the only Delaware River watershed we have. It is irreplaceable. It is a treasure.

Correspondence ID: 1014 Database Entry Date: 2/19/2011 Name: Kept Private

Organization:

Address: Kept Private Philadelphia PA 19130 USA

Correspondence Text: Total Copies Received: 3

Dear Commissioners and Executive Director Carol Collier: I write to reuest that you extend the Public Comment period for two years, at least until the EPA study is complete and a Cumulative Impact Study is assessed. Meanwhile, please withdraw the draft regulations because they do not protect our water or our health from the acute and long-term air pollution that will result from shale gas drilling. Studies in the Barnett Shale of Texas have shown asthma to be dramatically on the rise in shale gas drilling areas; one in four children, or 25%, have asthma compared to 7% in the rest of the state. Unfortunately, people are experiencing other symptoms from breathing the air near compressor stations - not just Texas, but here in Pennsylvania too, where DEP records show that benzene and acetone are among the contaminants nearby residents breathe in. This results in headaches, fatigue, nosebleeds, and pre-cancerous lesions. Whatever affects the air affects our lungs, and also affects our waters long-term. Please wait until cumulative studies are done. Air and water pollution cannot be undone. Our rivers are our lifeblood and must be treated as such. Please extend the Public Comment period for two years and withdraw the regulations until we fully understand the impacts on water, air, and health. Business as usual and for profit is killing us all.

Correspondence ID: 1065 Database Entry Date: 2/19/2011 Name: N/A, N/A

Organization:

Address: Havertown PA 19083 USA

Correspondence Text: Total Copies Received: 6

1. I oppose lifting the moratorium on gas drilling in the Marcellus Shale now. 2. The moratorium should remain in place until EPA finishes its study on the pollution risks of hydrofracturing ("fracking"), the controversial technique that uses secret chemicals and huge amounts of water to break gas loose from the underground shale. 3. The moratorium should remain in place until there is sound science about the cumulative damage that's inflicted by widespread shale gas drilling. We just don't know enough right now about how injecting huge amounts of fracking chemicals underground affects water quality, fish and wildlife, and public health. 4. The commission should extend the public comment period beyond its March 16th deadline. 5. The commission should hold hearings in Philadelphia and other downstream communities whose drinking water supplies are at risk from shale gas pollution.

Organization: Delaware Action Group

Address: 1245 Oak Hill Rd. Franklin NY 13775-3137 USA

Correspondence Text: Total Copies Received: 3

Pamela Bush, Commission Secretary, Delaware River Basin Commission P.O. Box 7360, 25 State Police Drive West Trenton, NJ 08628 Re: Comments on Draft Gas Development Regulations issued Dec. 9, 2010. Thank you for giving me the opportunity to comment on the draft regulations written concerning the proper and effective protection of the quality of the water in the Delaware Basin. Delaware Action group of which I am a founding member is an association of local residents working for a ban on natural gas drilling for the reasons given below. We support sustainable economic development. We reject compulsory integration as a form of eminent domain favoring private corporations, and we seek improved local governance that represents our interests. Many of us have been reading and researching hydraulic fracturing and find its methods and history in other parts of the country to be frightening. Yet, this draft seems to express an overwhelming concern about money and oil supplies and a willingness to allow speculators to rush drilling forward despite possible devastating consequences, rather than a responsible consideration of the necessity to protect that which cannot be purchased with money. Please let us proceed with the utmost caution. The use of fossil fuel in all its forms is destroying the delicate balance between civilization and the natural world. Once the balance is tipped inexorably toward civilization, it will be too late. The natural world upon which life depends will no longer support life. The world is getting drier, hotter, dirtier and will soon be unlivable for man and beast if we do not cut our use of fossil fuel. We can survive on less and perhaps no fossil fuel - but we will not survive if we continue using it as we do. As a nation the only alternative to is to slash our energy use or we will not be able to stop the environmental degradation caused by fossil fuel extraction and use. National Geographic Magazine devoted its April 2010 edition to the world-wide crisis of diminishing water supply. There is one item that should be of special significance to the Delaware Water Basic commission. In a foldout on pages 22 -23 there is a map charting the world's 5 levels of water stress from "least stressed" to "most stressed". In North America, in the "most stressed" category, is a huge bright red swathe that runs from Mexico up through the middle & west of the US to the Canadian border precisely where the grain and other food staples that feed this nation and others are grown. The "least stressed" pale green areas are in the Northwest, the Deep South, New England, and, importantly for your consideration, right above the Utica & Marcellus Shale, otherwise known as Appalachia. What I understand from this issue of National Geographic is that in the very near future water will undoubtedly be worth a good deal more than gas - an understatement - and those areas that are blessed with more water than they presently need should only be undertaking vital development projects that will protect the use of water for essential needs - such as growing grain - that will probably not be possible in the near future in that fearsomely bright red swathe. Agriculture, therefore, will become the most important part of our economy in a low-energy, climate-warming future. When the Clean Air and Clean Water laws were passed, the United States had reached a high point in civic legislation. The Civil Rights Act, Medicare, and Medicaid had been recently enacted to insure the well being of individuals. The Clean Air Act, signed by President Richard Nixon on December 31, 1970, was aimed at insuring the well being of the health of all citizens and the environment in which they lived. Nixon said, "I think that 1970 will be known as the year of the beginning, in which we really began to move on the problems of clean air and clean water and open spaces for the future generations of America". Originally enacted in 1972, the Federal Water Pollution Control Act became known simply, following amendments in 1977, as the Clean Water Act. Thus under Nixon and Carter there was sound bi-partisan unity about the vital interdependence of humanity and nature. Now, instead of considering first the health and well being of the people and their environment, the Delaware River Basin Commission (DRBC) has rushed through draft gas development regulations for the Delaware River Basin. What is the hurry? The undersigned and the group represented reject hydraulic fracturing in the Delaware River Basin which been proven problematic throughout the country. Allowing hydraulic fracturing would deplete and imperil the core asset that the DRBC is chartered to conserve: the water resources of the Delaware River Basin that serve the basic needs of some 15 million people. Please do not issue regulations permitting hydrofracturing without first addressing the following weaknesses of the current draft: This draft fails to institute regulations based upon a comprehensive Cumulative Impact Study, depending instead on inadequate existing state regulations for previous unrelated extracting processes. This draft fails to take into account the cumulative impacts (across multiple wells) of water withdrawal and the full life cycle of well development. This draft fails to take into account and recommend the safe, eventual disposition of waste water and other by-products of the hydrofracking process. This draft fails to restrict the use of chemicals currently employed for fracking which are known to be hazardous to human health. This draft relies on state agencies that are not remotely equipped to oversee widespread well development of a different order than that with which they had previous

experience. This draft should institute regulations that are Basin wide and uniform. Whenever various states or the federal requirements differ, the most stringent regulations should always be required. This draft does not institute realistic buffers for floodplain/flood hazard areas in a time when weather systems are fluctuating beyond historic norms and also beyond municipalities' ability to control their effects. This draft is instituting "Approval by Rule" without public input on a matter that affects the very lives and well being of the public. This draft shows contempt for public participation by not insuring hearings at places and times convenient to the major affected population centers. It has not been established that drilling is safe. On the contrary, hydraulic fracturing is inherently contaminating and should not be permitted until and unless the following contextual issues are resolved: Externalization of risk via regulatory exemptions such as those written into the Energy Policy Act of 2005 Lack of any effective regulatory regime, best practices, and safety culture that might mitigate the hazards inherent in this process Lack of demonstrated technical capabilities to detect and reverse the effects of accidents or mismanagement. Given the value of the resources that the DRBC is chartered to manage, and the irreparable harm that can result from accidents or the mismanagement of drilling activities, the DRBC should permit no hydraulic fracturing until and unless all of the above mentioned issues are addressed and the process is proven safe as practiced. Sincerely, Sign: Carole S Marner Date: February 22, 2011 for Delaware Action Group Delaware County NY

Correspondence ID: 1296 Database Entry Date: 2/27/2011 Name: Kept Private

Organization:

Address: Kept Private Brooklyn NY 11215 USA

Correspondence Text: Total Copies Received: 2

To the Delaware River Basin Commission, With little or no oversight of Hydraulic Fracturing from the Federal government, we look to the DRBC to insure that our drinking water remains safe and clean. In its "Vision Statement," the DRBC says that it will be "the leader in protecting" the water resources of the Delaware River Basin for "present and future generations." How can we reconcile this mission with the proposed permitting of hydro-fracturing, with the pumping of xylene, benzene, toluene, ethylbenzene and other known carcinogens into the earth, or with the permanent contamination of the one to eight million gallons of water used each time a well is fracked? The one thing both sides of this issue seem to agree on is that there will be "problems." I wonder if by "problems" the advocates of hydro fracturing mean there will be people becoming ill from contaminated air and drinking water-as they have across the country where this practice has been permitted. The rights of landowners who want to drill do not take precedent over their responsibility to do no harm to their neighbors. How will we explain to someone sick from toxic drinking water why the DRBC did not wait for the EPA to finish its study of Hydraulic Fracturing? How will we explain why with an existing record of over a thousand cases of contamination documented by courts and state and local governments in Colorado, New Mexico, Alabama, Ohio and Pennsylvania, we permitted this practice to go forward? No economic consideration can outweigh the potential risks to human health, the toxic contamination of our soil and air, and the loss of our most precious resource, safe, clean, drinking water. I urge the DRBC to extend the period of public comment and to hold hearings in New York City where over eight million people who rely on upstate reservoirs reside. And I urge the DRBC to be the leader that it aspires to; protect our water for present and future generations. Most Sincerely, Barry Goldberg

Correspondence ID: 1309 Database Entry Date: 2/28/2011 Name: Kept Private

Organization: Protecting Our Waters

Address: Kept Private Philadelphia PA 19143 USA

Correspondence Text: Total Copies Received: 24

Given the new information contained in yesterday's deep investigative reporting on the disposal of 1.3 billion gallons of toxic radioactive gas drilling waste in Pennsylvania's streams and rivers, we ask that you push the March 16th deadline for public comment on your draft rules back for two years. Nowhere in your rules did you address the fact that, as reported in the New York Times yesterday, gas drilling waste has pushed the radioactivity levels far beyond the safe level for drinking water AND drinking water treatment facilities have not been asked to test for radioactivity since 2006. This level of irresponsibility is life-threatening. To protect our health and our ecosystem, you must not move towards finalizing your rules at this time. The New York Times reporter combed through 30,000 pages of documents for months, and based his information on previously unpublished EPA studies, a confidential industry study, and other official sources. This is hard evidence that we are being put at risk; if you allow drilling in the basin, the risk will magnify. We must not allow radioactive wastewater to enter our food chain. We need much more time to absorb, understand and study these risks. Please impose a complete moratorium on all gas drilling projects in the Delaware River Basin for at least two more years, until the EPA study has released preliminary results and until a Cumulative Impact Study for the Delaware River Basin is assessed. The fact that 1.3 billion gallons of radioactive toxic waste has already been dumped into our streams and rivers means that about 5.3 billion gallons of radioactive toxic waste is now underground from gas drilling in Pennsylvania. Hydrogeologists say that open fractures could slowly convey that waste into groundwater and surface water over decades, generations, and centuries, creating a new sort of hell for future generations. When it comes to irreversible damage such as this, which puts critical life support systems -- air, water, food -- at risk, we must abide by the precautionary principle. Ban open plastic-line impoundments for radioactive toxic waste; ban any discharge of gas drilling waste into the waters of the basin; do not allow these poisons underground or in our water. Wait for science. Thank you.

Organization: SUFFER

Address: 208 Wilson Dr.

Hazleton

PA

18201

USA

Correspondence Text:

Total Copies Received: 3

Given the new information contained in yesterday's deep investigative reporting on the disposal of 1.3 billion gallons of toxic radioactive gas drilling waste in Pennsylvania's streams and rivers, we ask that you push the March 16th deadline for public comment on your draft rules back for two years. Nowhere in your rules did you address the fact that, as reported in the New York Times yesterday, gas drilling waste has pushed the radioactivity levels far beyond the safe level for drinking water AND drinking water treatment facilities have not been asked to test for radioactivity since 2006. This level of irresponsibility is life-threatening. To protect our health and our ecosystem, you must not move towards finalizing your rules at this time. The New York Times reporter combed through 30,000 pages of documents for months, and based his information on previously unpublished EPA studies, a confidential industry study, and other official sources. This is hard evidence that we are being put at risk; if you allow drilling in the basin, the risk will magnify. We must not allow radioactive wastewater to enter our food chain. We need much more time to absorb, understand and study these risks. Please impose a complete moratorium on all gas drilling projects in the Delaware River Basin for at least two more years, until the EPA study has released preliminary results and until a Cumulative Impact Study for the Delaware River Basin is assessed. The fact that 1.3 billion gallons of radioactive toxic waste has already been dumped into our streams and rivers means that about 5.3 billion gallons of radioactive toxic waste is now underground from gas drilling in Pennsylvania. Hydrogeologists say that open fractures could slowly convey that waste into groundwater and surface water over decades, generations, and centuries, creating a new sort of hell for future generations. When it comes to irreversible damage such as this, which puts critical life support systems -- air, water, food -- at risk, we must abide by the precautionary principle. Ban open plastic-line impoundments for radioactive toxic waste; ban any discharge of gas drilling waste into the waters of the basin; do not allow these poisons underground or in our water. Wait for science. Thank you. My own comments continued (use any of this you like): Toxic radioactive waste underground is important because hydrogeologists, such as Ron Bishop, have evidence that a pre-existing network of intricately connected fractures and fissures underground are open to the surface in some places. Because those openings have not been mapped in Pennsylvania, it's a matter of luck and time to see where the toxic poisons will emerge and which live beings they will kill. Let's make no mistake about this. Love Canal would pale in comparison to the deadly toxic pollution which will occur if any of those open fractures convey to the surface -- decades, generations or centuries hence -- the toxic load which is being pumped underground. Your rules completely fail to take into account the long time frame for which we are morally responsible when we allow this radically harmful new technology to move forward. Based on the New York Times story yesterday (1/27/11), some 5.3 billion gallons of toxic radioactive gas drilling waste is already deep underground in Pennsylvania from the drilling so far. The New York Times did not address future impacts from this underground injection of toxic waste -- with no EPA oversight and no mapping of fractures which convey to the surface -- but your rules MUST address this because your Compact requires you to "prevent future pollution." Given the radioactive materials mobilized by unconventional gas drilling, including radium 226, radium 228, uranium and radon, which are not adequately removed and which are not adequately tested for, you must stop moving forward with these draft rules at this time. Your draft rules also ignore seismicity -- either natural earthquakes or seismic events created by hydraulic fracturing -- and you must take the requisite time to assess those risks, with help from the U.S. Geological Survey. An earthquake could result in "hundreds or thousands of BP-scale disasters" due to onshore unconventional gas drilling, according to hydrogeologist Ron Bishop. But your rules just assume an earthquake won't happen. This is contrary to probabilities established by USGS. Section 7.6 about gas drilling waste must be completely redrafted to protect public health. Plastic-lined impoundments full of toxic waste create unacceptable hazards to water, air, and earth, and must be banned. Each pit is a Superfund site in the making -- but gas drilling is largely exempt from the Superfund law thanks to the Halliburton loophole in the 2005 Energy Act. Under Pennsylvania law, gas drilling waste is exempt from being legally considered "hazardous" even though it is extremely hazardous, as we have seen from many explosions, fires, and deadly toxic spills. This is outrageous; you must classify hazardous waste as hazardous waste. Finally, there must be absolutely no discharge of gas drilling waste, which cannot be safely treated by any existing facility, to any streams or rivers in the Delaware River Basin. Commissioners, we ask that you remain steadfast in your legal obligation to protect the Delaware River Basin while under fire by the industry and by property owners. It is understandable and natural that people want money and jobs; that's the case everywhere. But it's not the case that this industry is being "singled out" as some have said. The issue is that this industry is highly toxic, even without any human error; and with human error the potential for catastrophe rises. The issue is that this industry is brand new and

radically experimental. The high-volume aspect is new. The high-pressure aspect is new. The slickwater chemical cocktails used are new. And combining hydraulic fracturing with horizontal drilling using multi-well pads is new. My inbox fills daily with news about poisoned water, including new cases in nearby Bradford County. A disappointed landowner, Truman Burnett, in Bradford County said two spills by Chesapeake Energy, one of flowback and one of hydrochloric acid, have destroyed his water supply and killed all life in his pond; this has destroyed his retirement and his hope of handing his property on to his grandchildren. Mike Bastion, also of Bradford County, had his water supply destroyed by Chesapeake Energy last year and the company now delivers only 25 gallons a week for him to use for all his water needs. Sherry Vargson, another Bradford County landowner, found out the industry lied when they said they would drill, frack for a few days, and be gone. Instead they've installed a compressor station which runs 24/7 and sounds like a truck idling under her window, making the house vibrate; to her, the \$400/month she's gotten isn't worth the noise and air pollution, although she may be unaware she is breathing a load of volatile organic chemicals which can cause respiratory disease and cancer. Commissioners, these are among the many people who couldn't make it to the hearing in Wayne County. The PR Firm, Quantum Communications, which got all those pro-gas-drilling public officials to the hearing, failed to call any landowners who've been badly hurt to testify, because the PR firm is working for the American Natural Gas Association which has only one concern: profit, not the public interest. Do not be swayed by the effective work of a rich PR firm which is manipulating people's legitimate need for jobs. We must create safe jobs and a sane economy based on sound principles, including the absolute need to prevent acute and cumulative deadly harm. We don't have a PR firm, we don't have money, and we didn't have time or means to get people

Correspondence ID: 1339 Database Entry Date: 2/28/2011 Name: Goldberger, Herb

Organization: Sierra Club

Address: 35 Stanley Circle Staten Island New York New York NY 10308 USA

Correspondence Text: Total Copies Received: 36

Given the new information contained in yesterday's deep investigative reporting on the disposal of 1.3 billion gallons of toxic radioactive gas drilling waste in Pennsylvania's streams and rivers, we ask that you push the March 16th deadline for public comment on your draft rules back for two years. Nowhere in your rules did you address the fact that, as reported in the New York Times yesterday, gas drilling waste has pushed the radioactivity levels far beyond the safe level for drinking water AND drinking water treatment facilities have not been asked to test for radioactivity since 2006. This level of irresponsibility is life-threatening. To protect our health and our ecosystem, you must not move towards finalizing your rules at this time.

Organization:

Address: Kept Private Chadds Ford PA 19317 USA

Correspondence Text: Total Copies Received: 4705

Dear Madam or Sir, The Delaware River Basin Commission (DRBC) is charged with a legal mandate to "Do No Harm" to the Special Protection Waters of the Delaware River. You are required to maintain the exceptional water quality that now exists in the River and improve it where it needs help; 15 million people who get their drinking water from the Delaware River are relying on you. These draft rules fall far short of meeting that high bar. The draft rules simply do not overcome the handicap caused by rushing the rules forward without needed scientific studies. The rules do not protect from the risk of catastrophic harm from individual wells nor do they address the cumulative impacts of water withdrawal and well development; there is no method proposed to control the accumulated environmental toll that natural gas drilling, land transformation, and water depletion and pollution will take on habitats, streams, communities and the River. I am concerned about my drinking water, the Wild and Scenic Delaware, and the future of the Watershed. Some of my specific concerns about the draft rules are:

- * No limits on how many wells can be drilled and how closely they can be spaced from each other; this means the drillers are in control of how intensely the Watershed is developed (they are serving their bottom line), not the DRBC (who is charged with protecting water resources).
- * Much gas well development will occur without the planning you require for more than 5 well pads or companies who have leaseholdings of 3200 acres or more. At 10-12 wells per pad, 50 to 60 gas wells can be drilled without any plan oversight and variances, exemptions and limited expansions could make matters worse. Even where natural gas development plans are required, it is not clear how the planning will limit adverse environmental impacts nor is it clear how cumulative analyses can be made from these plans to avoid large scale degradation.
- * You do not restrict the dangerous chemicals that will be used in drilling and hydraulic fracturing. You require operators to tell you what they are using on site and to do some sampling, but you do not guarantee public disclosure of all of the chemicals they will use and you do not propose to remove all of these chemicals in wastewater treatment. Some carcinogens you are not even testing for. You should consult TEDX at <http://www.endocrinedisruption.com/chemicals.multistate.php>
- * You propose to protect flood hazard areas BUT you allow variances so that only floodways, the stream area that carries the bulk of floodwater, are clearly off limits.
- * You acquiesce to the States in many crucial areas that fatally flaw this rulemaking. These include:
 1. stormwater management (PA and federal government largely exempts gas well development);
 2. stream protection (PA exempts gas drilling from Exceptional Value and High Quality stream buffer standards-the best of the best streams in PA);
 3. drilling, cementing and well construction (PA's Chapter 78 is largely substandard in safety);
 4. air quality (PA exempts gas wells from air pollution standards);
 5. setbacks from homes, public buildings, roads, and public and private water supply wells are all deferred to state standards (PA and NY have minimal, inadequate setback standards);
 6. DRBC and the States measure setbacks from the well pad, not the horizontal well bore (where pollution can occur);
 7. centralized wastewater impoundments are allowed and left to state regulations despite your finding that open waste pits on well sites are too dangerous and require closed tank systems to capture all flowback.
- * Approval by Rule will allow fast track approval of gas drilling and some water withdrawals, with no opportunity for public comment and input. Why does DRBC want to allow a rush to drill when less oversight has led to pollution and accidents throughout the Marcellus shale fairway (PA 2010 violations=2,486; wells drilled in 2010=2,755)?
- * We need more time to participate in the rulemaking process. DRBC needs to extend the public comment period by at least another 120 days and hold Hearings in New York City, Philadelphia, and more Hearings close to where people live in PA. We care deeply about our future and the health of the Delaware River. Please let us take part in this historic rulemaking that will shape the future of our River and Watershed by expanding the public comment opportunities. Thank you for the opportunity to comment on this crucial rulemaking. I ask that, after the rulemaking closes, you hold the rules in abeyance until the scientific studies are done so that information can inform regulations that will prevent pollution and avoid degradation. Aquifer and water resource pollution and depletion lasts hundreds of years and cannot ever be fully cleaned up. Doesn't it make sense to take a little time to make the right decisions now, before rushing ahead?

Organization: nwopa

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Correspondence Text: Total Copies Received: 1420

The proposed regulatory process is exactly backwards. The regulations superimpose standards on the states to be enforced by DRBC staff who are completely inexperienced with regulating oil and gas. It should be exactly the opposite, with the states in charge and the DRBC serving as an interested agency to suggest higher or different standards that should be considered by the states prior to permitting individual wells. This would put experienced regulators in charge, allow a meaningful DRBC role and provide a basis for DRBC appeals of decisions. It would deliver certainty without compromising standards and ensure competent enforcement by knowledgeable staff. It would require only simple agreements between the DRBC and states. It would avoid "one-size-fits-all" standards and redundant pre-construction reviews of well pads. We need regulations that complement the states, rather than interfere with what is already working. DRBC regulation of any water use for gas, regardless of amount, is discriminatory and works against the compelling economic interests of the Upper Delaware region. The amount of water use involved in gas drilling is small compared to other uses (e.g., golf courses, car washes, power generation or big city commercial uses). Reducing the regulatory threshold from the normal 100,000 gpd to any amount of water is not supported by the data. The DRBC's assertion that normal thresholds do not adequately protect water resources and its suggestion other uses don't consume water in a like manner are both disingenuous. Other users such as power plants, consume far greater quantities of water. Moreover, if water quality and safety are already heavily regulated by the states, and water allocation is not the issue they would have it be, exactly why is it we need the DRBC? Revise your regulations to defer to the states.

The draft regulations incorrectly construe the task of the DRBC as being limited to the narrow goal of protecting water quality, as if this were all there was to its job. The page 3 statement of purpose doesn't even hint at the need to allocate water resources, let alone address the economic side of the DRBC mission, which is clearly articulated in Part I of the Compact. That Compact requires you to address water needs related to "employment, industry, and economic development" of our region. Yet, the regulations ignore the economic development side of the equation and maintain the pretense water quality is all there is. Statements of purpose need to be amended to indicate the primary function of the regulations is allocation of water resources for the development of natural gas resources, as a matter of economic development, while preserving water quality for other uses.

Well pad standards duplicate state regulations and are unnecessary. Moreover, proposed standards are completely unrealistic - particularly the 500 feet setback from water bodies and wetlands. A typical 5-acre well pad would be 467 feet squared in size and a 500 feet buffer around such a pad would require roughly a 40-50 acre site that is free of any water bodies or wetlands. While this might sound reasonable, the definition of water body encompasses seasonal and intermittent depressions, channels, ditches and "similar drainageways," as well as all wetlands. There are virtually no areas in the Upper Delaware region where 40-50 contiguous acres of land lacking these features can be found. No existing well sites could meet the standard due to the nearby presence of small ponds, streams, ditches, terraces or wetlands. These standards would prevent all Approvals By Rule and, therefore, stop all drilling. Revisions are needed to defer to the states.

The variance procedure should be for exceptions and not the rule. The flawed standards found in Section 7.5 ensure all power is discretionary and in the hands of the Executive Director. This section gives the Executive Director unprecedented power to impose additional conditions in all instances. This is because there are NO instances, under these regulations, that will not require variances. This is a recipe for bureaucratic abuse. Additionally, the Approval By Rule provisions on page 55, specifically sub-section (6), require the setbacks to be met. Therefore, Approval by Rule will not be available as an option. It is nothing more than a mirage. Without Approval By Rule, there will be no drilling, because no bonding or drilling company will sign on for what is a completely open-ended process. The DRBC needs to reduce discretion and ensure Approval By Rule is possible by deferring to the states on well pad standards.

Section 7.5 ignores the needs of upper basin residents. Sub-section (a)(1) articulates the needs of those who live outside the basin, but completely excludes any mention of our needs, in the Upper Delaware region, to be able to develop our resources. Instead, we are viewed as nothing more than "source watersheds" for the benefit of downstream and out-of-basin waters users - source watersheds that cannot be disturbed. The "sparsely populated" explanation on the top of page 36 says it all - our future doesn't matter because there aren't many of us. Where is the balance? Where is the consideration of our needs? These regulations must be revised to recognize our needs and they must be reasonable. This version is unreasonable and tries to supersede state regulations that are already working.

Section 7.5 asserts, with no evidence, that well pads "may have a substantial impact on the water resources of the basin." How can this be, if the amount of disturbance is limited to a mere 5-6 acres out of 1,280 acres in a production unit? How can

this be when both states already impose some of the toughest stormwater management rules in the nation? How can this be when our forested land has been steadily growing over the last half-century? There is simply no basis for a statement that well pads could have a substantial impact on water resources of the basin. There is no need for separate DRBC well pad standards and the regulations should be revised accordingly. If the states are to implement Section 7.5, as suggested by these regulations, they are unnecessary because there are very few items that are not ALREADY regulated by the states. Additionally, those matters that aren't already regulated by the states relate to land use questions, which have always been a state matter. Also, the states already regulate floodplain development and do natural diversity searches. There should be no mention of either in these regulations. What are we doing here? Why are creating a new unnecessary bureaucracy? These regulations should be stripped of all well pad standards and simply defer to the states on these issues. The entire purpose of Section 7.5 is to insert the camel's nose under the tent with respect to land use, under the ruse that well pads are something that need to be further regulated, when they are already heavily regulated. The emphasis, on page 51, on "constraints analysis" and mapping of leaseholds that are constantly changing is further indication of this, as is the statement on page 7 that removes Section 7.5 provisions from state administration in direct contrast to earlier suggestions. These regulations would set the DRBC up as a super-agency to regulate land use and supersede state environmental regulations. We cannot have still another agency deciding matters of land use in the Upper Delaware region. Section 7.5, therefore, should simply be deleted. The regulations have been fashioned to serve too many interests at once and are not only redundant with state regulations, but also internally so. They are not clear and the procedures overlap and are inteStone Energy application illustrates the need for deadlines as a simple matter of ensuring due process for applicants. We must have accountability and deadlines on DRBC action, with deemed approvals for failures to act. Any open-ended process is no process - it's nothing but bureaucratic tyranny and must be corrected by adding enforceable time limits on the DRBC. The best way to do this is to make it an advisor to the states, rather than the super-agency it supposes itself. Docket modification procedures and notice requirements in these regulations are far too subjective and far-reaching. Sub-section (h) on page 18 gives the Executive Director too much arbitrary power, which should be carefully limited. Also, the public notice procedure is almost guaranteed to produce controversy as every landowner within 2,000 feet is required to be given notice, which naturally inspires the belief on their part that they have some standing and right to veto an application in their back yard. It is impossible to reliably notify everyone within that distance and the failure to reach some will become a basis for lawsuits alleging improper notice. Moreover, the regulations are inconsistent as to proof of notice. Such notice should be limited to directly adjoining landowners and notice in local newspapers. Anything more is bureaucratic overkill that will complicate everyone's life for no good reason. The financial assurance requirements in these regulations are unnecessary, redundant with state regulation and likely to discourage drilling. The financial assurance provisions on page 19 are an exercise in matters that are properly the purview of the states and have nothing to do with the core mission of the DRBC, which imposes no similar requirements on most other water uses under its jurisdiction. Sub-section (6) on page 20 fails to provide for notice and, therefore, is a violation of due process rights that must be corrected. The \$125,000 per well financial assurance would, on a 1,280 acre unit pad with 20 wells, require \$2.5 million of guarantees. That is clearly excessive. Sub-section (9) on page 21 indicates financial guarantees required by the DRBC will be in addition to state requirements. What possible justification exists for this overkill, especially when the regulations are supposed to defer to the states on most matters? There is none. DRBC guarantees should only apply to items not already covered by the states. The provisions for reducing financial guarantee amounts based upon performance are very good and are practical but do not justify the regulation itself, given what the states already do. Additionally, the provisions on page 24 for "excess financial assurance" are never defined, explained or justified. They are very poorly explained. They are excessive and require every company doing business to contribute to a fund of \$25 million, when they may only be engaging in minimal activity. Yet, they allow major operators to cap their expenditures at some proportion of the \$25 million. The whole section is obtuse and of dubious value. It needs complete reworking or should be dropped in deference to the states. The Natural Diversity Index provisions of these regulations duplicate what states are already doing and involve the DRBC in something where it adds no value and has no business being involved. There should be no separate Natural Diversity Index Assessment (see pages 27, 31, 42 and 55) and no fee for it, as the states already do this. Suggestions to the contrary only confuse matters and raise the possibility of DRBC duplication and interference. This is far outside the core mission of the DRBC, yet it comes up again and again in the regulations, as if it were not already being performed by the states, suggesting an ulterior motive of frustrating well development. This illustrates a fundamental problem with the regulations. They add no value to what the states are doing. Therefore, let's drop all provisions that go beyond water allocation, in favor of agreements that recognize the DRBC as an involved agency with the rights to recommend to the states as they process applications. There are numerous issues with these regulations. They appear to be fee driven and are one-sided in their application. Sub-section (5) on page 27 relating to alternative fees, for example, should work both ways and allow for the same approach when costs are

likely to be less than standard fees. Otherwise, this is an invitation to open-ended fees. Also, on page 29, what does the \$2,000 fee apply to - each well, each pad or each company's program? This is unclear and should be addressed. The violation reporting system is ripe for abuse, requiring an investigation and mitigation plan in the case of virtually any complaint. There needs to be a method of dismissing frivolous complaints. The language on page 32 is far too loose. Also, there needs to be a mechanism for discouraging such complaints. The failure to address these sorts of issues illustrates DRBC incompetence with this type of regulation and indicates a need for serious streamlining. The provision restricting use of any water not approved by the DRBC is not reasonable. A landowner with a pond on their property, for example, ought to be able to supply up to some water without DRBC approval, as is the case now for several other activities than can easily require more water than gas development. The language on page 35 would not permit this. The regulations also make misleading unsupported statements about the amount of drilling that is expected to place, as if to justify over-the-top regulations. The statements, on page 35, to the effect "thousands" of natural gas projects are expected, is not warranted and very inappropriate. Major companies are estimating no more than 300 projects in Northern Wayne County, which is the primary gas region. It could be far less. There is no need for hyperbole in these regulations and all guesses as to the number of projects should be deleted. Likewise, it is not clear compressor stations will have any impact on water resource management and they should be deleted from the list. These regulations are stretched to the limit in a search for legitimacy. They also fail to account for advances in technology that are rapidly reducing the impact of natural gas drilling. The justifications made today for regulations are even less likely to be legitimate five years from now than today. The regulations need to anticipate this and allow for the future reduction in the scope of regulations as advances are made. We should not be handicapped in the future with levels of regulation based on today's technology and impacts. Revisions along this line are needed today - that is to say flexibility is needed now to reduce regulations later, if there are no longer circumstances warranting them. The regulations also make long-term assumptions that are highly questionable. Is it true, for example, that no portion of the water used for gas projects will be returned to the aquifer or surface water? It may be today, but will that be the case tomorrow as recycling of the water used becomes more common and water treatment processes are improved? The regulations inappropriately insert the DRBC into private contracts and are highly discriminatory. Is it really necessary to interfere with contracts between private parties, as set forth on pages 38 and 40? Also, pass-by flow requirements reveal the inherent discrimination, in these regulations, against natural gas drilling as compared to other water uses. The pass-by flow requirements on page 39 give a lot of attention to what is a minimal water use and do not take into account the much greater distortions of flow rates related to New York City's withdrawals of water from the basin. The City, of course, stole most of our water and now wants to prevent us from using the rest. Natural gas is made the lowest priority under these regulations, while out-of-basin consumption by the City has a much greater impact. This is inherently unfair and suggests the DRBC needs to put much more pressure on New York City as a means of securing more water for gas. The City withdrawals are controllable and should be addressed as part of a comprehensive solution to make room for gas. Special protection waters designation should not be a club with which to beat down the economic development of the upper basin. The language on page 41, seems to require additional planning due to special protection waters designations. However, non-point source pollution control is already done by the states. Additionally, the Upper Delaware region should not be punished for having clean water, which is what this section seems to suggest. The regulations also include unusual provisions that have only a tangential relationship to gas drilling. The invasive species provisions on page 43 are unnecessary and not typical of what is required with other water uses but, in any case, may well require the use of the very chemicals that many anti-drilling advocates despise. This provision need to be justified or deleted. Finally, water well monitoring is an important part of the continuous monitoring, which we see as far preferable to any cumulative impact analysis. The water well monitoring provisions on page 46 should be strengthened by specifying a distance of no less than 1,000 feet. DRBC's standards are ambiguous with respect to what is subject to state regulation and what is not. Why are some setbacks listed as "defer to host state" on page 49, for example? Simply eliminate them. Otherwise it must be assumed the other standards supersede the state standards. Likewise, the Natural Gas Drilling Plan could offer a useful mechanism for streamlining approvals but is written awkwardly and is unworkable in its current format. Language on page 50 assumes a company's land interest will be relatively contiguous, but they may not be at all. Also, some companies may hold positions in both Marcellus and Utica Shales in different areas of the basin and positions are constantly changing. This entire process needs more thought and more flexibility. As written, it is far too complicated and is still another open door to unwarranted land use regulation. It should not be drafted as a back door cumulative impact analysis (which is bound to become outdated by technology the day it is completed) but, rather, as a means of streamlining approvals. The regulations require too much extraneous data be submitted with applications. There is no reason to identify slopes between 15% and 20% slope or to map critical habitat, as required on page 53. The former aren't strictly regulated and the latter is outside the core DRBC mission. There is, likewise, no need to map forested areas as required on page 54 (forests are anything but threatened, as

noted above) or natural heritage areas. More importantly, the relevance of mapping them for constantly changing leased areas is not at all apparent. The obsession with forest cover on page 55 and elsewhere, despite such cover increasing in acreage every year, is not warranted and the preference for sites that are not forested should be deleted. They will be naturally preferred but forested sites have advantages in certain circumstances and there is simply no threat involved when forestland is increasing. Also, why are lease area maps (see page 56) necessary? This is not the business of the DRBC and such maps are constantly changing. Finally, why is the DRBC requiring a circulation plan over which it has zero authority to enforce? This is an inexcusable grabbing of authority from states. The regulations incorrectly assume all gas drilling water use is consumptive. The water conservation provisions on page 58, while good, raise the question of how water used for gas production is 100% consumptive, as implied earlier, if the water is to be recycled. The regulations, also, unfortunately, contribute to the fallacy that hydraulic fracturing threatens water well supplies. Provisions on page 61 for water well monitoring are good, but for reasons having nothing to do with hydraulic fracturing, as suggested by the title. We don't need to further confuse shallow gas migration, which is the real reason for this monitoring, with fracking, as the Dimock case has already done via the deliberate distortions of anti-drilling advocates. The regulations need to be revised accordingly. There should be an incentive, in these regulations, for use of closed loop systems. Closed loop systems should be more easily permitted and this is the type of criteria that should qualify applicants for Approval By Rule approvals, as opposed to the poorly thought out site requirements laid out in the regulations now. The regulations on page 65 and 66 also need to provide for some on-site treatment via the portable treatment units GE is now producing and/or such innovative measures as using wood chips to absorb fluids, which chips are then hauled off-site and burned in units with scrubbers. The failure to address these types of matters indicates the DRBC is marching headlong into a matter in which it has no technical competence. It should defer to the states. The combination of several definitions, literally interpreted, could regulate forestry and farming out of existence, with no supporting evidence that they have caused a water quality problem. The "earth disturbance activity" definition includes anything that "disturbs the surface of the land." This should be more specific so mowing, brushhogging or cutting trees are not held to be disturbance. It also states "disturbed area is devoid of trees greater than 5 meters in height and substantially devoid of native woody vegetation." This definition would include hay fields and lawns. The final site restoration definition says the site needs to be returned to its "condition prior to the commencement of gas drilling operations" rather than a stable vegetative cover as provided by DEP. This could mean an access road would have to be abandoned and reforested over the objections of landowner and contrary to the Clean Water Act. Such definitions could rule out all of northern Wayne County for gas drilling and should be revised. Projected water use for gas drilling is minimal but, under these regulations, the natural gas industry is treated as if it were a major water user. Water use for natural gas should be evaluated and compared with other industries, land uses and baseline flows. There are far too many words such "significant" or "potential impact" strewn throughout the regulations. These are used to justify complete control over water use by the gas industry and it is simply not justified. A quick calculation reveals the water falling on the upper third of the Delaware River watershed during a single 1" rain event could provide the water required to drill almost 16,000 wells, far more than will ever be drilled in the upper basin. The regulations desperately need balance and we suggest the DRBC stop trying to reinvent the subject of regulating gas drilling. Our states already do it well.

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In light of information revealed in the New York Times series focused on hydrofracking for natural gas in New York and Pennsylvania, please extend the period for public comment on proposed fracking regulations. Extension is needed for at least 6 months to assess dangers posed by radioactivity and chemical contaminants that could be released into public water supplies, and to assess multiple other risks of hydrofracking in the Northeast. This issue is a total nightmare for those of us with lives and businesses that could be devastated by industrialization of the beautiful and precious waters and other resources of a highly vulnerable and long-term valuable area -- do not let this wonderful natural region be desecrated for short-term profits for an industry that ignores regulations (on benzene) and pollutes generally while contributing to global warming (the harvesting of natural gas, if not the product, has a huge carbon footprint).

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I am writing you today as a member of Clean Water Action. 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 with the promulgation of these rules. We are, therefore, very interested in them and concerned that they do not go far enough. Chemicals: The DRBC could have moved the veil of secrecy off the hydrofracking chemicals with these rules. As long as companies are given the option to invoke trade secrecy, they certainly will. Some agency needs to force companies to reveal what they are exposing to. The Federal Government regulates so contaminants in drinking water, we at least need a fighting chance. We need to know what we are ingesting. 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 know that these will include, at the least, high volumes of diesel fuel, hydrochloric acid, anti-freeze and arsenic. To mention only a few. The DRBC has the opportunity to require that hydrofracking wastewater gets treated for more contaminants than salts and chlorides before it is discharged back into its waters. Why would it pass on that opportunity to protect its resources? 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. 5 acre well pads will be built in the Delaware River's headwaters. This will have far reaching consequences that will be hard to anticipate or to model. As the Philadelphia Water Department rightly noted in 2009: loss of tree cover is one of the most immediate threats to downstream drinking water supplies. Permit-by-Rule: We can never support a permit by rule in any project with the environmental consequences of hydrofracking. We understand that hydrofracking is very controversial and that every single permit will be fought, but perhaps that is because so many people rationally understand how dangerous hydrofracking is to our way of life. Extend Comments: finally, there simply has not been enough time to consider these regulations. This watershed serves some of the most dense population areas in the country. Please give the people more time to weigh in. Sincerely, Michael Dreyfuss

Correspondence ID: 1598 Database Entry Date: 3/2/2011 Name: Launois, Chris Pan

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To comprehend the devastating effects of fracking on the water supply, I urge you strongly to watch the documentary, "Gasland," in which fracking turns tap water into flammable liquid. If you care, even in the smallest degree for humanity and a clean water supply, please fight to ban fracking and protect our nation's drinking water. Sincerely, Chris Pan

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Dear Commissioner Martin, I write to ask you to protect New Jersey's interests with respect to Marcellus Shale production in the Upper Delaware River Basin. I urge you to do this in two ways: First, I urge you to vote against the adoption of final regulations at the Delaware River Basin Commission (DRBC) until two important studies can be completed: a) a cumulative impact study of the impacts to the Basin, and b) an EPA study of the effects of hydraulic fracturing on drinking water. Only with a proper understanding of the facts can appropriate regulations be drafted that will ensure the protection of public health and the environment. Second, I urge you to work to expand the public participation process for the draft natural gas regulations DRBC has published. A 90-day comment period is wholly inadequate. At least six months is needed to allow for broad participation by the interested public in these rules. I will be directly affected by gas drilling and the rules you adopt are crucial to my health and the health and viability of the Delaware River. Further, verbal testimony is key to the input process, and three hearings will not be at all sufficient to allow sufficient input from the affected public. Public hearings should be held at geographically accessible locations to all who are interested, including at least one public hearing in each Basin state (Delaware, New Jersey, New York, and Pennsylvania). Several million New Jerseyans get their water from the Delaware River. This includes not only those whose public water supplies are drawn from surface water sources such as the River itself, the D&R Canal, and others, but also those in South Jersey whose water supplies come from the New Jersey Coastal Plain Aquifer (which according to the US EPA is itself recharged by the Delaware). Because of our dependence upon the Delaware, I urge you to re-assert the primacy of DRBC rules over those of individual member states. As incidents like those in Dimock and many other locations in Pennsylvania show, that state's rules are inadequate to protect New Jersey drinking water. Indeed, allowing individual state rules to trump those of DRBC would obviate the very purpose of the organization, which is to ensure the drinking water supply of 15 million people, nearly all of them downstream from the proposed drilling sites. More generally, I am very concerned that New Jersey adopt a stronger, more active position than it has so far taken on this issue to protect the long-term interests of its citizens. The Christie Administration certainly has not hesitated to do so in other contexts, as in its stances with respect to dredging of the Delaware near Philadelphia or offshore liquefied natural gas terminals. The drilling of many thousands of unconventional gas wells near the headwaters of our drinking water supply should be no exception. Thank you for your consideration of this issue.

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Dear DRBC: Responding to your request for public comment on your plan to permit hydraulic fracturing in the Delaware River Basin, I offer the following points: -The Delaware River Basin Commission claims it wants regulations "based on sound scientific principles," but it doesn't have a single credible study it can rely on to promulgate regulations that will protect drinking water. At the very least, the DRBC should hold off on formulating regulations until it has had the opportunity to study the ongoing EPA study of hydraulic fracturing and drinking water safety that is due to be released in 2012. -The DRBC's draft regulations note that gas wells "may have a substantial effect, either individually or cumulatively, on the surface water and groundwater resources of the basin," yet the DRBC has refused to conduct a cumulative impact study to determine what those effects might be. -The DRBC does not have the staff to regulate drilling and fracking. The commission has not even been able to prevent drillers from illegally disposing of toxic wastewater that has been brought into the basin from elsewhere. -It is unrealistic for the DRBC to rely on feckless and overburdened state agencies to enforce its regulations. The New York State Department of Environmental Protection has recently undergone draconian staff reductions, and the Pennsylvania Department of Environmental Protection has been unable to prevent well blowout, toxic spills, and aquifer contamination in other parts of its state. -The commission claims that it will rely on New York State and Pennsylvania to administer "natural gas and exploratory well construction and operation standards." But as the commissioners are well aware, New York has yet to adopt regulations or procedures to govern any aspect of high-volume fracturing, including well construction. Consequently, in New York, well setbacks from occupied homes, public buildings, public roads, and public and domestic water supply wells will be based on rules and regulations put in place long before the state began to draft its Supplemental Generic Environmental Impact Statement. As the New York State Commissioner has already stated, the DRBC should not promulgate hydraulic fracturing regulations before it has seen, and analyzed, the regulatory package being developed in Albany. -The draft regulations note that the states have an obligation to protect human health and the environment, including water resources"; but by claiming it will rely on non-existent state regulations, the commission is abdicating its own responsibility to protect the basin and the fifteen million Americans who depend on it for their drinking water. -The DRBC also intends to rely on the industry to report violations. An industry that is notorious for cutting corners and evading regulatory oversight should not be trusted to police itself. This is another instance in which the DRBC is attempting to shirk its responsibility to protect the public. -The proposed DRBC regulations will ensure that the taxpayer will have to pay the cost of cleaning up environmental accidents. Drillers will be permitted to develop a gas well pad by putting up as little as \$125,000, and the executive director can decide to reduce even that paltry amount by 25 percent. -In promulgating draft regulations before appropriate scientific studies have been undertaken, the DRBC ignored urgent appeals by New York State Governor Paterson, New York City Mayor Michael Bloomberg, New York Congressman Maurice Hinchey, the New York City Council, the Philadelphia City Council, the U.S. Fish and Wildlife Service, and the National Park Service. -The draft regulations have not been subjected to an appropriate level of public scrutiny because the commission has not allowed sufficient time for public comment; it has needlessly restricted the means by which the public can submit comments, and it is holding just three public hearings on an issue that is liable to impact fifteen million Americans. For all these reasons, and more, I urge the DRBC to back off on the implementation of its draft regulations and wait until the science that should inform them has rendered its verdict. Yours, Michael O'Brien (212) 929-0150

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Please expand the public participation process for the draft natural gas regulations you have published. A 90 day comment period is wholly inadequate. At least six months is needed to allow for broad participation by the interested public in these rules. I will be directly affected by gas drilling and the rules you adopt are crucial to my health and the health and viability of the Delaware River. Further, verbal testimony is key to the input process, and three hearings will not be at all sufficient to allow sufficient input from the affected public. Public hearings should be held at geographically accessible locations to all who are interested. There should be at least one public hearing in each Basin state: Delaware, New Jersey, New York, and Pennsylvania • There should be at least one public hearing in each of the two largest population centers that rely on Delaware River water supply, New York City and Philadelphia • Since Pennsylvania is such a large state, one Hearing should be held in the Upper Delaware region, one in the central Watershed area and one in the southeastern area. The DRBC is at a turning point in watershed management with gas drillers knocking on our door. It is time for the DRBC to take a stand to fully protect the exceptional water quality, valued natural assets and irreplaceable drinking water supply for 15 million people by preventing pollution and avoiding degradation of the Delaware River and its outstanding Watershed from gas drilling. In order to get it right, the public needs and desires to influence that process and meaningfully participate in the decisions that will affect us and future generations, human and nonhuman. Thank you for considering broadening the public participation process to allow for a robust public component to this landmark rulemaking. Sincerely.

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It was disappointing to find out that in spite of the plea of 8,000 people who asked you to wait with regulations until a cumulative impact study could be completed and/or the EPA Study can provide direction to avoid risking our drinking water, you are moving ahead anyway with regulations and drilling. Marcellus Shale gas has been there for several hundred million years and it could wait another two or even three years in order to safeguard the water and health of the 15,000,000 people who depend on the Delaware River for their drinking, cooking, bathing and other water needs. The 83 pages of drilling regulations are complex and need time to be studied while obtaining expert advice in order to make informed recommendations to you on the proposed rules. I therefore request that you extend the period for public input by at least 6 months. In addition I also request that additional public hearings be scheduled to allow for greater public input. It is especially important to give people in Philadelphia and New York City, who live downstream from the pollution that is sure to come with gas drilling, the chance to be heard, even if they don't own a car. Your earlier hearing in Matamoras was not accessible by public transportation and the War Memorial Theater in Trenton is also not accessible without a cab ride from the train station, making attendance unaffordable for many affected citizens. Fifty years ago you were charged by Congress with protecting the Delaware River and I now ask that you fulfill your legal and moral responsibility by waiting for a cumulative impact study before finalizing the regulations you have proposed. Last spring you indicated that the moratorium would remain in place until such a study was completed. It is unwise and unfair to allow gas companies and land owners to now persuade you to ignore that promise. Please listen to the citizens whose children, grandchildren and future generations will be impacted if you risk their drinking water now. Sincerely,

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Address: 662 W. Johnson St. Philadelphia PA 19144 USA

Correspondence Text: Total Copies Received: 482

Dear Carol Collier and DRBC Commissioners: I am writing to ask you to withdraw the draft regulations for gas drilling in the Delaware River watershed because they are inadequate to cover the acute and cumulative risks to our waters. The public comment period must be extended and expanded to include public hearings in each state, and three hearings in Pennsylvania. There's no hearing in the state of Delaware! This is unconscionable, as gas development upstream will degrade the entire watershed. I ask that you push the March 16th Public Comment deadline back by a minimum of six months and not finalize any regulations for at least two years, in order to take into account the EPA study of deep gas drilling's life cycle impacts on water. Please rewrite the regulations after a Cumulative Impact Study has been completed for the Delaware River watershed. The draft regulations fail to take into account the network of pre-existing fractures deep underground which could convey contaminants slowly into groundwater and surface water. Your Compact mandates that you must -prevent future pollution," but these regulations ignore hydrogeological evidence that high-volume fracturing could create catastrophic future pollution. It also fails to plan for the inevitable degradation of cement casings over time. Clearly toxic spills to surface waters are frequent in all phases of high-volume hydraulic fracturing with horizontal drilling. Lawsuits about groundwater contamination are sprouting rapidly in many states, including Pennsylvania and New York. With so many risks, with absolutely no study, and with many unresolved complaints including severe health impacts ranging from asthma and headaches to nosebleeds, nausea, and cancer, it is premature for these regulations to be released, let alone finalized. I would like to add substantive comments regarding gas drilling waste in the Delaware River watershed (Section 7.6 of the Draft Regulations). One, drilling mud and flowback must be classified as --hazardous waste," because it contains contaminants deadly to biological life. Two, there must be NO IMPOUNDMENTS for flowback anywhere in our watershed: these open, plastic-lined pits are each a Superfund site in the making, and must be completely outlawed. Three, wastes must be tested for NCQO. a potent carcinogen known to show up in flowback as a result of chemical interactions. Four, there must be no discharge of gas drilling waste in the basin Gas drilling waste puts all our health at risk.

Correspondence ID: 2364 Database Entry Date: 2/25/2011 Name: Cohen, Gil

Organization:

Address: 62 Creek Dr. Doylestown PA 18901 USA

Correspondence Text: Total Copies Received: 5

Dear Ms. Collier and DRBC Commissioners; We are writing to ask you to extend the time period for public input and to increase the number of sites for your public hearings on the proposed gas drilling regulations. The Delaware River Basin has a moral responsibility to act extremely prudently when changes are occurring that could affect the health of millions of people, and our environment for generations, if not forever. A six month wait until the federal EPA study is done is nothing in the face of the possibly permanent effects of not waiting. Since millions of the people whose drinking water could be affected reside in the major cities of Philadelphia and New York City, I believe you should feel compelled to hold public hearings in those cities. And please wait until more studies are completed on the effects of gas drilling. What is the reason for the rush? Sincerely,

Organization:

Address: 85 High Falls Rd. Ext. Catskill NY 12414 USA

Correspondence Text: Total Copies Received: 19

The draft rules do not address the cumulative impacts of water withdrawal and well development; there is no method to control the environmental toll that natural gas drilling and water depletion will take on the land, streams, and River. There are no spacing requirements for the tens of thousands of wells expected that would limit how many wells can be drilled and how close they can be to each other, facilitating the conversion to an industrial landscape. How will the loss of clean, freshwater flows from the headwaters of the River and the destruction of the now 89% forested Upper Delaware affect water quality, clean drinking water, habitats and ecological needs downstream? # The draft rules do not place any restrictions on the chemicals that drillers can use to drill and hydraulically fracture gas wells. Considering the hundreds of dangerous chemicals that are used, many of them carcinogenic and hazardous, and the fact that diesel fuel, a toxic substance, is being used in some areas to stimulate gas extraction, the DRBC's "hands off" approach to this central aspect which they could rightfully regulate is irresponsible. Why isn't the DRBC prohibiting the use of contaminants in gas extraction processes or at least waiting for the EPA to finish its study of hydraulic fracturing practices to protect drinking water? # The draft rules do not prescribe wastewater standards for all of the specific constituents of gas drilling wastewater that would require the removal of all toxic substances but rather require a treatability analysis that is poorly defined, does not address the contaminants used in hydraulic fracturing and most of the dangerous constituents in flowback produced by hydraulic fracturing and will lead to discharge of pollutants. How can the DRBC move ahead without controlling this toxic wastewater, described by the U.S. Department of Energy as 10 times more toxic than offshore oil well wastewater? # The draft rules rely on weak State regulations in many areas such as stormwater management (much gas well development is largely exempted), drilling and casing construction and safety (substandard State requirements in PA), air emission controls (PA exempts gas wells from air standards), and inadequate setbacks and floodplain protection (both NY and PA do not have large enough buffers nor adequately protective no-drill safety areas; homes, public buildings, public roads, public water supply wells and domestic water supply wells are all left out of DRBC oversight and relegated to inadequate state setbacks that have resulted in pollution incidents from gas drilling throughout Pennsylvania). This puts people and their health at risk, increases the likelihood of pollution incidents, will foul air, kill aquatic species, and degrade the exceptional water quality of the River and its tributaries. # While a 500 foot setback of gas well pads from water bodies, wetlands, surface water supply intakes and water supply reservoirs and no siting of well pads in the DRBC's defined "flood hazard area" is proposed and is stricter than State requirements, stricter requirements are still needed. Setbacks should be based on a minimum 300 foot buffer beyond the floodplain/flood hazard area as defined by riparian soils to assure adequate protection for streams and to prevent flood damages. Water supply intakes and reservoirs need protection based on drainage patterns and the condition of the setback area in order to provide needed buffering; depending on conditions such as slope and vegetation, 500 feet may provide no protection. Water supplies, floodplain protection, and stream setbacks need to be set based on site specific analysis and require mandated management measures. # The rules would allow for fast track approvals (Approval by Rule) by the Executive Director without public input for much of the gas drilling and some water withdrawals. This loophole will lead to the "death of a thousand cuts". How can DRBC allow this when they're supposed to maintain the River's exceptional quality? # The public comment period should be extended for another 120 days and at least one Hearing held in every state (3 in PA because of the length of the Watershed), and in New York City and Philadelphia, where major populations drink Delaware River water. # Verbal testimony is key to the input process, and three hearings will not be at all sufficient to allow input from the affected public. In addition, public hearings should be held at geographically accessible and diverse locations. There should be at least one public hearing in each Basin state: Delaware, New Jersey, New York, and Pennsylvania, and at least one public hearing in each of the two largest population centers that rely on the Delaware River for water supplies, New York City and Philadelphia. Since Pennsylvania is such a large state, one hearing should be held in the Upper Delaware region, one in the central Watershed area, and one in the southeastern area.

Organization:

Address: Kept Private Narrowsburg NY 12764 USA

Correspondence Text: Total Copies Received: 3

March 13, 2011 Commission Secretary, DRBC P.O. Box 7360 25 State Police Drive West Trenton NJ 08628 Re: Comments on Draft Gas Development Regulations issued December 9, 2010 development regulations for the Delaware River Basin. The DRBC was formed to conserve and protect the water resources of the Delaware River Basin that serve the basic needs of 15 million people. This is your moment in history to be heroic and protect this river from harm or to be remembered as the Commission that destroyed what they were supposed to protect all along. Our water. Impartial scientists have documented irreparable harm resulting from fracking. Read about the entire process of gas extraction using high volume hydraulic fracturing and find hundreds of very serious and dangerous flaws in this unregulated practice. Fracking has proven to be imperfect with a toxic record across the country. The practice is riddled with often irreversible problems. This can not be ignored. Inserting a concrete well bore grout deep into the ground, first vertically and then horizontally, will prove too fragile when the earthquake-like blasting below the earth begins. And look at Arkansas as they put a ban on fracking because of a huge new surge in seismic activity there. Since this drilling passes through the aquifers, who can guarantee the concrete tubes will never crack, allow for seepage and contaminate the water supply? In 5 years 20% of concrete will crack. In a lifetime, 100% of concrete will crack. Where will the gas companies be when that happens if they've packed up and left the area? If you can prevent this from happening, you must do so. The unregulated fracking fluid is another serious issue. How can you allow the injection of several hundred neurotoxins, carcinogens, high salts and even diesel fuel anywhere near the water supply? The gas companies promised to exclude diesel fuel from the process. They lied and used it anyway. They are not trustworthy and should not be allowed to regulate themselves! You must know someone who has had cancer. Be heroic and prevent this madness. Recently in the NY Times series of articles about fracking, it was disclosed that radioactivity in the form of Radium would be released during fracking from deep below the ground and come up in the wastewater. Will you rely on a promise from the gas industry to properly handle, treat and dispose of this highly toxic wastewater? Have you seen the footage of trucks on small country roads releasing the wastewater along the roads to cut down on costly wastewater management? That has happened and will happen. It's quiet, cheaper and faster. Please be realistic. Regulations should be based upon a comprehensive Cumulative Impact Study, and this draft fails to take into account the cumulative impacts (across multiple wells) of water withdrawal and the full life cycle of well development among other topics. The plan is for 18,000 wells to be drilled in this area. There is a lack of restrictions on the chemicals that may be used to hydraulically fracture gas wells. Chemicals currently used for fracking are known to be hazardous to human health. Communities where they do have hydraulic fracturing have found a rise in cancer rates, lung disease, neurological disease and skin lesions. Please prevent this from happening here. There are presently poorly defined wastewater standards for all of the specific constituents of gas drilling wastewater and are not even remotely equipped to oversee widespread well development. It is certainly premature to allow fracking. Setback rules do not incorporate buffers for floodplain/flood hazard areas. To allow a drill pad 500' from a body of water is a very low number that is certainly too close. I cherish this river, the streams, lakes, ponds and tributaries. These toxins will make their way to the river if you allow this practice, as is, to occur. We all share the air and water. We are connected, like it or not. If drilling on my neighbor's land results in contamination of their well, I too will suffer. If his holding tank of fracking fluid evaporates, I too breath in the toxins. We are not totally independent and autonomous. I do not begrudge anyone the rights to make money, HOWEVER, if it is at the cost of the community's health, I do object. Is it acceptable for my drinking water that comes from the tap, to light on fire? You can prevent this from happening here. The UDC just came out calling this practice of gas extraction "incompatible" with the river. They are brave to stand up and finally speak the truth. Follow your conscience! Don't let economic development occur at any cost. Do you want to be responsible for dead organisms, dead fish, dead birds, dead eagles, dead cattle, dead community members and a dead Delaware River? Though a very complicated industrial practice, this decision should be fairly easy if your priorities are the preservation of the river. To protect the water resources of the Basin, is to not allow fracking near the Delaware River. Sincerely, Brandi Merolla 214 Mathias Weiden Drive Narrowsburg, NY 12764 brandimerolla@hotmail.com

Correspondence ID: 2506 Database Entry Date: 2/28/2011 Name: Wildenstein, Albert H

Organization: Mt. Pleasant Township Chairman

Address: 10 Welcome Lane Pleasant Mt. PA 18453 USA

Correspondence Text: Total Copies Received: 2

February 21, 2010 Commissioner, Secretary Delaware River Basin. Commission P.O. Box 7360 25 State Police Drive West. Trenton, N. J. 08628 Dear Commissioners: Five years ago the sale of land leases in Mount Pleasant Township signaled an economic rebirth for our area a farming area in the past but only a few remain today, they now sit on what may be a huge amount of natural gas, an industry already creating tremendous economic advancements in neighboring counties in the Susquehanna River Basin, The draft regulations released by the DRBC will prevent the same from taking place here in Wayne County, and they must be corrected. These regulations, impose a 500 foot set back from any water body what ever size, which would limit drilling to .5 percent of our total land, and the restriction on cutting timber would take the rest of our land. The regulations also let the DRBC regulate land use, for the first time taking away still more of our property rights and imposing your wish on what has always been the decision of the states and local government, this must not be tolerated as there are already to many agencies involved in land use decisions, we must be allowed to make a living. These regulations, incredibly establish no deadline for the DRCB to act on applications and give the Executive Director new unbridled authority to stop almost anything, anytime, for almost any reason. They are far too amorphous and subjective. The requirement for master planning by drillers is a prime example as technology is changing so rapidly as to make it pointless. It is a back-door attempt to identify cumulative impacts that cannot be measured in advance, when it is, instead, continuous monitoring that is needed. There appears to be a deliberate strategy of setting unrealistic standards that immediately force applicants into nebulous areas of discretionary authority, where they can be held up indefinitely, making bonding impossible to obtain and setting applicants up for defeat by delay. The regulations must be more objective throughout, with realistic standards, far less discretion on the part of the Executive Director and concrete deadlines for DRBC decisions. These regulations it seems are a means to control a portion of our county that are not doing their part in caring for our land and water. Well I disagree, Wayne County has been as good as it gets with our environment, our water is high quality, our land is well regulated and our visitors to the area are well pleased with what they see. The DRBC regulations as they are written seem to be saying, no more economic good for the people of our area, because it (might) cause a problem in the future, which they have no way of knowing. If this is their thinking then ground all aircraft, because one might crash, and it still would be the safest way to travel. These regulations, in their current form, will deprive us of the best opportunity we have to turn things around economically. They must be revised to reflect the balance intended by the Compact, which says "the government, employment, industry, and economic development of the entire region and the health, safety and general welfare of its population are and will continue to be vitally affected by the use, conservation, management, and control of the water and related resources of the Delaware River Basin." The economic part of this mission has been totally ignored in the draft regulations and this cannot stand. Sincerely, Albert H Wildenstein MT Pleasant Twp Chairman

Organization:

Address: 189 S. Harrison St.

Princeton

NJ

08540

USA

Correspondence Text:

Total Copies Received: 51

Commissioners Carol Collier, Executive Director 25 State Police Drive P.O. Box 7360 West Trenton, NJ 08628-0360 fax (609) 883-9522 Paula.Schmitt@drbc.state.nj.us SUBJECT LINE: "Study First!" Dear Delaware River Basin Commission Members, Please do not move ahead with proposed natural gas regulations until a cumulative impact study is completed first. Understanding the cumulative impacts of natural gas drilling in the Delaware River Watershed is essential in order to inform how this activity should be regulated. Without such study, there are far too many unknowns that will result in missing pieces to this critical rulemaking. If you develop rules before a scientific study, your regulations will be a foregone conclusion, a set of rules made before the evidence for their basis was known. This would be a grave mistake. The federal government is going to provide \$1 million to address the need for this analysis in response to your judicious request; the funds should receive final approval in the coming weeks. Common sense dictates that we understand the potential for impacts to the Watershed and the water supply of over 15 million people who rely on the Delaware River for drinking water on a cumulative basis, not a piecemeal approach -- through analyzing the aggregate "build out" of natural gas and what that means for our environment. The rules should be developed with a goal of preventing pollution and degradation to the River and its Watershed. How can this be done in an effective and defensible way without a cumulative analysis? We must analyze the cumulative impacts of: - the billions of gallons of water that will be consumed - lost forever - through hydraulic fracturing in a world where fresh water is becoming the most valuable and scarce of all resources -the loss of water quality and disruption of flow in the river and its tributaries from water withdrawals, depleting sensitive headwaters and the life within them and robbing precious high quality flow from downstream waters -the production of billions of gallons of toxic wastewater without adequate facilities to treat it and the discharge of industrial effluent -the injection of hundreds of chemicals into the ground through drilling and the aggressive processes of hydraulic fracturing and horizontal drilling, risking toxic contamination -the transformation of thousands of square miles of high quality watershed to an industrial landscape, producing stormwater runoff and flooding, pollution to groundwater and streams, and loss of habitat and natural values -the multitude of toxic air emissions, impacting regional and community air and water quality -the labyrinth of infrastructure that must accompany the industry'pipelines, compressor stations, processing facilities, wastewater discharge plants, etc. -the degradation of Special Protection Waters within the Delaware River Watershed that now support high quality drinking water and diverse ecosystems -the impacts of light, noise, traffic, and community loss of value Please realize that this is the moment to address these cumulative impacts in a comprehensive manner and our federal representatives are getting you the funds to do it right. History will not remember if it took a few extra months to study these impacts but history will remember if the legacy from natural gas development is like that of coal'a shameful history of inadequate regulation that we, as a nation, have been left to clean up at the public's expense. Thank you, Commissioners, for taking action to complete the cumulative impact study FIRST, then develop regulations based on what you learn is needed to PREVENT pollution and degradation of our prized Delaware River Watershed. Sincerely,

Correspondence ID: 2838 Database Entry Date: 2/25/2011 Name: Mechsinger, Jane

Organization:

Address: 7805 State Route 52 Narrowsburg NY 12764 USA

Correspondence Text: Total Copies Received: 442

Approval by Rule Procedure Can Lead to Lapses in Proper Regulation The draft document makes constant reference to "approval by rule" which grants the Executive Director discretionary authority to speed up the approval of drilling projects without public input. I can only see this devolving into a situation where projects become rubber stamped due to industry expectations and pressure and due to the high volume of applications leaving many projects lacking in proper oversight. I believe that most of this "approval by rule" authority should be withdrawn from the regulations. This review of gas drilling regulations needs to be halted until the necessary studies and protections are adopted and executed.

Correspondence ID: 2839 Database Entry Date: 3/16/2011 Name: Folzer, Sandra

Organization:

Address: 101 Yeakel Ave. Glenside PA 19038 USA

Correspondence Text: Total Copies Received: 2

Dear Carol Collier and DRBC Commissioners: Please extend the public comment period for the DRBC hearings beyond March 16. I understand the draft regulations do not specify standards for the wastewater, which could hurt our entire water supply. While the industry talks about wastewater filtration systems, there are no successful means of cleaning the water. For example, the wastewater is known to be ten or more times more salty than sea water. If there were a way to take the salt out of sea water in an efficient and cheap manner we would know about it. Companies should have to identify all chemicals in the wastewater. We know many of carcinogenic. Do you really want to be responsible for poisoning our children and causing cancer to thousands of citizens? Thank You, Sandra Folzer

Correspondence ID: 2942 Database Entry Date: 3/16/2011 Name: Harrie, Mark

Organization:

Address: 211 Braman Rd. Equinunk PA 18417 USA

Correspondence Text: Total Copies Received: 143

I oppose the DRBC draft regulations for the following reasons and request they be revised to address each of these issues: 1) The excessive setbacks and all-inclusive definition of what constitutes a water body will prevent drilling on virtually all land in the basin. 2) States' rights as well as property owners' rights are not being adequately protected, raising serious Constitutional issues. 3) DRBC is overstepping the limitations of its Compact by getting involved in land use issues and is ignoring its responsibility to the economic development of the basin. 4) Tremendous power is given to the Executive Director and Staff. There is tremendous potential for abuse and the lack of certainty will discourage investment in our region. 5) There is much duplication of what is already well regulated by the states. 6) Other industries will be adversely affected, including timbering, farming, and construction, if the DRBC employs this precedent to enlarge the the scope of its jurisdiction on other matters, as it will inevitably do. 7) The regulations are discriminatory against the oil and gas industry, holding them to a different standard than any other water user, large or small. 8) The regulations are discriminatory against landowners in the upper Delaware River Basin as they will not be able to benefit economically as their neighbors in the rest of the state can. 9) The concerns/needs of those downstream appear to supersede those of the taxpayers and residents of the headwaters. Locals are viewed only as a "source watershed." After all, there are just a few of them because this area is "sparsely populated." 10) The regulations are fee driven without regard for industry best practices and advancements in technology. As a result, the DRBC may no longer be dependent on the states for funding and could become a super agency answering to no one. 11) The regulations are so vague in many places that no one can realistically be expected to follow them. Moreover, how will a company obtain bonding in such circumstances. 12) There are no time limits on the DRBC to act, ensuring death by delay for important projects.

Correspondence ID: 2957 Database Entry Date: 2/25/2011 Name: DeCecco, Dave

Organization:

Address: 1700 York Ave Apt 10E New York NY 10128 USA

Correspondence Text: Total Copies Received: 459

Wastewater Regulations Are Inadequate The draft rules do not prescribe wastewater standards for all of the specific constituents of gas drilling wastewater that would require the removal of all toxic substances but rather require a treatability analysis that is poorly defined, does not address the contaminants used in hydraulic fracturing and most of the dangerous constituents in flowback produced by hydraulic fracturing and will lead to discharge of pollutants. How can the DRBC move ahead without controlling this toxic wastewater, described by the U.S. Department of Energy as 10 times more toxic than offshore oil well wastewater? This review of gas drilling regulations needs to be halted until the necessary studies and protections are adopted and executed.

Correspondence ID: 2967 Database Entry Date: 2/25/2011 Name: Cecco, Dave

Organization:

Address: 1700 York Ave !OE New york NY 10128 USA

Correspondence Text: Total Copies Received: 411

Setback Requirements Are Inadequate While a 500 foot setback of gas well pads from water bodies, wetlands, surface water supply intakes and water supply reservoirs and no siting of well pads in the DRBC's defined "flood hazard area" is proposed and is stricter than State requirements, stricter requirements are still needed. Setbacks should be based on a minimum 300 foot buffer beyond the floodplain/flood hazard area as defined by riparian soils to assure adequate protection for streams and to prevent flood damages. Water supply intakes and reservoirs need protection based on drainage patterns and the condition of the setback area in order to provide needed buffering; depending on conditions such as slope and vegetation, 500 feet may provide no protection. Water supplies, floodplain protection, and stream setbacks need to be set based on site specific analysis and require mandated management measures. This review of gas drilling regulations needs to be halted until the necessary studies and protections are adopted and executed.

Correspondence ID: 2989 Database Entry Date: 3/16/2011 Name: Cain, Bahijah

Organization:

Address: 7900 Lindbergh Blvd Philadelphia PA 19153 USA

Correspondence Text: Total Copies Received: 130

Commission Secretary, DRBC 25 State Police Drive P.O. Box 7360 West Trenton, NJ 08628-0360 fax (609) 883-9522 Paula.Schmitt@drbc.state.nj Re: Draft Natural Gas Development Regulations Dear Carol Collier and DRBC Commissioners: Please expand the public participation process for the draft natural gas regulations you have published. A 90 day comment period is wholly inadequate. I will be directly affected by gas drilling and the rules you adopt are crucial to my health and the health and viability of the Delaware River and its Watershed. Further, verbal testimony is key to the input process, and three hearings will not be at all sufficient to allow sufficient input from the affected public. Public hearings should be held at geographically accessible locations to all who are interested. • Extend the public comment period by at least 120 days • There should be at least one public hearing in each Basin state: Delaware, New Jersey, New York, and Pennsylvania • There should be at least one public hearing in each of the two largest population centers that rely on Delaware River water supply, New York City and Philadelphia • Since Pennsylvania is such a large state, one Hearing should be held in the Upper Delaware region, one in the central Watershed area and one in the southeastern area. The DRBC is at a turning point in watershed management with gas drillers knocking on our door. It is time for the DRBC to take a stand to fully protect the exceptional water quality, valued natural assets and irreplaceable drinking water supply for 15 million people by preventing pollution and avoiding degradation of the Delaware River and its outstanding Watershed from gas drilling. In order to get it right, the public needs and desires to influence that process and meaningfully participate in the decisions that will affect us and future generations, human and nonhuman. Thank you for considering broadening the public participation process to allow for a robust public component to this landmark rulemaking. Sincerely,

Correspondence ID: 2991 Database Entry Date: 2/25/2011 Name: Cecco, Dave

Organization:

Address: 1700 york Ave Apt 10E New York NY 10128 USA

Correspondence Text: Total Copies Received: 505

Need to Regulate the Chemicals Used in Hydraulic Fracturing The draft rules do not place any restrictions on the chemicals that drillers can use to drill and hydraulically fracture gas wells. Considering the hundreds of dangerous chemicals that are used, many of them carcinogenic and hazardous, and the fact that diesel fuel, a toxic substance, is being used in some areas to stimulate gas extraction, the DRBC's "hands off" approach to this central aspect which they could rightfully regulate is irresponsible. Why isn't the DRBC prohibiting the use of contaminants in gas extraction processes or at least waiting for the EPA to finish its study of hydraulic fracturing practices to protect drinking water? This review of gas drilling regulations needs to be halted until the necessary studies and protections are adopted an executed

Correspondence ID: 3011 Database Entry Date: 2/25/2011 Name: Derfner, Justin

Organization:

Address: 7 Penn Plaza Suite 1400 New York NY 10001 USA

Correspondence Text: Total Copies Received: 431

Comment Period Needs to Be Extended and Broadened The public's opportunity to have input into the rulemaking is inadequate and more hearings and a longer comment period is needed to provide adequate time to review & digest the proposed rules; the public needs to be involved. Comment should be extended for another 120 days and at least one Hearing held in every state (3 in PA because of the length of the Watershed), and in New York City and Philadelphia, where major populations drink Delaware River water. This review of gas drilling regulations needs to be halted until the necessary studies and protections are adopted and executed.

Correspondence ID: 3033 Database Entry Date: 2/25/2011 Name: DeCecco, Dave

Organization:

Address: 1700 York Ave Apt 10E New York NY 10128 USA

Correspondence Text: Total Copies Received: 463

Inadequacy of State Regulations upon Which DRBC Regulations Rely The draft rules rely on weak State regulations in many areas such as stormwater management (much gas well development is largely exempted), drilling and casing construction and safety (substandard State requirements in PA), air emission controls (PA exempts gas wells from air standards), and inadequate setbacks and floodplain protection (both NY and PA do not have large enough buffers nor adequately protective no-drill safety areas; homes, public buildings, public roads, public water supply wells and domestic water supply wells are all left out of DRBC oversight and relegated to inadequate state setbacks that have resulted in pollution incidents from gas drilling throughout Pennsylvania). This puts people and their health at risk, increases the likelihood of pollution incidents, will foul air, kill aquatic species, and degrade the exceptional water quality of the River and its tributaries. This review of gas drilling regulations needs to be halted until the necessary studies and protections are adopted and executed.

Correspondence ID: 3054 Database Entry Date: 2/25/2011 Name: Turetz, Meredith

Organization:

Address: 1700 York Ave 10E New York NY 10128 USA

Correspondence Text: Total Copies Received: 472

Need for a Study of the Cumulative impacts from Large-scale Drilling The draft rules do not address the cumulative impacts of water withdrawal and well development; there is no method to control the environmental toll that natural gas drilling and water depletion will take on the land, streams, and River. There are no spacing requirements for the tens of thousands of wells expected that would limit how many wells can be drilled and how close they can be to each other, facilitating the conversion to an industrial landscape. How will the loss'Of clean, freshwater flows from the headwaters of the River and the destruction of the now 89% forested Upper Delaware affect water quality, clean drinking water, habitats and ecological needs downstream? This review of gas drilling regulations needs to be halted until the necessary studies are completed

Correspondence ID: 3412 Database Entry Date: 3/18/2011 Name: jenny, babette

Organization:

Address: Unionvile PA 19375 USA

Correspondence Text: Total Copies Received: 1185

Please extend the comment period for at least a year, and hold more meetings to discuss this. I am deeply concerned about a number of issues that have long-term implications. Thank you for extending the Public Comment period until April 15th, but that is still far too short, because gas development upstream will degrade the entire watershed. Please extend the comment period for two years. We are not protected from high levels of radioactivity in gas drilling waste; this is an outrage! You must hold hearings downriver, including in the state of Delaware. No gas drilling waste should be created in the Delaware River watershed, because there is no way to dispose of it safely. Toxic radioactive waste has already been dumped into our rivers and streams (1.3 billion gallons of it!) without adequate treatment or testing. With absolutely no study, with health impacts ranging from asthma and headaches to nosebleeds, nausea, lesions, and cancer, it is premature for these regulations to be released, let alone finalized. Please maintain a complete gas drilling moratorium and withdraw the draft regulations for gas drilling in the Delaware River watershed, which do not address acute or cumulative health risks. Please wait to take into account the EPA study of deep gas drilling's life cycle impacts. Please rewrite the regulations only AFTER a Cumulative Impact Study has been completed for the Delaware River watershed. The draft regulations fail to take into account the network of pre-existing fractures deep underground which could convey contaminants slowly into groundwater and surface water. Your Compact mandates that you must "prevent future pollution," but these regulations ignore cement casing degradation and hydrogeological evidence that high-volume fracturing could create catastrophic future pollution. Regarding gas drilling waste in the Delaware River watershed (Section 7.6 of the Draft Regulations). One, there must be NO IMPOUNDMENTS for flowback anywhere in our watershed; these open, plastic-lined pits are each a Superfund site in the making, and must be completely outlawed. Two, wastes must be tested for 4NQO, a potent carcinogen known to show up in flowback as a result of chemical interactions. Three, there must be no discharge of gas drilling waste in the basin. Four, there must be no toxic chemicals injected underground as part of gas drilling unless or until the Halliburton Loophole is completely closed and the process is proven safe for the environment and human health. Sincerely, Babette jenny

Correspondence ID: 3440 Database Entry Date: 3/18/2011 Name: Lyman, Kevin G

Organization:

Address: 3898 State Route 3013 Springville PA 18844 USA

Correspondence Text: Total Copies Received: 14

Projected water use for gas drilling is minimal but, under these regulations, the natural gas industry is treated as if it were a major water user. Water use for natural gas should be evaluated and compared with other industries, land uses and baseline flows. There are far too many words such "significant" or "potential impact" strewn throughout the regulations. These are used to justify complete control over water use by the gas industry and it is simply not justified. A quick calculation reveals the water falling on the upper third of the Delaware River watershed during a single 1" rain event could provide the water required to drill almost 16,000 wells, far more than will ever be drilled in the upper basin. The regulations desperately need balance and we suggest the DRBC stop trying to reinvent the subject of regulating gas drilling. Our states already do it well.

Correspondence ID: 3539

Database Entry Date: 3/19/2011

Name: Kept Private

Organization:

Address: Kept Private

White Lake

NY

12786

USA

Correspondence Text:

Total Copies Received: 9

Need to Regulate the Chemicals Used in Hydraulic Fracturing It is shocking and disappointing that the draft rules do not place any restrictions on the chemicals that drillers can use to drill and hydraulically fracture wells in the Basin. According to Dr. Theo Colborn of The Endocrine Disruption Exchange ("TEDX"), almost a thousand different products have been used in fracking fluids. There is no information available on more than half of them. TEDX researchers have reported on the possible health effects of the known chemicals in fracking fluids and it is chilling. Three-quarters of the known chemicals affect the skin, eyes, and other sensory organs, the respiratory system, the GI system, and the liver. Over half affect the brain and the nervous system. More than one-quarter can cause cancer and mutations. More than one-third can affect the endocrine system and can alter normal reproduction and development. In addition, we now know from the House Committee investigation that drilling companies continued to use diesel fuel in some states to stimulate gas extraction even after they claimed and pledged otherwise (In other words, they lied!). These chemicals have entered water supplies as a result of spills at the surface, blowouts, and improper handling of flowback water. DRBC's failure to restrict the use of chemicals known to have adverse impacts on human health - which it could rightfully regulate - is irresponsible and deeply troubling. The DRBC proposes to ask for full disclosure of all fracking formulas but the same current cloak of secrecy for fracking companies will remain in place because the companies will request, and the DRBC will likely grant, trade-secrecy protection. Given the certainty of human error and other avoidable and unavoidable accidents, the DRBC should prohibit the use of toxic chemicals and require less toxic or "green" fracturing compounds which are biodegradable and do not bio-accumulate. Drilling should not occur in the Basin, the source of drinking water for over 15 million people, until the industry can adopt this standard. Companies are working on "green" fracturing fluids now and there is no reason that human health should be put at risk because industry cannot wait until these are available. New York State Department of Health and U.S. Environmental Protection Agency data indicate that 38% of the drinking water in the Delaware River Basin is self-supplied (i.e. private water wells). This drinking water is not treated or filtered at all - like the NYC watershed - and will be especially vulnerable to pollutants. It has been reported that treatment plants cannot adequately purify drilling wastewater laced with highly corrosive salts, carcinogens, and radioactive elements for local municipal water systems and private water companies. I strongly urge the DRBC to revise its proposed regulations to prohibit the use of contaminants in gas extraction processes or, at very least, wait for the conclusions of the EPA study of hydraulic fracturing's impacts on drinking water.

Organization:

Address:

Starlight

PA

18461

USA

Correspondence Text:

Total Copies Received: 6

Frack wastewater should be legally considered as "hazardous waste" and treated as such before the DRBC issues any permits. The Board of Wayne /Susquehanna R.E.S.C.U.E. would like to offer the following with respect to the proposed draft regulations related to natural gas drilling in the Delaware River Basin: The DRBC's mandate is to protect the integrity of the water supplies in the Delaware River Basin. Our contention is that in carrying out this mandate, the DRBC should adhere to the precautionary principle which states that if an action or policy has a suspected risk of causing harm to the public or to the environment, the burden of proof that it is not harmful falls on those taking the action. The evidence that we have reviewed strongly suggests that the gas drilling industry in Pennsylvania has not only failed to meet this burden of proof, but has in fact demonstrated that water contamination issues related to gas drilling are a very real and significant concern. Environmental Protection Agency documentation has revealed that the wastewater produced by hydrofracturing contains radioactivity and other toxic materials at levels that are higher than can be safely handled at wastewater treatment plants. As such, our contention is that hydrofracturing wastewater should be legally considered and treated as "hazardous waste" throughout all four states of the Delaware Water Basin, and that proper disposal methods and locations should be in place for this waste prior to allowing permits for the hydrofracturing of shale gas wells. The recent exhaustive study in The New York Times article of 2/27/11 "unequivocally and definitively establishes that the danger to our health and our environment from hydraulic fracturing is much greater than previously understood; that government regulations have not kept pace with the natural gas industry's expansion and that government on every level lacks the manpower to adequately police the industry." The DRBC's own hydrogeologist says that about 1 million gallons of wastewater is generated per well. The latest predictions are for 15,000 to 18,000 wells in our area, which would mean 15 BILLION TO 18 BILLION GALLONS OF FRACKWATER without proper treatment facilities in place. As residents of Wayne and Susquehanna counties, we've needed to look no further than Dimock, Pennsylvania for confirmation that the practical application of the current regulatory framework has failed to be an adequate safeguard against water contamination due to hydrofracturing. Our question for the DRBC is a very simple one. How can the commission responsibly allow gas drilling and hydrofracturing to go forward in the river basin prior to making certain that we have the water treatment capacity necessary within four contiguous states of the river basin to handle the wastewater?

Correspondence ID: 3668

Database Entry Date: 3/22/2011

Name: N/A, N/A

Organization:

Address:

New York

NY

10038

USA

Correspondence Text:

Total Copies Received: 8

Reliance on State Regulations Is Misplaced and Jeopardizes the Basin The DRBC proposed regulations are wholly inadequate to protect the Basin from contamination because they rely too heavily on State regulations and the enforcement thereof. They are therefore only as protective as the weakest applicable state regulation. Storm-water management (from which much gas well development is largely exempted), drilling and casing construction and safety (totally inadequate in PA), air emission controls (PA exempts gas wells from air standards), and inadequate setbacks and floodplain safeguards (the buffers are totally insufficient to protect homes, public buildings, public water supply wells, and private water supply wells) are some of the areas that will be insufficiently regulated - despite the special and unique characteristics of the Basin. In recent weeks, Pennsylvania's DEP announced it is suspending and reconsidering key air pollution controls governing the drilling industry, and repealed a policy requiring an environmental assessment before issuing drilling permits in state parks. These actions by Governor Corbett and his budget clearly portend a "roll-back" on already weak gas drilling regulations by a very pro-drilling, pro-industry administration. Is this what we will rely on when it comes to the protection of the Basin and the drinking water of over 15 million people? The DRBC must establish a minimum level of protection to guarantee that any drilling in the Basin adheres to the stricter of either state law or the DRBC's regulations. If casing construction standards are insufficient in a Basin-compact state or weakened to appease the extraction industry (as so many other measures have) how can DRBC possibly ensure its mandate to protect the Delaware River from degradation? Without DRBC establishing strict criteria of its own for well construction and operation standards, the Basin really is at the mercy of whichever State has enacted the weakest regulations. Improper well construction, in particular, is a huge contributor to contamination. Hasn't the industry been responsible for enough pollution caused by poor cement jobs, casing leaks, and improper pressure management to make it essential that the DRBC establish its own well construction and operation standards? Section 1.5 of the Compact clearly allows for DRBC oversight of well construction and operation standards for the very reason that "existing offices and agencies of government" since 2008 have been UNABLE to do so in a manner "not inconsistent with the compact" (as demonstrated by the reported 1,052 drilling-related contamination incidents in Pennsylvania). Over 15 million people depend on the Delaware River for their drinking water. If private industry desires to pursue an inherently dangerous profit-making venture in the Delaware River Basin, they must adhere to the strictest possible regulations that the DRBC can mandate. It should not be difficult for these companies to follow a special set of rules within the Basin that differs from either NY or PA in non-Basin areas. Their legal counsel will be more than capable of advising them regarding which of the stricter applicable regulations, state or DRBC, is controlling. I strongly urge that this review of gas drilling regulations be halted until the prerequisite studies are undertaken and protections informed by those studies are adopted.

Correspondence ID: 3909 Database Entry Date: 3/24/2011 Name: koziatek, nick I

Organization: food not bombs

Address: 5508 edsel st harrisburg PA 17109 USA

Correspondence Text: Total Copies Received: 148

As a supporter of American Rivers, I am urging the Delaware River Basin Commission (DRBC) and Executive Director Collier to postpone the adoption of final natural gas drilling regulations and the issuance of any natural gas drilling permits until a full analysis is conducted that evaluates the cumulative impacts of natural gas drilling on the Delaware River system, its communities, and its fish and wildlife. American Rivers listed the Upper Delaware last year as "America's Most Endangered River" due to the threat of natural gas extraction. I am asking you to revise these regulations to ensure that contaminated water supplies, destroyed streams, and devastated landscapes are not tolerated in the rush to develop gas resources. We must protect our water from the potentially harmful impacts of natural gas development and create a healthy future for our rivers and future generations. The DRBC is charged with a legal mandate to "Do No Harm" to the Special Protection Waters of the Delaware River. You are required to maintain the exceptional water quality that now exists in the River and improve it where it needs help; 17 million people who get their drinking water from the Delaware River are relying on you. These draft rules fall far short of meeting that high bar. The draft rules simply do not overcome the handicap caused by rushing the rules forward without needed scientific studies. The rules do not protect from the risk of catastrophic harm from individual wells nor do they address the cumulative impacts of water withdrawal and well development; there is no method proposed to control the accumulated environmental toll that natural gas drilling, land transformation, and water depletion and pollution will take on habitats, streams, communities, and the River. Thank you for the opportunity to comment on this crucial rulemaking. I ask that, after the rulemaking closes, you hold the rules in abeyance until the scientific studies are done so that information can inform regulations that will prevent pollution and avoid degradation. I am concerned about my drinking water, the Wild and Scenic Delaware, and the future of the Watershed. Aquifer and water resource pollution and depletion lasts hundreds of years and cannot ever be fully cleaned up. You must take the time now to ensure that our water is protected.

Correspondence ID: 4314 Database Entry Date: 4/4/2011 Name: Kept Private

Organization:

Address: Kept Private Red Bank NJ 07701 USA

Correspondence Text: Total Copies Received: 26

DRBC has taken some positive steps, like restrictions on siting gas development in particular areas and requirements for pre-authorization of wastewater disposal, that reflect the importance and vulnerability of the basin's natural systems. But the draft regulations are too broad and weak to uphold the DRBC's legal mandate to "Do No Harm" to the Special Protection Waters of the Delaware River. Despite the gas industry's intention to develop thousands of wells over many years, the DRBC made no effort to assess the cumulative impacts of water withdrawal and well development. Nor are there any assessments or plans to address the range of environmental impacts-from stormwater runoff to wastewater discharges to habitat degradation-that are likely to develop and worsen over time. The regulations would require drillers to tell the DRBC which chemicals it uses to frack wells-but the DRBC should go further by demanding public disclosure of all chemicals and considering restrictions on the use of known toxic substances. The DRBC defers to state regulations on critical aspects such as well casing, setbacks, safety, and the use and location of wastewater impoundments. Yet the oil and gas regulations of the Commission's member states are out of date and can not adequately address modern-day industrial gas development that requires large amounts of water and chemicals. With so much at stake, the DRBC should set the bar higher, not just slip under a low bar. The regulations don't contain spacing requirements that would limit how many wells can be drilled and how close they can be to each other. As a result, the basin could be subject to "death by a thousand cuts" and become an industrial zone. The DRBC would require plans for drilling projects, but there's a big loophole that would allow companies to apply for fast-track approvals ("Approval by Rule") that would circumvent some review requirements and public input. This shouldn't be allowed.

Correspondence ID: 4330 Database Entry Date: 4/4/2011 Name: Ognjanovic, Michelle

Organization:

Address: New York NY 10025 USA

Correspondence Text: Total Copies Received: 7

DRBC has taken some positive steps, like restrictions on siting gas development in particular areas and requirements for pre-authorization of wastewater disposal, that reflect the importance and vulnerability of the basin's natural systems. But the draft regulations are too broad and weak to uphold the DRBC's legal mandate to "Do No Harm" to the Special Protection Waters of the Delaware River. Despite the gas industry's intention to develop thousands of wells over many years, the DRBC made no effort to assess the cumulative impacts of water withdrawal and well development. Nor are there any assessments or plans to address the range of environmental impacts-from stormwater runoff to wastewater discharges to habitat degradation-that are likely to develop and worsen over time. The regulations would require drillers to tell the DRBC which chemicals it uses to frack wells-but the DRBC SHOULD GO FURTHER BY DEMANDING PUBLIC DISCLOSURE OF ALL CHEMICALS AND CONSIDERING RESTRICTIONS ON THE USE OF KNOWN TOXIC SUBSTANCES. The DRBC defers to state regulations on critical aspects such as well casing, setbacks, safety, and the use and location of wastewater impoundments. Yet the oil and gas regulations of the Commission's member states are out of date and can not adequately address modern-day industrial gas development that requires large amounts of water and chemicals. With so much at stake, the DRBC SHOULD SET THE BAR HIGHER. The regulations don't contain spacing requirements that would limit how many wells can be drilled and how close they can be to each other. As a result, the basin could be subject to "death by a thousand cuts" and become an industrial zone. The DRBC would require plans for drilling projects, but THEY NEED TO ADDRESS THE FAST-TRACK APPROVAL LOOPHOLE ("Approval by Rule") that would circumvent some review requirements and public input. This shouldn't be allowed. The DRBC needs to fulfill its mandate to keep the citizenry's water safe, and must not coddle corporate interests. The Delaware River Basin, as a Northeasterner, is important to me and our healthy way of life.

Correspondence ID: 4434 Database Entry Date: 4/5/2011 Name: Kept Private

Organization: none

Address: Kept Private Ridgefield NJ 07657 USA

Correspondence Text: Total Copies Received: 263

I am concerned about the potential impacts of gas drilling in the Delaware River watershed and urge you to extend the drilling moratorium until all the necessary scientific studies are completed. The clean water of the Delaware River and the beautiful landscape that borders it draws more than 5.4 million people a year to Delaware Water Gap National Recreation Area and Upper Delaware Scenic and Recreational River. Visitors come to the parks to enjoy the river, to watch wildlife, and to find peace and quiet. The introduction of drilling in or near the parks will drastically change their landscape by disrupting the night skies and soundscape, impacting key habitat, and potentially polluting the water. I am concerned that the draft regulations do not do enough to protect the precious resources of the Delaware River watershed. Specific concerns: There is no restriction on drilling in national park units or on the chemicals that will be used in hydraulic fracturing. There are no limits placed on how many wells can be drilled and how closely they can be spaced from each other. The rules acquiesce to the states in many crucial areas, including stormwater management (Pennsylvania and federal government largely exempt gas well development) and air quality (Pennsylvania exempts gas wells from air pollution standards). There is no method proposed to control the environmental toll that natural gas drilling, land transformation, and water depletion and pollution will have on habitats, streams, communities and the Delaware River. The Delaware River, Delaware Water Gap NRA, and the Upper Delaware SRR are precious resources, and we must do all we can to protect them now and for future generations. Thank you for taking the time to speak up and take action for the scenic Delaware River. Together we are making a difference for wildlife and visitors of Delaware Water Gap National Recreation Area and Upper Delaware Scenic and Recreational River. Sincerely, Marie D'Anna

Correspondence ID: 4519 Database Entry Date: 4/5/2011 Name: Kept Private

Organization:

Address: Kept Private Medford NJ 08055 USA

Correspondence Text: Total Copies Received: 8

We are opposed to the draft natural gas development rules being proposed by the Delaware River Basin Commission. The proposed rules do not require a comprehensive plan and will not prohibit shale drilling in the flood plain and other environmentally sensitive areas. The rules do not limit the total amount of Marcellus Shale drilling permits or the number of wells. The average well uses 2.5 to 4.5 million gallons of water for fracking, many wells are fracked two to three times. Drilling will require trillions of gallons of water. The rules do not regulate the clearing of forests. Each well will destroy 15 acres of forest and require a half mile of roadway. There are currently proposals for up to 30,000 wells. This could mean the removal of 450,000 acres of woodlands and 15,000 miles of road. With all the runoff and pollution that comes with that. The rules do not look at the impact from the building of roads. The secondary impacts of drilling road construction. Road construction for truck transport of process water and waste fluids will carve through our natural areas. This will fragment the forest inviting in invasive species and altering the ecosystem. The rules do not provide proper management of stormwater or water used for fracking, or the discharge and storage of polluted waters. Thirty to 70% of this water is left in the wells, and can lead to contamination of drinking water wells. Sufficient properly licensed and operated water treatment facilities do not exist and are not planned in the Delaware River Watershed to manage the waste fluids. Many of these places are in such rural areas that they lack sewage plants altogether. The rules do not adequately regulate the associated pipelines. New Jersey will also be impacted by six proposed natural gas pipelines from the River Basin through the Highlands region of the state. The proposed lines include the Tennessee, Transco, Iroquois, Algonquin, Columbia and Millenium lines. The rules do not provide real regulatory authority to deal with the contaminated ground water that may be left behind, which could get in to streams or the aquifer. There is no comprehensive list of the toxic chemicals involved that could end up in the water supply. Drilling for natural gas in the Marcellus Shale involves horizontal drilling and hydraulic fracturing. This requires mixing millions of gallons of water with toxic chemicals including volatile organic chemicals like benzene, methyl benzene, formaldehyde, and others that are linked to cancer. The process also releases toxic chemicals like arsenic and mercury that are naturally trapped in the shale. Again, we are opposed to the draft natural gas development rules being proposed by the Delaware River Basin Commission.

Correspondence ID: 4590 Database Entry Date: 4/5/2011 Name: N/A, N/A

Organization:

Address: syracuse NY 13210 USA

Correspondence Text: Total Copies Received: 11

Please keep the current moratorium on drilling in place and tighten the draft regulations to ensure drilling does not harm the Delaware River and the scenic landscapes that surround it. Water is one of those crucial tipping points and with the large population living in the East, it is imperative that we protect all the resources available.

Correspondence ID: 4860 Database Entry Date: 4/5/2011 Name: N/A, N/A

Organization:

Address: merrick NY 11566 USA

Correspondence Text: Total Copies Received: 2

STOP!!! NO gas drilling in the Delaware River Watershed ever!!!!!! We are stewards of our environment, not destroyers!!!!!!
Enough! Grow up, and respect Mother Nature!!!!!!!!!!!!!!

Correspondence ID: 5006 Database Entry Date: 4/6/2011 Name: Kogan, Robert

Organization:

Address: 87 Main Street, Unit B2 Tarrytown NY 10591 USA

Correspondence Text: Total Copies Received: 3

As residents of Tarrytown, NY where we enjoy fresh water from the Delaware Basin we are very concerned about the introduction of hydrofracking in this very sensitive area. - Hydrofracking would affect 120,000 acres of land. - 270 billion gallons of water would be needed to frack the wells. Water that should be used for human use. - 30 million truck trips are necessary to service these wells, which would bring in its wake, pollution, environmental and road damage. - As much as 216 billion gallons of toxic chemicals would be injected into the earth. Experience in Pennsylvania and Colorado has shown that people were igniting water coming out of their drinking water taps after hydrofracking wells were created in their immediate vicinity. - As much as 54 billion gallons of contaminated water would be left above ground needing treatment. We do not now have effective ways to treat this waste. The current draft plan does not address the following: 1. The cumulative effects of water withdrawal, waste disposal or well development. This is a great mistake 2. There are no restrictions on the chemicals used in fracking. This is a grave error 3. There are no standards for what will be in wastewater and how it is to be cleaned. This is a severe omission 4. The draft plan relies on current state regulations such as stormwater management procedures, which have proven to be inadequate in other hydrofracking areas. This water belongs to the people of New York, New Jersey and Pennsylvania. The economic "benefits" of methane gas mining would be nothing compared to the human devastation to people in this area.

Correspondence ID: 5202 Database Entry Date: 4/7/2011 Name: Kept Private

Organization:

Address: Kept Private Warwick NY 10990 USA

Correspondence Text: Total Copies Received: 5

As a resident of Warwick, NY, where gas drilling has begun, and a recreationalist on the Gap, I have great concerns about gas drilling in the Water Gap. I am concerned about the potential impacts of gas drilling in the Delaware River watershed and urge you to extend the drilling moratorium until all the necessary scientific studies are completed. The clean water of the Delaware River and the beautiful landscape that borders it draws more than 5.4 million people a year to Delaware Water Gap National Recreation Area and Upper Delaware Scenic and Recreational River. Visitors come to the parks to enjoy the river, to watch wildlife, and to find peace and quiet. The introduction of drilling in or near the parks will drastically change their landscape by disrupting the night skies and soundscape, impacting key habitat, and potentially polluting the water.

Correspondence ID: 5223

Database Entry Date: 4/8/2011

Name: Goggin, Brenna R

Organization: Delaware Nature Society

Address: P.O Box 700

Hockessin

DE

19707

USA

Correspondence Text:

Total Copies Received: 1

The Delaware Nature Society is a private, non-profit, membership organization with more than 8,000 members statewide that works to foster understanding, appreciation, and enjoyment of the natural world through education, advocacy, and preservation. As Delaware is downstream of the Marcellus Shale formation, and the Delaware River provides drinking water to over 15 million people, the Delaware Nature Society has obvious concerns regarding water and air quality impacts from natural gas drilling. Included in the Delaware River Basin Commission's (DRBC) vision is: "The Commission will be the leader in protecting, enhancing, and developing the water resources of the DRBC for present and future generations by basing decisions on sound science." The Society strongly encourages the Delaware River Basin Commission (DRBC) to stand by that vision and wait for sound science to show how natural gas drilling will impact the watershed through a cumulative impact analysis of natural gas development and the Environmental Protection Agency's study of hydraulic fracturing and its impact on drinking water, the environment, and public health. The EPA plans to release their study in 2012. If the DRBC chooses to move forward with the regulations without the two studies mentioned, we respectfully request the DRBC take these concerns into consideration during the decision making process. We appreciate the DRBC's efforts to fill gaps left by Pennsylvania's lax regulations. However, the rules still leave some loopholes open or unaddressed.

- The draft regulations lack spacing requirements that would limit how many wells can be drilled and how close they can be to each other. The draft includes a 500 foot setback of gas well pads from water bodies, wetlands, surface water supply intakes and water supply reservoirs. Water supply intakes and reservoirs need protection based on drainage patterns and the condition of the setback area (such as slope and vegetation) in order to provide needed buffering. Therefore, setbacks should be determined on a on a site by site basis, but be no less than a 500 foot radius.
- Setbacks from homes, public buildings, public roads, public water supply wells and domestic water supply wells are all left out of DRBC oversight and relegated to inadequate state setbacks that have resulted in pollution incidents from gas drilling throughout Pennsylvania. ProPublica, an investigative news site, found over 1,000 reports of water contamination near drilling sites . More stringent oversight and enforcement of regulations are required to prevent continuing contamination problems.
- A major concern in hydraulic fracturing are the amount and types of chemicals used to drill and "frack" gas wells. Many of these chemicals are not disclosed, endangering the drinking and ground water for thousands of residents. Although the draft regulations ask that the identity of all chemicals be disclosed to the DRBC, there is still an issue with enforcement. Last year, the Scranton Times-Tribune found that although required to, a natural gas company's documents provided to regulators investigating chemical leaching into wetlands and streams did not "specify the chemicals in the fluid and provided virtually none of the information environmental regulators needed to evaluate the spills. " In the Marcellus Shale especially, radioactivity is also a concern. Mixing unknown fracking chemicals and a radioactive Shale could create a disastrous situation. As natural gas companies lack any mechanism for keeping track of the total amounts of radiation entering the watershed from all sources, there is a possibility that they could reach levels high enough to cause unacceptable levels in our commercial food chain ---oysters and other fish/seafood.
- The draft rules do not prescribe wastewater standards for all of the specific constituents of gas drilling wastewater; under the draft rules, the removal of all toxic substances will not be accomplished. Many toxic chemical hazards are in gas drilling wastewater and because of the federal exemption from disclosure, they are not all known. However, NY listed hundreds in their Draft Supplemental Generic Environmental Impact Statement. While we recognize and appreciate DRBC proposing a treatability study for waste fluids and acute toxicity testing for treatment systems before a plant can accept it, we are concerned about allowing for waivers and leaving off key parameters such as radon, hydrogen sulfide and chemicals. The Society requests that DRBC include in their regulations a comprehensive control of toxic wastewater that will take into account the cumulative effects of all the different toxins added from different locations. The Society is also concerned that the draft regulations rely heavily on weak State regulations:
- Due to a federal exemption under the Clean Water Act, stormwater management practices that are required for all other earth disturbance greater than an acre are not required for gas development. Pennsylvania exempts gas and oil activities from many key areas of stormwater, erosion and nonpoint source pollution control requirements. By deferring to state standards, the draft DRBC regulations threaten Pennsylvania's water quality and drinking water supplies.
- The lack of adequate construction safety standards, in some cases even below industry standard, is causing pollution incidents, well blowouts, stray gas migration throughout Pennsylvania. We request DRBC implement regulations in addition to existing state law.
- Air pollution from gas wells and wastewater impoundments is not addressed by the DRBC, despite PA's exemption of gas wells from air standards. NY's Draft Supplemental Generic Environmental Impact

Statement identifies large amounts of hazardous air pollution (methanol) and other pollutants that will violate NY's air emission standards. In Texas and other areas, gas extraction and production is degrading air and human health. While local air quality in Maryland, Delaware, Pennsylvania, and New Jersey have slowly improved, reductions from both the state of Delaware and the surrounding Delaware Valley has not succeeded in bringing these states into attainment. This is due mostly to heavy industry to the northwest and lax state air quality regulations in surrounding states. The air quality in Delaware will continue to decline if DRBC does not address the air pollution caused by natural gas drilling. • One of the major sources of air pollution is from wastewater impoundments, from which toxic contaminants volatilize to the air, then are breathed in or deposited on soil and water, causing highly mobile pollution. We are disappointed that DRBC proposes no setback requirements for impoundments, deferring to the states. For on-site pits up to 250,000 gallons, PA's setbacks are the same as for gas wells, which is only 100 feet from a water body, as close as 20 inches above the seasonal high water table and no mention of a setback from a water supply well. • The rules would allow for fast track approvals (Approval by Rule) by the Executive Director with streamlined review and without public input for much of the gas drilling and some water withdrawals. This loophole will lead to the "death of a thousand cuts". Speeding up gas development has led to communities and the environment suffering huge numbers of violations on well sites. 2,755 natural gas wells were drilled in PA in 2010; in the same timeframe, 2,486 violations were noted by PADEP. Thank you for the opportunity to comment.

Correspondence ID: 5424 Database Entry Date: 4/10/2011 Name: N/A, N/A

Organization:

Address: ottsville PA 18942 USA

Correspondence Text: Total Copies Received: 3

It is fact, which neither side disputes, that air pollution with methane (which can asphyxiate humans), radon (RADIOACTIVE gas), and hydrogen sulfide (as toxic as hydrogen CYANIDE) will definitely occur in all communities being fracked - it is an unavoidable outcome from fracking.. Radon is the #2 cause of lung cancer in the world, and methane can cause asphyxiation and even death by replacing oxygen in the body. Hydrogen sulfide causes damage to the brain and other organs, and can cause dementia, ADHD-like symptoms, and even death. Unlike other US industries, natural gas drilling is exempt from the US Clean Air Act, so anything can be released into the air. The DRBC has failed to even address how these poisonous gases will be monitored, and how persons who lose their health will be cared for and remunerated for healthcare costs. I want the DRBC to require that drillers be responsible for alerting residents of times when they will have to evacuate, responsible for temporary (or permanent) relocation costs during such evacuations, required to do regular air monitoring, and responsible for any and all air quality-related healthcare costs.

Correspondence ID: 6363 Database Entry Date: 4/12/2011 Name: Zola, Abbie

Organization:

Address: 3 Washington NJ 07882 USA

Correspondence Text: Total Copies Received: 27

I write to make comment about the DRBC Draft Natural Gas Development Regulations. As we all know, hundreds of different chemicals will be used by the natural gas drilling firms as they pursue natural gas drilling in the Delaware River Basin. Many of the chemicals known to be used for such endeavors are PROVEN neurotoxins, carcinogens, and teratogens. Furthermore, only 20% of the fluids injected into the ground return through flow back, resulting in 80% of it remaining in the earth. Chemicals like this that are injected and that, especially, remain in the earth pose a serious health hazard to area human (and animal) populations. These hazards are extreme and deadly. It is for that reason that the drillers who plan to drill in the area managed by the DRBC must be required to use only non-toxic chemicals. Deep water oil drillers are required to use non-toxic agents. Why would we require any less of drillers using chemicals in our communities where we live, drink water, and carry out our daily activities? It must be a requirement of them to use only non-toxic chemicals. Thank you for your serious consideration of these matters.

Correspondence ID: 6973 Database Entry Date: 4/13/2011 Name: Kept Private

Organization:

Address: Kept Private Doylestown PA 18901 USA

Correspondence Text: Total Copies Received: 3

I want the DRBC to require the drillers to report all spills, leaks, and explosions within 10 minutes of the event, and I want the DRBC to specify an exact emergency response plan if such a leak, spill, or explosion occurs (and want the driller to be financially responsible for execution of that emergency response)! I STRONGLY OPPOSE Fracking in the Delaware River Basin!

Correspondence ID: 6977 Database Entry Date: 4/13/2011 Name: Kept Private

Organization:

Address: Kept Private Doylestown PA 18901 USA

Correspondence Text: Total Copies Received: 2

I AM OPPOSED TO FRACKING IN THE DELAWARE RIVER BASIN! I want the DRBC to place limits on how much water can be utilized by each well in each area over a specific period of time if this terrible drilling is passed! This is a disgrace that it is even being considered by our officials!

Correspondence ID: 6984 Database Entry Date: 4/13/2011 Name: Kept Private

Organization:

Address: Kept Private DOYLESTOWN PA 18901 USA

Correspondence Text: Total Copies Received: 2

I OPPOSE DRILLING AND FRACKING IN THE DELWARE RIVER BASIN. I OPPOSE the gas companies taking land by enamant domain! THIS IS WRONG FOR PENNSYLVANIA AND WRONG FOR THE DELAWARE RIVER BASIN. I URGE THE MEMBERS OF THE DRBC TO VOTE A RESOUNDING "NO" TO THE GAS COMPANIES ON EVERY ISSUE. DO NOT ALLOW THEM ANY ACCESS INTO THE DELAWARE RIVER BASIN!

Organization:

Address: Kept Private Kintnersville PA 18930 USA

Correspondence Text: Total Copies Received: 2

FRACKING DILEMMA My family has lived in Pennsylvania for generations. I was born and raised here. Like many Pennsylvanians, I am extremely concerned about natural gas drilling in our state. The pace of development is much faster than the safety enforcement. I fear that the industry has gotten ahead of itself and if not properly reined in, it will not take the time and effort needed to proceed safely, resulting in an unintentional catastrophe whether it is environmental, social, or economic. Please allow the moratorium on natural gas drilling to continue at least until the EPA report is completed in 2012. The findings from the report will allow for a scientifically informed decision which includes appropriate regulations and inspection procedures to ensure a lasting Pennsylvania worth living in for generations to come. Some of the numerous issues that must be resolved before moving forward are: ENERGY: Clearly, we need energy. But we are consuming far more than is necessary. Incentives to reduce consumption must be the first step in our energy plan above and before all else. Once these incentives are in place, we need to evaluate the full range of energy sources that are available, both non-renewables (oil, natural gas, nuclear, etc.) as well as renewables (solar PV, solar thermal, wind, micro-hydro, bio-digesting of animal/human waste and land-fills, etc.) Ultimately, a diverse renewable energy system paired with conservation is the only truly long-term solution to our energy crisis. If natural gas is to be developed further, it should be viewed as a transition fuel (an energy source that will power our move from oil to renewables) not as a solution in and of itself. Otherwise we are not only putting off today what we will be forced to deal with in the future, but we are exacerbating the entire problem to unnecessary levels. If we proceed as usual, by just replacing oil with natural gas and ignoring transition to renewables, we will end up without any fast fuel to build the lasting energy system that we will inevitably require. We must strive for real solutions, not delays disguised as technological panaceas. Germany, which is a country about 3 times the land size of Pennsylvania (137,847 sq. miles vs. 46,055 sq. miles) and over 6 times the population (Germany = 82.4 million and PA = 12.5 million) but a very similar topography and climate, is making the transition to renewables now. It is already producing approximately 7,260 GWh/year with solar PV alone. They plan to be utilizing 80% renewable energy by 2050 and are on pace to do so. Companies like Desertec (<http://www.desertec.org/>) are showing how the world can be powered with thermal solar while the UK is demonstrating how methane capture from waste streams like landfills and human waste can be abundant energy sources. It can be done but we must think differently about energy. ECONOMICS: Who is making the money? What are the hidden costs? Standard financial assessments of hydraulic fracturing, and other conventional energy systems for that matter, do not take into consideration the external costs such as health effects, socio-economic gap expansion, global warming, community breakdown, etc. Not to mention the unknown variable of the cost of unanticipated effects and accidents. We have heard time and time again that health is priceless. This seems to be the problem. We find it difficult to put a price on health, clean air, clean water, stability, or even potentially destructive unknowns, so we merely choose to exclude them in our economic calculations. It is astonishing that we assign the most important elements in our lives the least value quantitatively: ZERO. To assess the real scope of the effects of hydraulic fracturing, we must find a way to adequately represent these qualitative factors before making any decisions. Hubris cannot be our guide in this endeavor. There are numerous unknowns whenever disrupting the geological pace of the earth or the etched patterns of rural America. We must respect that these shale beds and small towns are not accustomed to rapid changes. In the process of fracking we may be unhinging vital cycles that we are yet to appreciate fully. I ask that we proceed with thoughtful and protracted caution, not willful and venal arrogance. For a simple and clear explanation of externalized costs watch "The Story of Stuff" (<http://www.youtube.com/storyofstuffproject#p/u/22/9GorqroigqM>). SOCIO-ECONOMICS: Some projections for job creation for 2011 by the natural gas industry as a whole, is somewhere around 100,000 jobs. We should be sure to ask not simply the number of jobs that will be created but what is the quality of these jobs? And for how long will these jobs last? Most of the long-term drilling jobs go to a much smaller number of people who are mostly veteran roughnecks from Texas and Oklahoma. Some local Pennsylvanians will find jobs as truck drivers, subcontractors, waiters, bartenders, and other service positions. These service-oriented jobs will dwindle as the drilling process comes to an end and where will that leave Pennsylvania? After watching Wal-Mart and other faceless entities swallow up small towns one by one and leaving a wake of homogenous dependency, I want to ensure that this same process does not continue to happen with the Natural Gas Rush in Pennsylvania. Here too, it is essential to be thoughtful and protracted in our approach to energy development. After this flush of wealth, the local people should be better off than before but so often it is the exact opposite. Small businesses dry up as many of their employees jump ship for more lucrative jobs with the gas industry. But the gas jobs are fleeting and soon the

industry moves on to other locales. In that short time, local small businesses have faded away, rents have skyrocketed pushing out many residents never to return, and the landscape is now spotted with industry. So even if there are no pollution related effects, the town still dies and people are forced to leave to look for a new way to make a living, starting over from scratch in many cases. It is also interesting that natural gas is touted as the way to "save" the American farmer. But there are many renewables that offer farmers the same benefits without the risks. Wind turbines are easily established and large farm buildings offer ample surface for carrying solar panels. Also, farmers can turn production waste into profit streams by installing methane digesters to process affluent. On average a single cow produces methane gas equal to 50 gallons of gasoline per year. If the PA dairy industry were utilizing this technology, it would produce energy equal to about 30,000,000 gallons of gasoline. This is all accomplished passively and utilizing what would otherwise be a waste management issue. There are already several farms that have transitioned to renewables. On average these farms use about 20% of the energy that they produce to cover all farm and household demands while selling the remaining 80% back into the grid. Be sure to check out the Brubaker Farm near Mount Joy, PA for more details (http://www.nativeenergy.com/pages/brubaker_family_dairy_farm_methane_project/425.php). Below is a brief summary of the benefits of methane digesters on farms. Benefits- 1. Produce own energy to power farm and farmer households (20% of energy produced) 2. Sell surplus energy to grid (80% of energy produced) 3. Use by-product of methane digestion known as "solids" for bedding for cows (a savings of \$30,000 per year per 750 cows) and surplus is then sold to other neighboring farms 4. Use liquid by-products of methane digestion as no-till fertilizer eliminating the cost of importing fertilizer 5. Heat produced during the digesting process is utilized to heat water for farm and household use as well adding to the energy savings 6. Savings in cost of healthcare of livestock because the "solids" used for about that coal, oil, and natural gas practices, at some level, are environmentally destructive, advance climate change, and carry challenging social implications. Any future development should be approached as backup for solar, wind, and other renewables. A lifecycle analysis of the fracking process including the accumulative effects of wide-spread drilling on air and water is essential before any further steps are made. And it is imperative to ensure that we don't exacerbate one major public health threat while trying to solve another one. Beyond the severe risks, it is simply unnecessary to pursue drilling in the Delaware River Basin when energy conservation avenues and substantial alternative energies are available. Actions to achieve before moving forward include:

- Establishing incentives to reduce energy consumption must be the first step in our energy plan.
- Making irreplaceable watersheds like the Delaware River Basin off limits to drilling
- Creating energy goals geared towards diverse renewable energy systems utilizing natural gas as a transition fuel
- Representing adequately the qualitative factors as well as the quantitative factors when calculating effects and outcomes.
- Ensuring stability, safeguards, and compensation for affected communities
- Giving EPA the authority to oversee hydraulic fracturing under the Safe Drinking Water Act
- Requiring full public disclosure of the chemicals used in the process under the Community Right to Know law
- Requiring drillers to disclose and track wastewater from withdrawal from wells to its disposal
- Requiring recycling of wastewater to reduce overall pollution
- Mandating adequate tests for radioactive elements and other contaminants in wastewater and regular testing of water supplies near drill sites before, during, and after drilling including old and abandoned wells to detect contaminants
- Developing air and water emission limits by the EPA based on best management practices, and the states shall enforce them. To pay for enforcement and wastewater treatment costs, gas producers should pay a small fee per trillion cubic feet.
- Making mandatory the EPA's now "voluntary" Natural Gas Star program to capture fugitive methane from wells. EPA reports that current participants turn a profit from selling the methane, so this will not add to producers' costs.
- Making a comprehensive and credible study of the lifecycle greenhouse gas emissions including the accumulative effects of wide-spread drilling on air and water is essential before any further steps are made
- Ensuring dust free sand silos.
- Keeping the pace of effective regulations and enforcement systems ahead of expansion.

Thank you for your time and energy.

Correspondence ID: 7353 Database Entry Date: 4/14/2011 Name: Berman, Phyllis

Organization: The Shalom Center

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Correspondence Text: Total Copies Received: 12

Dear Commissioners: The New York Times recently confirmed that gas drilling wastewater with radioactive elements, toxic chemicals, and salt is being and has been discharged into rivers across Pennsylvania. We need to protect our drinking water by protecting the Delaware River Watershed! Cornell researchers have just reported that fracking natural gas results in MORE methane in the atmosphere, hence more climate ruination, than CO2 from coal burning, per BTU of energy produced. So we also need to protect our planet along with our own drinking water. Please impose a moratorium on all fracking that affects the Delaware basin, while we insist on full disclosure by the companies of the poisonous chemicals they are imposing on our drinking water. Thank you. Rabbi Phyllis Berman

Organization: National Audubon Society

Address: Newtown Square PA 19073 USA

Correspondence Text: Total Copies Received: 1

April 14, 2011 Carol Collier Delaware River Basin Commission 25 State Police Drive P.O. Box 7360 West Trenton, NJ 08628-0360 Comments of Audubon New York and Audubon Pennsylvania Re. DRBC's Draft Natural Gas Development Regulations Pursuant to the notice of the Delaware Regional Basin Commission (DRBC) regarding proposed new water quality regulations of gas drilling in the basin, Audubon New York and Audubon Pennsylvania respectfully submit the following comments. Audubon New York and Audubon Pennsylvania, state programs of the National Audubon Society representing 48 local chapters and 80,000 members, are deeply concerned with the impacts increased natural gas development could have on birds, other wildlife and their habitats in the region. This large scale energy development could have serious impacts to important forest and wetland habitats that support many Species of Greatest Conservation Need as well as risks to water quality of importance to ecosystems and human communities alike. Using internationally accepted criteria, Audubon has identified Important Bird Areas across the nation – areas that represent the most important habitats for birds of conservation concern. Of these, 45 Important Bird Areas are in the portion of the Delaware River Basin likely to be impacted by Marcellus shale drilling. These Areas include some of the region's best remaining unfragmented forests which are critical for the viability of forest-breeding birds. These same forests provide critical ecological benefit to our watersheds and our communities as well, maintaining the high water quality which distinguishes so much of the Basin. Our comments focus most heavily on those proposed regulations that most directly affect these resources in the Basin. Overview The rapid escalation of regional gas drilling activity introduces new uses of, and risks to, the land and water resources of our states at a scale which far outpaces other development activities today. In the face of this situation, Audubon strongly supports the Commission's efforts to establish, under its statutory authority, appropriate regulation and oversight of the siting, construction and use of drill sites and over the associated water withdrawals and wastewater disposal activities. As the Commission noted, at the expected buildout of 15,000 to 18,000 horizontal wells, shale gas drilling is expected to result in upward of 2,000 wellpads, a footprint of more than 10,000 acres and tens of billions of gallons of water use. The footprint estimates rise substantially as associated infrastructure is factored in. It is therefore important to establish, without delay, stronger oversight with the necessary safeguards to ensure better protection against pervasive and irreversible consequences of poorly controlled shale gas development. Replacing piecemeal well-by-well permitting with a more systematic and comprehensive approach is an important step toward more effective regulation. Audubon strongly supports the Commission's initiative to oversee drilling activities on a basin-wide scale as a strategy that will better avert undesirable impacts from large scale changes in land use and water withdrawals. With the cross-jurisdictional authority granted to it under the DRBC Compact, the Commission has a responsibility to address water protection at this larger scale. The DRBC's obligation to take a holistic view must be built upon an effective enabling framework, including the analytical tools necessary for basinwide assessment and oversight. Accordingly, we view the provisions requiring the preparation of Natural Gas Development Plans and the examination of cumulative impacts as foundational to the execution of the Commission's duties. Setbacks and Exclusions Sensitive areas and priority conservation sites must be avoided in the siting of wellpads and associated infrastructure. We therefore support the Commission in excluding wellpads from flood hazard areas, wetlands, steep slopes, and critical habitat areas for threatened and endangered (T&E) species. We note that the regulations, while promoting the avoidance of areas with T&E species, do allow for mitigation. Because mitigation cannot always compensate for losses of critical habitat areas, it is critical that determinations on mitigation options only be made by the respective agencies with trust responsibilities for those species. We call upon DRBC to clarify the language on T&E species mitigation decisionmaking to clearly identify that these decisions rest with the respective state or federal agencies. We further support DRBC in establishing defined setbacks from wetlands, water bodies, and other features, creating important protective buffer zones which will lessen water quality degradation due to runoff and sedimentation. We recognize that DRBC is balancing both environmental and water quality considerations against gas resource development considerations in its buffering guidelines. We would ask that the monitoring requirements stipulated in the guidelines be used to scrutinize whether these buffers are sufficient to achieve the desired protective outcomes, and that provisions be made for strengthening these buffering requirements in one to two years after the regulations go in to effect if the buffers do not provide adequate performance. In particular, we ask that the Commission plan to re-examine floodplain siting outside the flood hazard areas, as well as the buffers around wetlands, and to strengthen these provisions in the future if need is demonstrated. Natural Gas Development Plan Adverse impacts from siting in high value ecosystems can best be avoided by early consideration of known landscape features via constraints mapping.

Consequently, in our view, DRBC's requirements for constraints mapping and for early basinwide planning via the Natural Gas Development Plan (NGDP) process are instrumental to improving oversight of Basin resources. Without the NGDP, the Commission's ability to effectively carry out its mandate will be substantially impaired. The NGDP must be the central mechanism by which DRBC oversight of drilling is implemented. To improve the proposed NGDP process, the requirements to map Natural Heritage Program areas should be expanded to include Conservation Opportunity Areas (or other designations of State Wildlife Action Plans) as well as areas of concern to federal authorities. Further, we ask DRBC to strengthen this provision to require that the developer avoid those resources or provide proofs why such avoidance is not feasible. Where these resources can be avoided, we urge the Commission to use its approval authority for such protection. Approval By Rule (ABR) Audubon supports DRBC's incentivizing ecologically sound siting by use of the streamlined Approval By Rule permitting process while maintaining its standard docket approval process for projects involving forested areas. The tiered ABR-Docket permitting framework will help lessen forest loss and fragmentation by expediting approvals in less sensitive, non-forested locations. Absent such incentives, the region may see a widespread pattern of placing drilling pads every square mile, with accompanying new access roads and pipeline rights-of-way. Forest fragmentation of this scale and magnitude is not conducive to sustainable forest management and will negatively impact species of conservation concern, including many Neotropical migrant bird populations. The degradation of the interior forest and its associated functions and processes from such large scale change would precipitate substantial increases in runoff and sedimentation and an overall deterioration in stream quality. Further, the ABR considerations should be expanded to add an exclusion for priority Natural Heritage Program areas and Conservation Opportunity Areas, as determined by the respective state agency, from ABR-eligible projects. Frequently, these resource areas will include the fo

Correspondence ID: 7528 Database Entry Date: 4/14/2011 Name: Burke, Siobhan T

Organization: Capital District Against Fracking

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Natural Gas Development Regulations - DRAFT I support a ban on hydraulic fracturing in the Delaware River Basin. There is extensive research documenting potential dangers that the process poses to water, which are detailed in Food & Water Watch's report, Not So Fast, Natural Gas: Why Accelerating Risky Drilling Threatens America's Water and recently in the New York Times investigative report of February 27, 2011. There have been more than 1,000 documented cases of water contamination near drilling sites around the country. Fracking chemicals are toxic and can leak into drinking water when injected or contaminate water from spills or accidents; it produces a hazardous wastewater, which can contain radioactive substances as well as toxic chemicals, making disposal difficult and dangerous. It requires millions of gallons of water, which can deplete local water supplies. Fracking can cause natural gas to migrate into drinking water sources, which can cause houses and wells to explode. If homeowners' wells are contaminated with methane or fracking chemicals, as happened in Dimock, Pennsylvania, residents are forced to find new sources of water, which can come at great expense to the public. I am very concerned that the DRBC is moving forward with regulations rather than prohibiting drilling. These proposed regulations are not strong enough to protect the public from the impacts of gas drilling. Among other issues: - They do not specify spacing requirements between wells, which could allow many wells drilled close together, creating an industrial landscape. - They do not address the possible harm from cumulative water withdrawals. - They do not specify wastewater standards for the chemicals specific to hydraulic fracturing fluids and radioactive elements that may be present in the produced water that comes along with gas drilling. - They rely on inadequate state regulations in many regards, including stormwater management, well construction, and wastewater storage facilities. - They do not consider the impacts that air pollution can have on water quality. I urge the commission not to move forward with implementing regulations on gas drilling without adequate scientific review and input from the public, and I encourage the commission to pass a ban on fracking in the Delaware River Basin. Thank you for your consideration in this matter.

Correspondence ID: 7666 Database Entry Date: 4/15/2011 Name: N/A, N/A

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Correspondence Text: Total Copies Received: 5

April 15, 2011 Commission Secretary DRBC P.O. Box 7360 25 State Police Drive West Trenton, NJ 08628 Re: Draft Natural Gas Development Regulations proposed by the Delaware River Basin Commission - "Approval By Rule" Dear Commission Secretary: I am particularly concerned about the DRBC's determination to consider fast track hydraulic fracturing in the Delaware River Basin through "Approval By Rule" (ABR) rather than through the normal procedure, which provides for public notice and hearing. The Draft Regulations permit ABR for a range of actions without even specifying the criteria that would justify such streamlined approval. I respectfully submit that, at the very least, in advance of a cumulative study of the effects of hydraulic fracturing within the Basin, ABR should be withheld so that the general public has an opportunity to be heard with respect to all activities related to gas drilling. Also, while I understand that ABR is supposed to benefit smaller drilling companies, this loophole is susceptible to manipulation by larger concerns that can easily create a number of dummy corporations to avoid public scrutiny. Finally, standards for granting ABR need to be specified and subjected to public comment before being permitted. As proposed, ABR appears to be a thirty-day formality with a ten-year tail of consequences that are sufficiently grave to merit the DRBC's full attention through the docketing procedure. Thank you for considering my comments. Erica Soehngen 497 Pacific St., 1B Brooklyn, NY 11217

Correspondence ID: 7670 Database Entry Date: 4/15/2011 Name: N/A, N/A

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Correspondence Text: Total Copies Received: 3

April 15, 2011 Commission Secretary DRBC P.O. Box 7360 25 State Police Drive West Trenton, NJ 08628 Re: Draft Natural Gas Development Regulations - Toxic Chemicals in Fracking Fluid Dear Commission Secretary: I am particularly concerned about the DRBC's determination to permit unconventional gas extraction in the Delaware River Basin utilizing dangerous and undisclosed chemicals. The Draft Regulations do not prohibit a single chemical from being used within the basin, despite the well-established and widespread use of dozens of toxic substances in all phases of shale gas extraction. These include biocides, endocrine disruptors, nerve toxins and highly dangerous carcinogens, all of which should be strictly prohibited so the DRBC can fulfill its mandate to preserve water quality. In addition:

- The DRBC should maintain a publicly accessible database of all the substances used in each well. This will allow first-responders to treat injuries as rapidly as possible as well as assist the general public in testing drinking water for potentially dangerous substances.
- The Draft Regulations should require pre-permitting seismic testing and activity reports, which may determine whether the impacts of shale gas extraction will be confined to the area defined by the permit application.
- The DRBC should require HVHF to use "tracer" inert substances that can determine the source of spills, contamination, and subsurface movement of any hydraulic fracturing fluid.
- Pre-permitting tests of all existing sources of drinking water such as wells, reservoirs, and/or springs within one mile of any proposed well pad, or within one-half mile of any horizontal drilling route, should be required to set baselines. These tests should be repeated within thirty days of any hydraulic fracturing and on an annual basis thereafter for the productive life of every well. Testing should continue every five years thereafter. All test results should be (a) sent to the users of every such water source; and (b) made available to the general public through the DRBC's website. Thank you for considering my comments. Respectfully submitted, Erica Soehngen 497 Pacific St., 1B Brooklyn, NY 11217

Organization: Gasland film

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Correspondence Text: Total Copies Received: 4

Delaware River Basin Commission- I am writing to the Delaware River Basin Commission in fierce and passionate opposition to permitting large scale industrial gas drilling anywhere in the river basin. The Delaware river basin is a watershed area, a national treasure and should not be industrialized by large scale gas drilling. The process will destroy property value, fragment and fracture the land, contaminate water resources, pollute air quality, create a public health crisis, it will significantly harm the tourism industry in the region and make the area unfit to live in. I am the filmmaker of the Academy Award nominated documentary GASLAND and I am a resident of the Delaware river basin in Milanville, PA. I have called Milanville my home since I was born in 1972. I live just off of Calkin's creek, a tributary to the Delaware a few miles from where the stream enters the river. The property across from my land, which borders the stream has been leased. I have been living with the stress that the stream and woods just across from my property will be turned into an industrial drilling zone for three years now. I have no confidence whatsoever in the gas industry's ability to drill for gas while maintaining the quality of life, water, or air that exists in my area. I also have no confidence in the DRBC's ability to regulate this industry because the regulations you have put forward are inadequate, and cannot be enforced. I asked Carol Collier personally during her press conference on February 22nd in Honesdale, PA how many gas wells would the current DRBC regulations allow for. She said that if these regs were adopted, she expected the river basin to have 22,000 gas wells in the next 30 years. Quite simply, 22,000 gas wells in the Delaware River Basin would destroy the health and character of the region, make it unlivable, make homes impossible to sell and forever destroy one of the last pristine river basins in the world. My dream of raising a family in the river basin and contributing to the life and community of the region will be shattered forever. I think that the commission knows exactly what I have to say, because I have testified many times in person at public comment sessions. This three years of protest has been utterly exhausting and stressful. I will endeavor here to address the problems with allowing such large scale industrial drilling in the basin once again. I should also note that although my film has been attacked by the gas industry, it is 100% true investigative journalism, based on fact, science and vetted citizen testimony. I have published my responses to the many specious and misleading attacks on the film at my website [www.gaslandthemovie.com](http://1trickpony.cachefly.net/gas/pdf/Affirming_Gasland_Sept_2010.pdf) at this address: http://1trickpony.cachefly.net/gas/pdf/Affirming_Gasland_Sept_2010.pdf The film GASLAND has been thoroughly vetted, fact checked, verified and backed up by true journalistic review and science and we stand behind it 100%. Fracking is a whole-scale industrialization process that pumps millions of gallons of toxic material directly into the ground. Thousands of documented contamination cases show the harmful chemicals used have been turning up in people's water supplies in fracking areas all over the map. I have traveled all across the country and found that in every place I have gone, the gas industry has destroyed people's quality of life. It is utterly irresponsible, against the will of the majority of the people and against the current culture and character of the area for DRBC to permit whole scale industrial gas drilling. I will oppose gas drilling if approved, by every legal and peaceful means available to me. I made the film GASLAND out of a genuine care and love for the state of Pennsylvania, for Wayne County, for Damascus township and for the Delaware River. The film was designed to bring to light something that residents of the river basin and the DRBC were by and large overlooking -- the extreme harm and danger of Fracking for Natural Gas, as it was taking place across the nation. To make the film, myself and a dedicated team of five people were working for no pay, day and night, without a major media company behind the film and without any assurances that anyone would see the film outside of the Delaware River basin. GASLAND has helped forge a movement of in Pennsylvania, New York, and increasingly worldwide. Millions of people saw the film when it aired on HBO. In addition, I have toured to over 120 cities in the United States. Everywhere I go, I hear the complaints, concerns, outrage and dismay of the citizens facing the driller's invasion. Everywhere I go, people want to know what is happening to the Delaware River Basin. If the river basin is drilled it will be a tragedy not only felt by the residents, but by a worldwide audience. Apparently, the whole world knows there is something terribly wrong with Hydraulic Fracturing for Natural Gas. The proposed regulations ignore that body of knowledge and evidence. New York state has moved into a bi-partisan moratorium on fracking, Quebec has imposed a de-facto moratorium on shale drilling, the Maryland state house is on the verge of passing a similar moratorium, 20,000 protesters marched in France last week against shale drilling, Australian farmers are revolting and locking their gates against gas exploration, the New York Times reported that radioactive gas drilling waste was being dumped directly into Pennsylvania's drinking water sources, the Pulitzer Prize-winning Pro-Publica news organization reported thousands of cases of contamination across the country, CNN and 60 minutes has reported numerous case studies on families whose health have been harmed and whose water has become undrinkable due to drilling and yet

the DRBC refuses to acknowledge that this activity is not appropriate for the river basin whatsoever. By the Pennsylvania DEP's own account, one well out of 32 wells in Dimock caused an area of contamination that was nine square miles wide. From my experience and from the detailed reports of thousands of contamination cases across the country, and the industry's own track record of failure, Dimock is no exception. What does it mean for Pennsylvania if you replicate Dimock across the basin? The effects on the river basin would be dire. Mass migration out of the region, permanent chemical contamination and a situation of large scale industrial development, the type of which the region has never seen. If these regs are approved and the river basin is drilled you will make a Dimock of the region. Additionally, the regs fail to address any industrial sites that will be created by the gas industry in addition to the well sites. The gas industry will install and create many other industrial sites that are hazardous to health, destroy quality of life and violate the social contract. These include, massive development of pipeline infrastructure, which will carve up our woods, fragment the region and destroy the landscape, compressor stations which run 24 hours a day which are incredibly noisy, permanent and emit hazardous amounts of volatile organic compounds and other toxic emissions, mini-refineries which may vent off toxic hydrogen sulfide and have no air emission controls. Each well site will require an enormous amount of trucking. Each well site requires 1100 truck trips, which will destroy our roads, make transportation impossible and will fill the region with noise 24 hours a day. I will point out just a few examples out of the tens of thousands of affected people whose lives have been ruined by drilling. Please, listen to the people in GASLAND. Listen to Louis Meeks, the Vietnam veteran rancher from Pavillion, Wyoming who has had such terrible water and air contamination that his health is in serious decline. Please listen to Pat Farnelli and Ron Carter of Dimock, PA, who have not made the money that they were promised by the industry only to see tter, condensate, gas emissions, particulate matter or its effects on aquatic, animal, plant, human or insect life. 43) Contained in the regs is the DRBC's refusal to acknowledge the sustained and passionate outcry on behalf of the majority of residents of the river basin against industrial gas drilling in the river basin. 44) There are no standards for fact checking for fraud/misinformation among gas company representatives home visits or presentations to the public about the nature of industrial gas drilling. 45) Inadequate public comment period to address these regs, it should be extended or reopened. 46) There is no adequate appraisal check in period for drilling-No way to check in with the citizens of the region or assess what is happening once it has begun. An outside independent review of the effects of gas drilling on the region should be done at least once every six months to assess how the project is going and address public comments. 47) No assessment of what 22,000 gas wells will do to downstream, downwind and down river communities and individuals dependent on clean water from the Delaware river such as Philadelphia and Southern New Jersey (Trenton/Camden) 48) There is no assessment on the cultural/character changes to the region. 49) There is no assessment of what will happen to organic farm certification in the region and the economic impact of these farms losing their organic certification. 50) There is no assessment of what will happen to tourism, or summer camps in the region. 51) Inadequate set backs from houses, schools, campsites, recreation areas scenic areas, etc. 52) There is no appraisal for wind patterns, peaks and valleys where volatile organics can collect and effect the health of residents living in valleys. 53) There is no appraisal of fog patterns (which can be quite dangerous to drivers) in the region on truck traffic, or on flowback pits, emissions, chemical evaporation, etc. 54) No adequate fund or fee for increased use of local services such as hospitals, ambulances, fire departments etc due to increased population and activity. 55) No fund/insurance assessment for increased loss of property/life due to increased truck traffic. 56) No reporting requirements for venting events from condensate tanks, compressor stations, pipelines, well pads. Pipelines and condensate tanks vent periodically causing toxic levels of VOC's to skyrocket in areas nearby. 57) No restrictions for waste materials used to clean pipelines or well bores or the waste generated by cleaning and maintenance operations. 58) No maintenance requirements for well bores, pad sites, or any gas drilling infrastrucutre over a period of several years. No maintenance requirements for well casings. 59) No assessment of gradation of hills, valleys, seasonal runoff streams for well pad placement. There is no requirement for placement of impoundments or wastepits near graded slopes or valleys so that run off is contained. 60) No requirements for clean up/remediation of spills, pad sites, toxic materials, etc. 61) There are no requirements for baseline testing. Baseline testing should be required for to check for ALL fracking chemicals that are anticipated for use in the region. The gas companies should bear the financial responsibility to do baseline testing for ALL fracking chemicals used in each well to check for presence of these chemicals in ALL domestic water wells, rivers, streams and springs in a 5 mile radius from each well site. Citizens should not have to bear the cost or the difficulty of baseline testing or with subsequent water testing for years and years down the line. This extensive testing is the only way to insure that the water of the region is safe for decades into the future. 62) Gas companies should be required to pay for independent accredited testing for ALL fracking chemicals used in the fracking process, including proprietary chemicals, twice a year in every river, stream and private water well within 5 miles of and drill site for a period 40 years after drilling. There is simply no other way to insure the quality of water in the river basin for the future. 63) LLC's should not be allowed to drill in the River Basin. Any company which is created to have limited liability should not be allowed to drill in the region. Companies must have long-term financial and legal liability if they are to

risk the watershed with this practice. I expect all of these issues to be dealt with and responded to in a substantive manner by the DRBC. In addition to the above, I must address the overall problem of drilling conditions nationwide. DRBC is creating regs within a totally inadequate national structure. DRBC should not even consider formulating regulations until the following conditions have been met at the federal level I submit these conditions on behalf of myself and the whole GASLAND team which includes several other residents of the river basin.

1. END THE FEDERAL EXEMPTIONS We demand that the Natural Gas Industry's exemptions to the following laws be ended immediately: Safe Drinking Water Act Clean Water Act Clean Air Act Superfund Act Natural Gas drilling should be subject to the same laws as every other Industrial, Private or Commercial sector.
2. END TO FEDERAL SUBSIDIES FOR FRACKING. Fossil Fuel Industries receive three times the level of Federal Subsidies as compared to Renewable Energy Sources. This creates an unfair advantage in the marketplace for fossil fuel drilling technologies such as Hydraulic Fracturing, which undercut truly green forms of energy.
3. EXPANSION OF EPA STUDY AND CREATION OF INDEPENDENT HEALTH STUDY and EPA PERMITTING. Fracking has never been proven to be safe. Thousands of contamination cases, and testimonials across the country, point to a massive failure to protect water, air and human health. Each of these cases must be investigated and damage must be assessed. We appreciate that the EPA has just begun a study of Hydraulic Fracturing but it is under-funded and incomplete.
 - a) EPA must broaden the scope of its current ecological study. The current EPA Study is only funded through the end of this year and does not adequately address issues of hazardous emissions and overall emissions from gas drilling.
 - b) EPA Ecological study must be conducted by scientists without conflict of interest.
 - c) A five-year parallel health impact assessment should be conducted in all of the most areas by an independent third party working alongside the EPA, either from an unbiased charitable foundation or an esteemed University.
 - d) Fracking should require permitting from EPA as well as state and local departments of environmental protection/planning.
4. IMMEDIATE HEALTH/ECOLOGICAL CRISIS MANAGEMENT IN DRILLING AREAS We call upon the Federal Government to immediately address concerns of citizens in areas that have been drilled and are experiencing negative ecological and health effects. Recommendations include but are not limited to: 1) Vapor recovery units to control emissions at existing well-sites, separators, refineries, compressor stations and condensate tanks, 2) Replacement water via municipal pipelines in areas where aquifers have been contaminated and, 3) Restoration of areas that have been industrialized with compressor stations, refineries and other gas drilling and refining machinery to a state appropriate for residential use. Communities experiencing irreparable damage should be compensated appropriately for loss of property and physical injury.
5. BURDEN OF PROOF- THE GAS COMPANIES AND FRACKING PRODUCT MANUFACTURERS- Product manufacturers must be required to disclose chemical ingredients in the products used to drill and Frack to the general public, landowners and surrounding communities in accordance with the Federal Safe Drinking Water Act. Chemicals should be listed and made publicly available online on well-by-well basis. If a chemical listed by the product manufacturers is found in a citizens private well or in a municipal water source, and is not found to be naturally occurring in the geology before drilling, both the product manufacturer and the drilling and extraction companies shall have the burden of proving that contamination was not caused by the drilling company. Independent Baseline Water Testing should be mandated for all chemicals used in drilling and paid for by companies wishing to drill in any area where people are dependent upon groundwater.
6. CHEMICAL PRODUCT IDENTIFICATION- BENIGN ISOTOPE ID's AFFIXED TO FRACKING CHEMICALS Each chemical product used in Fracking for underground injection, should be tagged with a non-radioactive isotope so that it is easily identifiable if these compounds should migrate into drinking water supplies. Each Fracking product will be required to have its own non-radioactive isotope so that there is no doubt as to the migration of such chemicals into underground water supplies.
7. TRACKING AND REPORTING OF WASTE Currently there is a huge problem with illegal dumping and improper disposal/treatment of drilling waste. Every drop of drilling waste, drilling fluids, produced water or drill cuttings should be identified by its contents, tracked and reported in trucks that carry hazardous waste placards and must have a detailed and outlined waste management program for disposal and/or treatment. Contents of hazardous waste should be posted online in an easily accessible manner with waste routes and disposal sites clearly outlined. Any truck deviating from the designated waste route should be immediately suspended and all work on the site from which waste emanated should be immediately halted. I have the health and safety of the thousands of concerned citizens that I have met during my past three years of investigation in mind in submitting these initial recommendations to the DRBC, to the Press and to the Federal Government of the United States of America. I urge you to please act with diligence and honesty in your appraisals and not to turn a blind eye to the massive movement across the US that is outraged at the gas drilling industry and the damage that it has caused. Thank you, Josh Fox Milanville, PA 18443 www.gaslandthemovie.com orifox@aol.com

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Commission Secretary DRBC P.O. Box 7360 25 State Police Drive West Trenton, NJ 08628 Re: Draft Natural Gas Development Regulations proposed by the Delaware River Basin Commission - Lack of Cumulative Impact Consideration Dear Commission Secretary: I am particularly concerned about the DRBC's determination to allow unconventional gas extraction employing horizontal drilling and high-volume hydraulic fracturing (HVHF) in the Delaware River Basin in advance of conducting a cumulative impact study. I request that the DRBC reconsider this decision for the following reasons: First, the Federal vote was cast over the objection of various other federal actors, including Congressman Maurice Hinchey, the National Parks Service and the Fish and Wildlife Service. Second, the regulations are being developed without the benefit of the fully funded study by the Environmental Protection Agency of the Potential Impacts of Hydraulic Fracturing on Drinking Water Resources (the "EPA Study"), which is expected to be completed by 2012 Third, since the vote was cast, emerging reports of water contamination in Pennsylvania and other states where HVHF has been employed have demonstrated the deleterious effects of HVHF on ground and surface water, the environment in general, and the threat to public health. Fourth, the documented conduct of drilling companies in Pennsylvania during a period of mild regulation suggests that, without adequate study, powerful economic disincentives, and sufficient financial safeguards, it is not only possible, but probable, that irreparable damage will be done, and that any possible remediation will end up being undertaken at the taxpayers' expense. Taxpayers could suffer the awful health consequences, and then also have to pick up the tab. Fifth, the federal vote, cast by the Army Corps of Engineers, did not (a) adhere to the environmental conservation provisions of the DRBC Compact; or (b) account for the views of coordinate federal agencies such as the Environmental Protection Agency, Department of Health and Human Services, Occupational Safety and Hazard Administration and/or the Department of the Interior. Additionally, the Army Corps of Engineers improperly elected to base its vote on questionable economic factors in derogation of the DRBC's mandate to protect the Basin. Finally, in most respects, save the pooling of financial security, the Draft Regulations address HVHF on a well-by-well basis, not in the aggregate. The DRBC has provided an estimate of the total number of wells anticipated, but has not addressed the effects of this number of wells, nor indicated either that it will cap the permits when this number is reached or that it will limit the pace of drilling so that its effects can be monitored on an ongoing basis before the Basin is saturated. Thank you for considering my comments. Respectfully submitted, Philip Faucher 132 Peakville Rd. East Branch, NY 13756

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April 14, 2011 Commission Secretary DRBC P.O. Box 7360 25 State Police Drive West Trenton, NJ 08628 Re: Draft Natural Gas Development Regulations proposed by the Delaware River Basin Commission - Inadequate Regulation of Storage, Transport, Disposal of Fluids Dear Commission Secretary: I am particularly concerned about the DRBC's determination to permit unconventional gas extraction employing horizontal drilling and high volume hydraulic fracturing (HVHF) in the Delaware River Basin without properly regulating the storage, transportation, and disposal of waste fluids associated with HVHF and HD. First, as recent news coverage has demonstrated, there is apparently no effective way to remove naturally occurring radioactive materials (NORMs) from wastewater produced during unconventional shale gas extraction. It appears that wastewater with NORMs above safe levels has already made its way into streams and drinking water throughout Pennsylvania. The Draft Regulations fail to mention NORMs, let alone provide for safe disposal. Second, the DRBC must mandate the use of steel containment tanks for all fluids associated with unconventional gas extraction, from hydraulic fracturing fluid to flowback and produced water. Open pit systems are vulnerable to weather and runoff, as well as punctured linings and destruction of wildlife. Third, there appears to be no water treatment facility within the Basin--or, indeed, in the states that make up the Basin or any of the contiguous states--that is capable of handling the volumes of wastewater reasonably contemplated to be produced by hydraulic fracturing within the Basin. Until a sufficient wastewater infrastructure is developed, and the general public can be protected from NORMs and other toxic substances, the DRBC should refrain from permitting HVHF in the Basin. Fourth, the DRBC should designate hydraulic fracturing fluid, flowback and produced water as hazardous materials and require the protocol applied to transportation of hazardous materials by state and federal law. Fifth, the DRBC has completely neglected to address the minimum requirements for well casings within the Basin. Since well casings are the primary form of protection against aquifer contamination, minimum standards should be prescribed. Thank you for considering my comments. Respectfully submitted, Philip Faucher 132 Peakville Rd. East Branch, NY 13756

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To whom it may concern at the Delaware River Basin Commission, As a homeowner in both Avondale and Pocono Lake Pennsylvania, I am writing to express my opposition to natural gas drilling, specifically, fracking of the Marcellus Shale formation. This process involves injecting millions of gallons of water, sand, and toxic chemicals into the shale formation to release natural gas. It also results in these toxins leaching into our water supply and environment, harming everything in our delicate ecosystem. We currently have plentiful, clean drinking water, a precious natural resource. Once our freshwater streams, lakes, and aquifers are contaminated with the industrial effluence of fracking, we will suffer both economic and environmental hardships. We spend our summers swimming and fishing in Arrowhead Lake and enjoy outdoor activities along the Clay Creek. Instead of being able to use our tap water, we will have to rely on expensive bottled water. Companies and individuals will not want to move to an area with contaminated water. There are families in upstate Pennsylvania who already have to rely on bottled water deliveries due to contamination of their wells from fracking. In addition to the economic damage of being unable to use our currently abundant clean water, people will be exposed to large amounts of toxic chemicals. Children, who have a greater surface area to body mass ratio, will suffer the most from this exposure. The short term side effects could include gastrointestinal upset, rashes, and fevers. The long term side effects include birth defects, learning disabilities, mental retardation, and cancer. As a mother, I find this horrifying. We should not put the economic gains of the natural gas industry ahead of the health and future of our people. Thank you, Ann Marie Akana

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Correspondence Text: Total Copies Received: 3

TO: Delaware River Basin Commissioners FROM: DATE: 4/15/11 RE: Comments on Proposed Gas Fracking Regulations in Delaware River Basin Even with your one-month extension to the 90-day response period regarding these proposed regulations, the lack of a comprehensive environmental baseline study and related impact study makes it impossible to provide the public with the full scope of detail needed to make a fully informed response to the possibilities of gas fracking in the upper Delaware River region. Despite this perceived rush to judgment, please review and respond to my concerns itemized below – as required by law – regarding the pending decision on Natural Gas Development Regulations in the Delaware River Basin. Before any questions are even raised, it is important to recognize that established law already sets the threshold against which all future regulations and decisions must be based. That includes the standards of the Special Protection Waters designation adopted by the DRBC , quoted here, as per <http://www.state.nj.us/drbc/spw.htm> "The Delaware River Basin Commission (DRBC) adopted Special Protection Waters (SPW) regulations in 1992 for point source (or "end-of-pipe") discharges and in 1994 for non-point source pollutant loadings carried by runoff to protect existing high water quality in areas of the Delaware River Basin deemed "to have exceptionally high scenic, recreational, ecological and/or water supply values." "To obtain DRBC approval, new discharges and substantial alterations and additions to existing discharges within the drainage area to waters classified as SPW must demonstrate NO MEASURABLE CHANGE TO EXISTING WATER QUALITY as defined by the regulations for a list of seven or eight parameters (depending on the location of the discharge) at established water quality control points." That regulation and others – including the Clean Water Act, Clean Drinking Water Act and Clean Air Act – were established for good reasons. They include the health and well-being of millions of people living in the Delaware River watershed who depend on the river and its surrounding aquifers for safe, healthy drinking water. Allowing waivers to those rules is detrimental to both the health of the current population in the region as well as to the long-term health of the Delaware River ecosystem. How do you put a price on the health of millions of people? Any waiver should need to pass a test of environmental safety and health, and not simply an economic hardship to a private enterprise. What Is Our Top Priority: Health And Safety For All, Or Economic Gain For A Few? As the designated representatives for the citizens of New York, New Jersey, Pennsylvania, and Delaware, your sole responsibility is to those individuals living within, and impacted by, the Delaware River Basin. That responsibility includes protecting their health, their property values (including their access to healthy drinking water), and the sustainable quality of the river basin ecosystem. The commission has already defined concerns related to gas fracking (excerpted below). I want to make sure that those concerns are 100% addressed before any consideration is given to lifting the moratorium on drilling in the Delaware River basin. At this point in time, there are too many unanswered questions to even consider lifting the moratorium. As per <http://www.state.nj.us/drbc/naturalgas.htm> "The DRBC is a federal-interstate compact government agency that was formed by concurrent legislation enacted in 1961 by the United States and the four basin states (Pennsylvania, New York, New Jersey, and Delaware). Its five members include the basin state governors and the Division Engineer, North Atlantic Division, U.S. Army Corps of Engineers, who serves as the federal representative. The commission has legal authority over both water quality and water quantity-related issues throughout the basin. "In connection with natural gas drilling, the commission has identified three major areas of concern: 1. Gas drilling projects in the Marcellus Shale or other formations may have a substantial effect on the water resources of the basin by reducing the flow in streams and/or aquifers used to supply the significant amounts of fresh water needed in the natural gas mining process. 2. On-site drilling operations may potentially add, discharge or cause the release of pollutants into the ground water or surface water. 3. The recovered "frac water" must be treated and disposed of properly." First, and foremost, regarding any potential decision on new gas well drilling, is the issue of establishing a baseline of existing environmental conditions in the Upper Delaware River Basin (i.e. water quality, aquifer levels, silt/sedimentation conditions, current levels of biodiversity within the ecosystem, etc.). All of these conditions need to be known and documented now, in order to measure any potential changes to be caused by gas drilling activity. You can't enforce the health and environmental safety without a solid scientific base of reference. Where are those studies, and what are those baselines against which any effects of drilling would be measured? Second, are issues regarding the known contaminants involved in the fracking process. My questions regarding those issues concern knowing the substances, their negative effects, and reliable capabilities for dealing with them: • Without reliable geologic studies how can there be any assurance that injected chemicals will not percolate or migrate into existing human water supplies or springs that feed the streams and eventually the Delaware River itself? What studies have been done to show that likelihood? Given the historical record of seismic activity in the region, can

you cite proof of the statistical level of confidence that existing fissures and natural stratification in the region will not permit migration of the fracking solution into surface water or groundwater resources, even at moderate levels of seismic activity? • Where is the proof of the available technology and the available facilities – with appropriate capacity and demonstrated compliance – for adequate treatment of the fracking wastewater? To my knowledge, there is only one planned approved facility to be capable of handling only 2% of the wastewater scheduled to be generated by the planned volume of wells. It makes no sense to generate dangerous waste before there is a reliable method to treat it safely. (Don't even think about "temporary storage" in the interim. We've seen how that has not worked out in so many other comparable instances where open pits with "waterproof liners" can tear, be subject to spills caused by weather, etc.) • Contamination of water in the drainage area affecting the New York City drinking water reservoirs could necessitate a \$20-billion to \$30-billion investment in water treatment plants to compensate for that. Will the gas drilling companies be required to post a bond to protect against that possibility? • Aside from the chemicals to be added to the fracking water, there is also the issue of extracting natural compounds in the 20% of fracking water brought to the surface. This includes heavy metals and extreme concentrations of salts, as well as radioactive materials. Please spell out the specific treatment remedies for each of those substances that will be exposed to our surface environment. • What is your definition of "acceptable risk" relating to the health issues already documented in other areas where gas fracking has already taken place? Statistically, how many additional deaths or years of reduced lifespan are anticipated for the current population in the region, in exchange for how many dollars of gas-related revenue are generated? A third major issue is with the massive amounts of fresh water needed to fracture every well (multiplied by the number of wells planned to be drilled). What is the

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Re: Natural Gas Development Regulations: I am a New York City resident and I am a home owner in Wayne County, Pennsylvania along the Upper Delaware. The Delaware River affects my life greatly. It is my understanding that the DRBC is my advocate for the safekeeping of the Delaware River. To me this means the DRBC MUST maintain the exceptional water quality that now exists in the River and improve it where it needs help. The proposed draft of the Natural Gas Development Regulations deeply concerns me on many levels. With NO limits on how many wells can be drilled, Gas Drillers can control the development of the Watershed and they have no mandate to protect those waters or the surrounding environment. There seems to be NO restrictions on the dangerous chemicals that are used in the drilling and Fracking process. The Hallibuton Loophole keeps the exact nature of those chemicals secret thus making it near impossible to accurately assess the risk to humans and the environment at large. A source of information regarding how the chemicals we do know about may affect us can be found on the following website: <http://www.endocrinedisruption.com/chemicals.multistate.php> The draft rules also DO NOT specify any standard plan for the waste products. Without that in place how can the DRBC protect the Delaware Watershed for me and my neighbors, including all of you who live in the same region? There seems to be NO consideration for the potential impact of tributaries, streams, ponds and ground water. There seems to be NO sign of impact studies on the potential of erosion and the impact on the roads in our region from the massive amount of vehicle traffic. There are NO provisions to protect all in the area from AIR and NOISE pollution. Are you also aware of the amount of clear-cutting required per well? - 5 Acres of natural growth is usually cleared away for each Well. This alone will affect the entire Watershed in a devastating way. These are not paranoid concerns. These are real risks. We live here and we are concerned. Do you not live here too? How can you not be concerned? When you consider all of these factors common sense should guide the DRBC to NOT grant these fast track approvals to the gas industry without further review, study and PUBLIC INVOLVMENT. Thank you. Sincerely your neighbor, Ruby Rubin 300 west 55th St. New York, NY 10019 177 Oakley Road Damascus, PA 18415

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April 15, 2011 Commission Secretary Delaware River Basin Commission P.O. Box 7360 25 State Police Drive West Trenton, NJ 08628 RE: Natural Gas Development Regulations – Draft Comments submitted by: Gina Fischetti 55 Buttonwood St. Lambertville, NJ 08530 Dear Ms. Collier and DRBC Commissioners, Please accept these comments to the Draft Natural Gas Development Regulations being proposed by the Delaware River Basin Commission. While I am submitting these comments to the proposed regulations, I am totally opposed to the current process of hydraulic fracturing and do not believe that it should be used in the Delaware River Basin until such time as there is absolute certainty that it will not pollute our finite water resources. I have commented on various sections of the regulations, and have indicated the section being commented on before each comment. In addition, I have a number of general comments to the regulations: Your agency was been charged with the responsibility to "do not harm" to the special protection waters of the Delaware River and has legal authority over both water quality and water quantity-related issues throughout the basin. To that end, you have identified three major areas of concern: 1. Gas drilling projects in the Marcellus Shale or other formations may have a substantial effect on the water resources of the basin by reducing the flow in streams and/or aquifers used to supply the significant amounts of fresh water needed in the natural gas mining process. 2. On-site drilling operations may potentially add, discharge or cause the release of pollutants into the ground water or surface water. 3. The recovered "frac water" must be treated and disposed of properly. The proposed regulations do not remedy the Commission's stated areas of concern, let alone the industrialization of the river basin due to lax regulations concerning the location of well sites, absence of regulation concerning the types and amounts of toxic chemicals used in the fracing process and the cumulative effect of all the chemicals used in the over 30,000 wells anticipated to be drilled in the basin, and strict liability of project sponsors with regard to cleanup of sites. Regarding treatment and disposal of wastewater, the United States Environmental Protection Agency issued correspondence to Michael Krancer, Acting Secretary of the Pennsylvania Department of Environmental Protection on March 7, 2011 stating, "Another critical step which we have previously discussed is to reopen the National Pollutant Discharge Elimination System (NPDES) permits of POTWs and centralized waste treatment facilities that are currently accepting gas drilling wastewater for treatment. These permits do not now include critical provisions necessary for effective processing and treatment of wastewaters from drilling operations. Again, it is welcome that you intend to reopen these permits. We encourage you to establish monitoring requirements and effluent limits to ensure protection of drinking water and aquatic life. To coordinate with PADEP productively, I ask that you provide the following information: (i) the identities and locations of all NPDES facilities in Pennsylvania accepting Marcellus Shale wastewater, (ii) a list of the permits you plan to reopen and the parameters you plan to consider for reasonable potential analysis, and (iii) a schedule for completing the permit modifications." In PADEP's April 6, 2011 response to the EPA letter, Micheal Krancer, Acting Secretary states, "Unfortunately, your letter, along with the recent New York Times articles, overlooks DEP's strong and ongoing efforts to protect the environment and public health." Mr. Krancer further comments that "On March 11, 2011, under Pennsylvania regulation 25 PA Code § 109.302, we directed a letter to public water suppliers that have surface water intakes located downstream of one or more facilities that are accepting Marcellus wastewater to immediately conduct testing of radionuclides (i.e., radioactivity) and other parameters including Total Dissolved Solids (TDS), pH, alkalinity, chloride, sulfate and bromide." Pennsylvania's testing requires only quarterly monitoring of total dissolved solids (fDS), pH, alkalinity, chloride, sulfate and bromide and an annual sample of gross alpha, radium 226 & 228, and urauium. This is not sufficient monitoring, and the proposed regulations do not require increased monitoring. Rather, the proposed regulations give a definition of wastewater reporting and then do not use the term again in the rest of the regulations. In addition, air pollution from gas wells and wastewater impoundments is not addressed at all by the DRBC, despite PA's exemption of gas wells from air standards. NY's Draft Supplemental Generic Environmental Impact Statement identifies large amounts of hazardous air pollution (methanol) and other pollutants that will violate NY's air emission standards. In Texas http://www.edf.org/documents/9235_Barnett_Shale_Report.pdf and other areas, gas extraction and production is degrading air and human health. Yet DRBC leaves this matter to the States, despite the fact that air pollution deposits on land and water, causing both air and water pollution far from the source. Due to a federal exemption under the Clean Water Act, stormwater management that is required for all other earth disturbance greater than an acre is not required for gas development and PA goes even further and exempts gas and oil activities from many key areas of stormwater, erosion and nonpoint source pollution control requirements. The proposed regulations acquiesce entirely to the lack of requirements by deferring to state standards; this will ruin streams, smother habitats, kill fish and degrade water

quality and drinking water. This gross oversight alone could violate the "no measureable change in water quality" standard that the DRBC is required to maintain in Special Protection Waters. Drilling, cementing and casing construction and safety is totally sidestepped by the proposed regulations by deferring to state standards, despite Pennsylvania's substandard Chapter 78 requirements. The lack of adequate construction safety standards, in some cases even below industry standard, is causing pollution incidents, well blowouts, stray gas migration and more throughout Pennsylvania. Comments to Specific Sections of the Proposed Regulations: Section 7.1(e) The Commission's conclusion that "management of natural gas development projects should promote use and development of the Basin's water resources in a sustainable manner and should be conducted pursuant to rules and regulations that avoid pollution of or injury to the water resources of the Basin" should be changed to read, "management of natural gas development projects should promote use and development of the Basin's water resources in a sustainable manner and should be conducted pursuant to rules and regulations that prevent pollution of or injury to the water resources of the Basin" Section 7.1(e)(2) Article 7 of the Compact does not state or infer that it is within the Commission's jurisdiction to avoid shifting pollution from one medium to another or adversely impacting other locations while pushing the boundaries of technological possibility while balancing economic constraints. Article 7 of the Compact deals ONLY with watershed management and generally commits the Commission to promote sound practices of watershed management in the basin including projects and facilities to retard runoff and waterflow and prevent soil erosion. Article 5 of the Compact, Pollution Control, at section 5.3, Cooperative Legislation and Administration however does state, "Each of the signatory parties covenants and agrees to prohibit and control pollution of the waters of the basin according to the requirements of this compact a sufficient penalty to prevent gas drilling companies from violating these regulations. Section 7.4 (b)(1) Section 7.4 (b)(1) Please clarify the extent to which water from other basins will be permitted to be used for gas drilling operations in the Delaware River basin as well as to what extent water from the Delaware River basin will be transferred to other basins as wastewater as a result of natural gas development. Section 7.4 (b)(2) Section 7.4 (b)(2) Please explain why these regulations do not require water withdrawn or diverted for the purpose of hydraulic fracturing to be returned to streams and aquifers in the vicinity of the sources. Will the DRBC require projects to identify where they intend to release the wastewater from their projects? If the wastewater is not released in the basin, will it be subject to these regulations? Section 7.4 (c)(1) Section 7.4(a) identifies the water that may be used for natural gas well activities. Please explain what water may NOT be used for natural gas well activities. Section 7.4 (c)(2) The exportation of non-domestic wastewater from natural gas development projects should not be permitted to be approved by means of an ABR as it removes the requirement of public notice and a public hearing concerning the exportation of wastewater. Section 7.4 (c)(3) Please clarify what standards were used in in the full review of the already made approvals. Section 7.5 (a) There are no spacing requirements for the tens of thousands of wells expected that would limit how many wells can be drilled and how close they can be to each other, facilitating an industrial landscape. Proposed Natural Gas Development Plan thresholds are too high-much gas development will not be captured and it is not clear how the plans will address individual and cumulative impacts. Allowing up to 5 well pads before the planning requirement is triggered will allow 50-60 gas wells to be installed by an operator, or more, without the plan component and allowing companies with up to a total of 3200 acres under lease to move ahead without plans will allow many operators to avoid plan requirements, especially with all the built-in waivers and exemptions-many thousands of wells will likely not be captured at all under the DRBC's Natural Gas Development Plans; further, how the DRBC will limit development of or prevent pollution from the projects that do fall under the natural gas development plan is not clear and how all these plans will be used to accomplish comprehensive planning or measurement of cumulative impacts is not even mentioned in the proposed rules. What will be the cumulative impacts, who will measure, and how will all the wells, including exploratory wells, be captured in any planning process? How will the loss of freshwater flows from the headwaters and the destruction of the now 89% forested Upper Delaware affect water quality, clean drinking water, habitats and ecology downstream? Section 7.5(e) The proposed rule should be amended to not permit ABR for any well pad site. ABR permits the fast tracking of well sites without the proper analysis of the site. Further, the section sets apart watersheds that drain to New York City's Delaware River Basin Reservoirs by not permitting ABR for well sites in those watersheds but allows ABR for well sites in all other drainage areas. New York City accounts for approximately 7 million of the 15 million people that get their drinking water from the Delaware River Basin. Please explain why all 15 million people in the Delaware River basin are not treated similarly by the proposed regulations. Section 7.5 (h)(iv) The proposed regulation should be amended to include prescribed wastewater standards for all of the specific constituents of gas drilling wastewater. Section 7.5 (h)(v) The proposed regulation should be amended to require all well pads to demonstrate compliance with section 3.10.3A.2.e. of the Commission's Water Quality Regulations. Section 7.5 (h)(vi)(A) The proposed regulations should also require the project sponsor to immediately report any release or threatened release of any substance, pollutant or contaminant at or from the natural gas well to all residents who could potentially be impacted by the release of the toxic substance That being said, the industry should be required to use its technology and resources to create a process by which it

can extract natural gas without using toxic substances that can poison our water source. Section 7.5 (h)(vi)(C) This section of the proposed rule gives the Executive Director the ability "to make the final determination regarding the validity of such complaints, the scope or sufficiency of such investigations, and the extent of appropriate mitigation measures" with no discussion of standards or remedies other than the potential requirement that the project sponsor repair, replace or otherwise mitigate the adverse condition. The proposed regulation should require a public hearing and should also be amended to include criteria and standards that will be followed in making any such determinations. DRBC expressly allows centralized wastewater storage facilities and defers to State standards for them. In NY's Draft Supplemental Generic Environmental Impact Statement, impoundments as large as 40 acres are anticipated and operators are building huge impoundments in Pennsylvania now. One of the major sources of air pollution is from these wastewater impoundments, from which toxic contaminants volatilize to the air, then are breathed in or deposited on soil and water, causing highly mobile pollution. Further, DRBC proposes no setback requirements for impoundments, deferring to the states. For on-site pits up to 250,000 gallons, PA's setbacks are the same as for gas wells, which is only 100 feet from a water body, as close as 20 inches above the seasonal high water table and no mention of a setback from a water supply well. How can the DRBC allow centralized pits to hold gas drilling wastewater when they don't allow open pits for wastewater on well sites? Section 7.6 (b) This proposed regulation should be amended to require continued monitoring and proof that the wastewater discharge is not polluting the basin. Section 7.6(c) The draft rules do not prescribe wastewater standards for all of the specific constituents of gas drilling wastewater; under the draft rules the removal of all toxic substances won't happen. Many highly dangerous chemical hazards are in gas drilling wastewater and because of the federal exemption from disclosure, they are not all known. DRBC does propose a treatability study for waste fluids before a plant in the Basin can accept it and toxicity testing for treatment systems, which is not required by the States, and they list some of the hazardous chemicals regulated by safe drinking water rules that they want wastewater tested for but they allow for waivers, weakening the rule, employ a minimal Total Dissolved Solids standard, and have left off key parameters such as radionuclides and chemicals that are synergistically formed in the wastewater such as hydrogen sulfide and 4 Nitroquinoline 1-oxide (4NQO), one of the most powerful carcinogens known. At a minimum, the regulations should be amended to prescribe wastewater standards for all of the specific constituents of gas drilling wastewater, and require the removal of all toxic substances. The wastewater treatment plants in and outside of the basin that are targeted to treat the wastewater from the natural gas drilling projects are not equipped to handle the toxic substances used in natural gas drilling. They are equipped to handle the treatment of human waste. Please explain why the regulations do not include wastewater standards and why the commission believes it is appropriate to allow sewage treatment plants to treat toxic wastewater which will then be discharged into the Delaware River basin, the drinking water source for over 15 million people. In addition, the proposed regulations should place limitations on the toxic chemicals used in the hydraulic fracturing process. Section 7.6(d) Effluent limitations and stream quality objectives for discharges to Zones 2-6 should not only be for proposed discharge but should remain in place for actual discharge, which should be monitored on a regular basis. Sincerely, Gina Fischetti

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Correspondence Text: Total Copies Received: 17

Dear Executive Director Collier and DRBC Commissioners: Please protect the safety of our drinking water. Allow completion of EPA studies before allowing the natural gas drilling process to move forward in the Delaware River basin. Sincerely, Valerie Smith

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New York

NY

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Correspondence Text:

Total Copies Received: 2

The DRBC is charged with a legal mandate to "Do No Harm" to the Special Protection Waters of the Delaware River and you MUST maintain the exceptional water quality that now exists in the River and improve it where it needs help, but these draft rules fall far short of meeting that high bar. They do not ensure transparent, consistent, state-of-the-art, and enforceable standards that will provide an environmental safety floor below which the gas development industry may not operate. There is no method proposed to control the accumulated environmental toll that natural gas drilling, land transformation, and water depletion and pollution will take on habitats, streams, communities and the River. Thanks largely to the pristine nature of the Delaware River watershed, 15 million residents of the mid-Atlantic region, including New York City & Philadelphia, have some of the best drinking water in the world. I firmly believe, based on the experience of others who live with the consequences of hydraulic fracturing, that allowing natural gas drilling within the DRBC's area of authority, will lose us this resource. When we talk about the watershed being polluted by drilling, it's not "if", it's "when." Hydraulic fracturing has resulted in documented incidences of leaks, spills, explosions and contamination of water supplies in nine different states, including Wyoming and New Mexico. Gas has seeped into underground drinking-water supplies in at least five states, including Colorado, Ohio, Pennsylvania, Texas and West Virginia, where residents blamed natural-gas drilling. Absolutely no evidence has been shown by any organization that fluids and radiation compounds used during hydraulic fracturing can be completely eradicated from drinking water. The Federal Environmental Protection Agency (EPA) says that radioactive contaminated wastewater from hydrofracking can potentially contaminate drinking water or enter the food chain through fish or farming. Since once radium or radon enters a person's body by eating, drinking or breathing, it can cause cancer and other health problems as shown by many federal studies. No amount of careful planning and operation can guarantee that there will be no chemical spills that could flow into reservoirs, underground migration of fracturing fluids toward the water supply, or other accidents resulting from drilling operations. In granting NYC the ten-year Filtration Avoidance Determination (FAD) for the Catskill and Delaware Watersheds (one of only five unfiltered drinking water supplies to serve a major United States city that has one), the EPA recognized the robustness of New York City DEP's (Department of Environmental Protection) Water Protection Program, of which a major part is land acquisition. Should gas exploration proceed, land owners near our watershed may be less likely to sell if they can sell natural gas leases with the potential for future royalties; then the potential for natural gas could drive up appraisals and cost of obtaining land from owners who are willing to sell. Conversely, there is already anecdotal evidence that the mere possibility of fracking is driving down land values as people hesitate to buy or build on land which may be contaminated by the actions of their neighbors. There is also widespread public support for a fracking ban. The most supported idea to arise from PlaNYC's "Community Conversation Events" was to "Keep NYC's drinking water clean by banning fracking in NYC's watershed." If the water supply should be contaminated, as I think is inevitable with gas drilling, the City of New York would be required by the Environmental Protection Agency (EPA) to build and operate a water filtration plant. The cost of that plant has been estimated to be up to \$30 billion, which would be borne by New York City taxpayers, not the energy industry. The basic economics are just bad policy: the drilling companies will accrue the benefits; the taxpayers end up footing the bill for cleanup, not to mention the economic and personal costs of health effects from air and water pollution. A classic case of privatizing the profits, socializing the expenses. New Yorkers have made a huge investment in preserving this water by purchasing and protecting land upstate; please help us protect it. Also important at a time when people are looking to eat more healthy food, and especially that sourced by local providers, it is excessively dangerous to jeopardize our food sources that depend on clean water to raise produce and livestock. Not only would drilling destroy land, and reduce water supplies, it would make any food raised on those landscapes. And that means that not only tourist jobs would be lost, but farming jobs also. Not the way to build an economy. As someone who is unemployed myself, I certainly recognize the appeal to landowners of getting the most value from your most valuable asset by selling drilling rights. Or the promise of a job in extractive industries. But these are short-term benefits, unlike the environmental destruction common to areas where fracking has already happened. And when those jobs dry up with the natural gas, the tourist and farming industries that depend on our lovely Catskill landscape will be gone too. This is not a way to gain either food or energy independence. Another risk and unintended consequence of gas exploration would be future gas pipelines in close proximity to our watershed and/or water tunnels and infrastructure, including the Millennium Pipeline currently under construction, and the high quality of the extracted gas, which allows it to be piped without refinement, could pose a threat to our water supply should any part of the gas pipeline rupture. Now, on to the specific issues with the draft regulations

published by the DRBC on December 10, 2010. • The DRBC-proposed regulations rely heavily on weak state regulations. Government agencies don't have the resources to enforce those that exist. With funding for the NYS DEC (Department of Environmental Conservation) slashed, they just don't have the capacity to effectively police compliance with regulations, review permit applications, investigate facts, prepare environmental analyses, develop permits, conduct inspections, review forms and reports, respond to complaints, and enforce regulatory requirements and permit conditions. In Pennsylvania, absurdly, 31 inspectors are responsible for more than 125,000 oil and gas wells. State and local agency resources are inadequate for such a massive threat to our water resources and reservoirs. Specific issues with state regulations include:

- o Due to a federal exemption under the Clean Water Act, storm water management practices that are required for all other earth disturbance greater than an acre are not required for gas development and DRBC acquiesces entirely to the lack of requirements by deferring to state standards; this will ruin streams, smother habitats and degrade water quality and drinking water supplies. This gross oversight alone could violate the "no measureable change in water quality" standard that the DRBC is required to maintain in Special Protection Waters.
- o Drilling, cementing and casing construction and safety is totally sidestepped by the DRBC by deferring to state standards. The lack of adequate construction safety standards, in some cases even below industry standard, is causing pollution incidents, well blowouts, stray gas migration and more environmental degradation throughout Pennsylvania.
- o Air pollution from gas wells and wastewater impoundments is not addressed at all by the DRBC, despite the fact that air pollution deposits on land and water, causing both air and water pollution far from the source. NY's Draft Supplemental Generic Environmental Impact Statement identifies large amounts of hazardous air pollution (methanol) and other pollutants that will violate NY's approvals are inconsistent with DRBC's mandate to maintain the River's exceptional quality. Frankly, the regulations also lose credibility because of the weakness of the public outreach protocol:

- A very short – 120-day – public comment period
- Of which many days were lost due to the year-end holidays;
- A gubernatorial transition in NY State has resulted in a vacancy for the New York Commissioner.
- Additionally, no hearings were held by the DRBC within New York City or Philadelphia; when the New York City Council responded to this lack by holding their own hearings on March 1st, not all of the 250 people who appeared had an opportunity to testify. So, as a resident who would be severely negatively impacted by drilling in the basin and a representative of my community, I implore you to ban hydraulic fracturing within the Delaware River watershed. At the very least, create a moratorium and extend the comment period until the EPA issues its preliminary studies on the health & safety issues relevant to hydraulic fracturing in 2012. You should also conduct future hearings on proposed revised regulation on gas drilling resulting from the "follow-up" ESA study, especially in populous areas such as New York City and Philadelphia. Additionally, create transparency, so that the list of chemical ingredients used in hydraulic fracturing sites is disseminated among all environmental regulatory agencies, water treatment facilities, health agencies and first responders in the vicinity of drilling sites in order to mitigate potential damages that may arise should accidents occur.

Correspondence ID: 8206 Database Entry Date: 4/15/2011 Name: Kept Private

Organization:

Address: Kept Private Upper Black Eddy PA 18972 USA

Correspondence Text: Total Copies Received: 2

I write with comment regarding the Draft Natural Gas Development Regulations. If fracking is allowed in the Delaware River Basin, it should be recognized that over one thousand truck runs will be required for each fracking event at each well. This represents a tremendous strain on community roads, diminishing the accessibility as well as the scenic beauty of the Delaware River Basin. Additionally, these trucks will be a major contributor to noise pollution, destroying the communities in which they travel and disrupting the environment for animals. Likewise, taxpayers will be enburdened by the cost of increased road repairs. Although I do not support ANY gas drilling in the area, if it is allowed to proceed, gas drilling companies must be

- 1) required to pay for the increased costs of road maintenance
- 2) be limited to running the trucks only on weekdays during set times of the day; no trucks should be allowed to make passage during the weekend or during evening or night hours during the week.

None of these concerns or problems were addressed in the Draft Regulations. Therefore, I request that you seriously consider these issues. Thank you for your attention to this matter.

Correspondence ID: 8213 Database Entry Date: 4/15/2011 Name: Kept Private

Organization:

Address: Kept Private Upper Black Eddy PA 18972 USA

Correspondence Text: Total Copies Received: 2

I write with respect to the Draft Natural Gas Development Regulations. Currently, the regulations do not adequately address emergency response issues. Gas drillers, if allowed to operate in the Delaware River basin, should be required to report all spills, leaks, and explosions within 10 minutes of the event, and have, as specified by the DRBC, a specific and detailed emergency response plan that must be executed in such case a leak, spill, or explosion does indeed occur. Likewise, the responsible party, namely the drilling firm, should be held liable for all expenses associated with the emergency response. Such a plan must be detailed and specific in terms of how to respond to certain types of anticipated emergencies, what timeframe in which to execute these actions, and what agency, party, or commercial entity will execute each of the action items in the emergency response. The worst kind of emergency response plan is one developed during the emergency. I fear that is what the current regulations permit. Thus, to minimize dangers to human health, as well as to minimize damage to animals, plants, water, air, and the environment at large, a detailed emergency response plan is essential. Thus, while I oppose any drilling in the Delaware River Basin, if it is permitted, then such a plan should be a requirement, as stipulated in the DRBC regulations. Thank you for your serious consideration of this matter.

Organization:

Address: 42 Corson Rd Conshohocken PA 19428 USA

Correspondence Text: Total Copies Received: 709

I cannot believe that the Hydrofracking has been able to be practiced for so long. It is downright unconstitutional. It is destroying our environment, both with the thousands of gallons of waste water and the tributaries and streams it is draining. There are animals allowed to drink waste water with up to 1000 times the federally allowed amount of radioactivity allowed in them. Not to mention the people being poisoned by the radioactivity or the other carcinogenic chemicals. This just absolutely cannot be allowed! It is unbelievable that the drilling has survived this long (no doubt with help from our governor), because I would imagine that the majority of people would agree that nothing, not even natural gas, is worth the total destruction being wreaked by hydrofracking. The BP disaster, the Massey coal mine deaths, and the terrible nuclear crisis in Japan show us just how dangerous it is to ignore the warnings issued by wise and alert people. In the case of Japan, decades ago environmentalists warned of exactly the scenario that is now unfolding; their assessment of potentially catastrophic risks was dismissed. Similarly, environmentalists' and safety experts' assessments of horizontal hydrofracking's risks to the Delaware River Basin are being issued in a constant stream of intelligence. Our warnings MUST NOT be dismissed, but rather seen as support for you, the DRBC, to study and understand cumulative and catastrophic risks. You must not finalize or promulgate any rules which allow drilling to proceed at this time. Especially given new restrictions on DEP inspectors' authority and ability to issue violations, maintaining a moratorium in the Delaware River Basin is essential; it is the only real protection we have. To prevent water quality degradation, future pollution, and to protect the health and safety of all residents, I ask that you assess a Cumulative Impact Study in the Delaware River Basin. I ask that you maintain a complete moratorium on gas drilling in the Delaware River Basin until the CIS and EPA studies are complete. Unless it can be proven not to degrade water quality for present and future generations, horizontal hydrofracking must not occur in the Delaware River Basin. How many red flags does it take to prove that horizontal hydrofracking is not safe? In February 2011, homes have blown up in Bradford Township; by March 2011, fires, explosions and blowouts have multiplied; workers are being injured and killed, with no way to track illnesses. Methane migration into water wells is rampant not only in Dimock but in Bradford County, Hickory, PA, and elsewhere. In southwestern PA, people who live near gas processing facilities are getting sick from inhaling the fumes. Cattle, horses, goats, deer, dogs and cats have been reported sick and dying in gas drilling areas. While DEP and EPA officials were largely asleep at the wheel, Pennsylvania allowed 1.3 billion gallons of radioactive toxic waste to be dumped, untreated or inadequately treated, into our rivers and streams! Why invite these dangers into the Delaware River Basin even while impacts elsewhere are escalating and have not yet even been measured? Meanwhile, the quieter impacts and the catastrophic risks are not talked about at all. Quiet impacts witnessed in drilling areas range from disappearing wildlife and birds, such as the yellowhammer woodpecker and wood ducks, to disappearing peaceful rural cultures. Quietly, but formally, Philadelphia Water Department has testified that deforestation and soil compaction from drilling upstream will create long-term degradation of Delaware River drinking water supplies. And the Academy of Natural Sciences study shows that water quality degrades from horizontal hydrofracking even without accidents and spills. Cumulative risks have not been assessed. What is to prevent radioactive waste from contaminating fish and entering the food chain, with cascading impacts for generations? How dare you consider allowing billions of gallons of radioactive toxic waste to be produced in the Delaware River Basin without any ability to safely treat it? Your rules must be withdrawn until you have assessed a cumulative impact study which includes long-term food, air and climate impacts, as well as water quality degradation. Potentially catastrophic water contamination risks have not been examined at all and your proposed regulations do not come close to addressing them. In particular, we know that cement casings degrade quickly and inevitably, and will not be able to keep contaminants separate from aquifers for even 50 to 100 years, let alone 10,000 years. We also know the Delaware River Basin has natural seismic activity, but risks from earthquakes have not been assessed or addressed, subjecting people to potential nightmarish conditions in the future. Finally, the underground network of fissures and fractures, some of which convey to the surface, has not been studied, creating a situation of "rural roulette" in which present and future generations are likely to experience dangerous and potentially deadly methane migration, and may also be exposed, far in the future, to the carcinogens and toxins pumped underground. In my view, the only safe course of action would be a complete and permanent ban on horizontal hydrofracking in the Delaware River Basin. It may be that our grandchildren or other future generations will need the gas deep underground and will have found a safe way to extract it. That technology does not exist now, and the dangerous technology which DOES exist has won so many federal and state exemptions as to be absurdly out of control. Thank you for your commitment to protecting the Delaware River Basin. We consider you to be partners with the people who

live here now and, because of your mandate to prevent future pollution, partners with future generations as well. We support you in living up to the terms of your Compact, which require you first and foremost to do no harm.

Correspondence ID: 8748 Database Entry Date: 4/22/2011 Name: Pomper, Elizabeth H

Organization: Audubon Society

Address: 1150 Connecticut Ave, NW Suite 600 Washington DC 20036-4104 USA

Correspondence Text: Total Copies Received: 2

Commission Secretary Delaware River Basin Commission P.O. Box Box 7360 25 State Police Drive West Trenton, NJ 08628
Dear Commission Secretary: Please find enclosed two CDs (identical copies) containing a Microsoft Excel file (.xls format) containing 1,479 comments of National Audubon Society supporters about on the draft natural gas development regulations proposed by the Delaware River Basin Commission. We ask that you withhold the personal addresses of our supporters from the public record. Many people submitted personalized comments, which you will find in the "Personalized Comments" tab of the spreadsheet, but most, found on the "Unedited Comments" tab, signed on to the comments below: Thank you for the opportunity to provide the following letter in support of the detailed comments provided by the National Audubon Society regarding the DRBC's proposed Natural Gas Development Regulations. As I am deeply concerned with the impacts increased natural gas development could have on birds, other wildlife, and their habitats in the region, I agree with Audubon that sensitive areas and priority conservation sites must be avoided in the siting of well pads and associated infrastructure. I support the Commission's proposal to exclude wellpads from flood hazard areas, wetlands, steep slopes, and critical habitat areas for threatened and endangered (T&E) species, as well as establishing defined setbacks from wetlands, water bodies, and other features, creating important protective buffer zones. However, the DRBC should clarify that state and federal agencies are in charge of T&E species mitigation decisions. Also, the requirements to map Natural Heritage Program areas in the Natural Gas Development Plan should be expanded to include Conservation Opportunity Areas (or other designations of State Wildlife Action Plans) as well as areas of concern to federal authorities. Developers should be required to avoid these areas. In addition, exploratory wells should be required to meet the same siting standards applied to other projects and not be approved under the Approval By Rule (ABR) permitting process. I commend the Commission for prohibiting the storage of production and flowback fluids in open containment pits, and for requiring production waters to be reused or taken off site for proper treatment at facilities that are equipped and properly regulated to treat these toxic waste waters. Lastly, I urge the DRBC to re-examine the adequacy of its regulations again at the time of the completion of EPA's Hydraulic Fracturing Study and to incorporate additional safeguards as suggested by the study findings. The regulations now being finalized by DRBC should include language stipulating that regulation adequacy will be revisited post-release of EPA's study, and adjustments made accordingly. Thank you for consideration of these comments. If you have any questions about the comments, or prefer to receive them in a different format, please do not hesitate to contact me. I can be reached via e-mail at 1pomper@audubon.org or by telephone at (202) 861-2242 ext. 3022. Please accept our thanks for your agency's collaboration in ensuring that the voices of these concerned individuals are heard. Sincerely yours, Elizabeth H. Pomper
Director of Online Outreach

Organization:

Address: 613 5th Ave East

Oneonta

AL

35121

USA

Correspondence Text:

Total Copies Received: 277

RE: Ensure Equitable Natural Gas Regulations that Properly Assess the Economic Benefits of Production Dear Commission Secretary Bush: As an energy consumer, I am writing to urge the Delaware River Basin Commission to move forward with sound regulations that properly weigh the economic benefits of natural gas production and permit flexible, site-by-site decision-making. Unfortunately, I believe the proposed regulations effectively prohibit exploration and production in many areas of the basin where safe, responsible production can occur. I am also concerned by the Commission's decision to implement regulations that may affect those activities not directly associated with the river's water flows and supplies ' a move that and may go beyond the scope of the Commission's authority and could significantly limit the economic potential of the Marcellus for Pennsylvania and New York. Expanded development of the Marcellus Shale will spur local job growth, increase state and local revenues and grow the economy through direct and indirect activity. Already in Pennsylvania, approximately 21,000 jobs have been created directly due to shale development and an additional 23,000 jobs were created simply from increased spending. Although the Marcellus has yet to be commercially developed in New York, the state stands to benefit tremendously from natural gas production: State and local governments could see more than \$215 million in tax revenues by 2015 and employment could increase by 15,000. In addition to the benefits to the local economy, the vast resource base in the Marcellus will ensure a stable supply of natural gas for American consumers for decades to come. Currently, geologists estimate recoverable resources in the Marcellus at over 489 trillion cubic feet, which is the energy equivalent of 87 billion barrels of oil. Shale gas resources will help offset declining production from traditional fields and help meet the increasing demand for natural gas as an industrial feedstock as well as a lower-carbon source of electricity generation. By statute, the Commission is tasked with regulating flows and supplies of water related to the Delaware River Basin, and, to that effect, ensuring resources are allotted properly with consideration for conservation, economic development and public health, among other laudable goals. However, these proposed regulations will greatly limit the capacity for economic development even though studies have proven production can proceed in an environmentally safe manner that protects public health. Finally, I believe some of the regulations fail to set clear, predictable guidelines for the industry. Natural gas producers need consistent regulation to guide their every day practices and ensure production proceeds in an efficient, safe manner. For instance, as part of a clear regulatory environment, the DRBC should ensure its regulations include reasonable timelines for application reviews and approvals. In conclusion, I urge the Commission to consider the economic impact of development and examine more closely how the Commission should approach regulation given its authority. I appreciate your attention to my concerns. Sincerely,

Correspondence ID: 8850 Database Entry Date: 4/26/2011 Name: Brydon, James

Organization:

Address: 728 Winchester Ave. Martinsburg WV 25401 USA

Correspondence Text: Total Copies Received: 140

RE: Ensure Equitable Natural Gas Regulations that Properly Assess the Economic Benefits of Production Dear Commission Secretary Bush: As an energy consumer, I am writing to urge the Delaware River Basin Commission to move forward with sound regulations that properly weigh the economic benefits of natural gas production and permit flexible, site-by-site decision-making. Unfortunately, I believe the proposed regulations effectively prohibit exploration and production in many areas of the basin where safe, responsible production can occur. I am also concerned by the Commission's decision to implement regulations that may affect those activities not directly associated with the river's water flows and supplies - a move that and may go beyond the scope of the Commission's authority and could significantly limit the economic potential of the Marcellus for Pennsylvania and New York. Expanded development of the Marcellus Shale will spur local job growth, increase state and local revenues and grow the economy through direct and indirect activity. Already in Pennsylvania, approximately 21,000 jobs have been created directly due to shale development and an additional 23,000 jobs were created simply from increased spending. Although the Marcellus has yet to be commercially developed in New York, the state stands to benefit tremendously from natural gas production: State and local governments could see more than \$215 million in tax revenues by 2015 and employment could increase by 15,000. In addition to the benefits to the local economy, the vast resource base in the Marcellus will ensure a stable supply of natural gas for American consumers for decades to come. Currently, geologists estimate recoverable resources in the Marcellus at over 489 trillion cubic feet, which is the energy equivalent of 87 billion barrels of oil. Shale gas resources will help offset declining production from traditional fields and help meet the increasing demand for natural gas as an industrial feedstock as well as a lower-carbon source of electricity generation. By statute, the Commission is tasked with regulating flows and supplies of water related to the Delaware River Basin, and, to that effect, ensuring resources are allotted properly with consideration for conservation, economic development and public health, among other laudable goals. However, these proposed regulations will greatly limit the capacity for economic development even though studies have proven production can proceed in an environmentally safe manner that protects public health. Finally, I believe some of the regulations fail to set clear, predictable guidelines for the industry. Natural gas producers need consistent regulation to guide their every day practices and ensure production proceeds in an efficient, safe manner. For instance, as part of a clear regulatory environment, the DRBC should ensure its regulations include reasonable timelines for application reviews and approvals. In conclusion, I urge the Commission to consider the economic impact of development and examine more closely how the Commission should approach regulation given its authority. I appreciate your attention to my concerns.

Organization:

Address: 13 Hillcrest Lane

High Bridge

NJ

08829

USA

Correspondence Text:

Total Copies Received: 548

I have many concerns about unconventional natural gas drilling. I request that DRBC upholds its legal mandate to protect the very cleanest streams of the Delaware River, where natural gas drilling is proposed. You are required to maintain the exceptional water quality that now exists in the River and improve it where it needs help; 15 million people who get their drinking water from the Delaware River are relying on you. The proposed gas drilling rules fall far short of meeting that high bar. The rules simply do not overcome the handicap caused by rushing the rules forward without needed scientific studies. The rules do not protect from the risk of catastrophic harm from individual wells nor do they address the cumulative impacts of water withdrawal and well development; there is no method proposed to control the accumulated environmental toll that natural gas drilling, land transformation, and water depletion and pollution will make on habitats, streams, communities and the River. We have the time to wait, the shale is not going anywhere. It is also critical that in the rules, DRBC should 1) restrict dangerous chemicals and carcinogens from use in drilling ' there is too much at stake; 2) DRBC should address air pollution; 3) DRBC should not allow variances or drilling in the floodplains or near wetlands and large buffers need to be established; 4) DRBC should not rely on weak state standards that give drillers exemptions ' PA's rules on stormwater, well construction, air quality and setbacks from private wells and homes are all inadequate to protect water and human health; 5) DRBC needs to ensure setbacks for the entire length of the well bore; and 6) DRBC should not allow centralized wastewater impoundments as they are a major source of pollution. Thank you for the opportunity to comment on this crucial rulemaking. I ask that, after the rulemaking closes, you hold development of the rules until the scientific studies are done so that information can inform regulations that will prevent pollution and avoid degradation. Aquifer and water resource pollution and depletion lasts hundreds of years and cannot ever be fully cleaned up. Doesn't it make sense to take a little time to make the right decisions now, before rushing ahead?

Correspondence ID: 9191

Database Entry Date: 4/5/2011

Name: Gerstenberg, George

Organization:

Address: POB 141

Milford

NJ

08848

USA

Correspondence Text:

Total Copies Received: 11

RE: Health Hazards of Released Gases Dear Commission Secretary, I write to make comment about the DRBC Draft Natural Gas Development Regulations. It is well established that fracking liberates large quantities of methane, hydrogen sulfide, and radon. Methane is an asphyxiant. At levels that can occur in association with natural gas drilling, especially within the confines of area homes, basements, and other walled-structures, asphyxiation by methane is a risk, especially as people sleep. Methane is also highly flammable, placing area residents at risk for fires and explosions. Radon is a radioactive gas. It is the second leading cause of lung cancer in the world. Large quantities are regularly released in conjunction with the fracking process. In the Delaware River Basin, exceptionally high amounts are expected to be released. Hydrogen sulfide is as toxic in many respects as hydrogen cyanide. High levels are commonly released during fracking. Acute inhalation causes olfactory paralysis, coughing, physical collapse, and respiratory failure; coma and death may result. Survivors of even one episode of high concentration inhalation are at increased risk for later development of dementia, hearing and vision problems, ADHD-like symptoms, slow speech, impaired short term memory, and difficulties with body movement and coordination. Long term exposure to low levels, which ALL area residents will suffer, causes central nervous system toxicity, decreased lung function, anemia, increased risk for life-threatening clot formation, and a known and proven increased risk of death in those with pre-existing cardiovascular problems. Unlike other US industries, natural gas drilling activities are exempt from the US Clean Air Act, and so gas drilling activities are free to cause these releases without restraint. The DRBC has failed to adequately address how these gases that represent a serious health hazard will be monitored, and how persons who lose their health to these issues will be cared for or remunerated for healthcare costs. Thus, the drillers must 1) be held responsible for alerting residents when releases of methane or hydrogen sulfide or radon are high enough to warrant evacuation 2) be responsible for temporary (or permanent) relocation costs during such evacuations 3) be required to have an independent contractor perform regular AIR monitoring (for methane, hydrogen sulfide, and radon) at the drill site and at multiple locations within a 5 mile radius 4) be required to report, to the DRBC and the public, the methane, hydrogen sulfide, and radon levels detected during the monitoring process 5) be required to permanently cease operations when detection methods identify methane or radon or hydrogen sulfide levels at concentrations high enough to cause serious injury to humans, permanent injury to humans, or death to humans 6) be required to temporarily halt operations, and report the results to the DRBC and the public, when levels of methane, or hydrogen sulfide, or radon are detected to be high enough to cause symptoms, but not necessarily high enough to cause serious human harm, permanent harm, or death 7) be required to remunerate the citizens of the Delaware River Basin for any and all air-quality related health costs the residents will suffer 8) be required to establish a fund in escrow to cover healthcare costs expected to occur in the decades to come (even after the drilling operations cease), since much later long-term effects are expected with the indisputable exposures to hydrogen sulfide and radon that will occur with any area fracking Thank you for your serious consideration of these matters. Regards,

Correspondence ID: 9234 Database Entry Date: 5/13/2011 Name: Teller, Conrad

Organization:

Address: 20 Woodland Ave Westhampton Beac NY 11978 USA

Correspondence Text: Total Copies Received: 80

We have a simple request that the DRBC study the extensive cumulative environmental impact of unconventional drilling for natural gas in the Delaware River Basin. It is important for the welfare of our citizens to know how this drilling process affects the health of our residents, the agriculture, the air, the water both drinking and other bodies of water including the aquifers, the watersheds of both New York City and Philadelphia. We must know if any toxins are draining into the earth and the aquifers underneath. Moreover, tracers of drilling fluid should be required so if any contamination occurs the source can be identified. The gas is not going anywhere so let us wait until the EPA study is complete in 2012. If any damage to the Delaware River Basin occurs because of this invasive drilling, it is the millions of tax payers in the region who will have to pay for the damage Thank you for your attention to this matter.

Correspondence ID: 9242 Database Entry Date: 5/13/2011 Name: Teagle, Melanie R

Organization:

Address: 110 Mill St, #3C Poughicfepsie NY 12601 USA

Correspondence Text: Total Copies Received: 19

To the Delaware River Basin Commission: It is your responsibility to protect the Delaware River Basin, which provides drinking water to 15 million people from the states of Pennsylvania, New York, New Jersey and Delaware. We are deeply concerned that the practice of high-volume horizontal hydraulic fracturing, or hydrofracking, is jeopardizing the health of the people who depend on the Delaware River for their water supply. Oil and gas companies care more about their bottom line than the health of the people who are affected by hydrofracking. It is up to you to ensure that toxic chemicals and radioactive materials do not end up in our drinking water. Please extend the moratorium in the Delaware River Basin until further national cumulative environmental impact studies are done. It's time to put the brakes on and proceed with caution - too much is at stake.

Correspondence ID: 9289 Database Entry Date: 5/16/2011 Name: Beiser, Brenda

Organization:

Address: 326 W Allens Philadelphia PA 19119 USA

Correspondence Text: Total Copies Received: 7

Dear President Obama: I live in Pennsylvania, in the Delaware River watershed. I believe in democracy, but our democracy is not working right now well enough to protect me, my neighbors, and all the people in Pennsylvania from toxic radioactive gas drilling waste. I am writing to ask for your help. Please take the first action before April 15, 2011. If you read the New York Times, you know Pennsylvania has already produced 1.3 billion gallons of toxic waste from gas drilling. The experts, the industry and regulators say that despite "recycling" more of that toxic wastewater, the gas drilling waste dumped into our rivers and streams will increase. Worse, the radioactive materials are not removed. Worse, drinking water facilities do not test for radioactivity, although the waste has 100 to 1000 times as much radioactivity as the safe level for drinking water. It is getting into our environment and our drinking water a lot of other ways ' from accidents and spills, and unbelievably, from road salt. This hazardous waste is not even classified as "hazardous" because of legal exemptions they have. Please protect us from toxic chemicals, neurotoxins, carcinogens and endocrine disruptors in gas drilling waste. Here's the help we need from you, to prevent this life-destroying pollution, and fast. Please immediately direct your Commissioner on the Delaware River Basin Commission, the Army Corps of Engineers representative, to vote NO on finalizing draft rules for gas drilling (high-volume slickwater hydraulic fracturing with horizontal drilling, or "fracking") in our watershed, which supplies drinking water to 15 million people. Please support the FRAC Act wholeheartedly and make sure hydrofracking is regulated under the Safe Drinking Water Act. And please institute a national moratorium on hydraulic fracturing with horizontal drilling for gas, immediately, at least until the EPA study is complete and assessed (2012 earliest) and until this technology is proven safe for aquatic life, wildlife, the environment and most of all, public health. Thank you, Brenda Beiser

Correspondence ID: 9297 Database Entry Date: 3/14/2011 Name: Soffler, Samuel

Organization:

Address: 8 Termakay Drive New City NY 10956-6434 USA

Correspondence Text: Total Copies Received: 13

Dear Ms. Schmitt. Hydrofracking introduces highly toxic chemicals such as benzene and radioactive elements such as radium to the drinking water supply. The DRBC was commissioned with a legal mandate to "Do No Harm" to the protected waters of the Delaware River Basin. It is a dereliction of duty for the DRBC to allow a process as toxic as hydrofracking to take place in a protected watershed that they are commissioned to protect. There is widespread evidence supporting the connection between hydrofracking and ground water pollution which makes drilling in the Delaware River Basin an immediate danger for the people of New York City and Philadelphia who depend on the river as their main source of fresh water. The current draft rules adopted by the DRBC place no restrictions on the chemicals drillers that are permitted during the fracking process, nor do they outline fracking wastewater standard. That needs to change. Our children and the future of our communities depend on clean drinking water. Please do everything in your power to ensure that we have clean, safe drinking water. Sincerely yours, Samuel H. Soffler

Correspondence ID: 9319

Database Entry Date: 3/2/2011

Name: Rocco, Mary

Organization:

Address: 5 Riverside Dr

New York

NY

10023

USA

Correspondence Text:

Total Copies Received: 1

Dear President Obama: I am writing to you today to express my serious concern regarding the threat caused by Hydraulic Fracturing to the environment and to the health and well being of the citizens of the United States of America. Hydraulic Fracturing is a new, unsafe method of drilling for natural gas that injects millions of gallons of toxic fluids and synthetic petroleum based drilling mud directly into and under drinking water aquifers. Thousands of documented water contamination cases across the country point to a massive failure to protect public health over the last five years in the midst of the largest onshore natural gas drilling campaign in US History. There has been an inadequate amount of study investigating the impact on either the environment or the tens of thousands of families that are living amidst roughly 450,000 gas wells across 34 states. I am grateful to know that the EPA has begun an initial study to examine Hydraulic Fracturing but in light of the fact that this study will not be completed until 2012, I continue to be fearful of the ongoing effects of what is largely an ungoverned and potentially perilous practice. In your April 2008 address in Scranton, PA, you stated that you believed Hydraulic Fracturing should be subject to the Safe Drinking Water Act. Therefore, we will expect your full support for passage of the FRAC Act, which would re-regulate the process of Hydraulic Fracturing under the Safe Drinking Water Act. An immediate action you can take is to direct Brigadier General Peter A. DeLuca to change the Army Corps of Engineers DRBC vote to NOT issue rules to permit fracking anywhere in the Delaware Basin. By doing so you will protect this sacred watershed that supplies the water to 15 Million people. I respectfully call upon you, your administration and the Congress of the United States to impose an immediate moratorium on the practice of hydraulic fracturing across the United States until such time as these practices have been unequivocally proven to pose no threat to the environment or the citizens of the nited Stales of America.

Correspondence ID: 9324

Database Entry Date: 3/11/2011

Name: Williams, Justina

Organization:

Address: 156 Sparkling Ridge Road

New Paltz

NY

12561

USA

Correspondence Text:

Total Copies Received: 7

Dear DRBC, As a resident of New York State I am deeply concerned with what hydro-fracking will do to the Delaware River Watershed basin. Referring to the latest New York Times article pointed out last Sunday, there are numerous examples in other states that prove it CANNOT be guaranteed to be done safely. We need to save our precious drinking water and it is imperative that our clean water be protected! Natural gas companies cannot be allowed the use of hydro-fracking toxins to be used or transported in the Delaware River Watershed Basin for the purpose of hydro-fracking for natural gas. Natural gas companies are pressing the borders of New York State with all their might to get permission to drill for natural gas that underlies a third of our lands. They must be stopped now. Short term gain is a heavy price to pay for millions of gallons of undrinkable toxic water. Please say no to hydro-fracking before it is to late! Thank You!

Correspondence ID: 9325 Database Entry Date: 3/14/2011 Name: O'Brian, Michael

Organization:

Address: 400 West 23 St New York NY 10011 USA

Correspondence Text: Total Copies Received: 1

Dear DRBC: Responding to your request for public comment on your plan to permit hydraulic fracturing in the Delaware River Basin, I offer the following points: • The Delaware River Basin Commission was set up with a legal mandate to "Do No Harm" to the protected waters of the Delaware River Basin. For the DRBC to allow a process as toxic as hydrofracking to be employed in the watershed that it is commissioned to protect is to proceed entirely against the spirit of that mandate. • It is known that hydrofracking introduces highly toxic chemicals such as benzene and radioactive elements such as radium into the drinking water supply. The three recent reports by Ian Urbina in The New York Times make this unquestionably clear. • Widespread evidence supports the connection between hydrofracking and ground water pollution that would make drilling in the Delaware River Basin an immediate danger to the citizens of New York City and Philadelphia who depend on the river as their main source of fresh water. • Current draft rules adopted by the DRBC place no restrictions on the chemicals drillers are permitted to use during the hydrofracking process, nor do they outline fracking wastewater standards'this in face of an industry so corrupt and indifferent that it has sold radioactive wastewater to upstate municipalities as a deicer for winter roads. • Issuing drilling regulations without waiting for the conclusions of the scientific research now underway, which is precisely what should inform those regulations, poses an unacceptable risk to the public. • Gas CEO Schlumberger has spoken openly of the industry's "brute force approach" to the introduction of hydrofracking in North America. What, if not such an approach, was the DRBC created to protect us from? For all these reasons, and more, I urge the DRBC to back off on the implementation of its draft regulations and wait until the science that should inform them has rendered its verdict. Yours, Michael O'Brien 400 West 23 St. New York, NY 10011 (212) 929-0150 michaelobrien1939@gmail.com

Correspondence ID: 9348 Database Entry Date: 5/18/2011 Name: Rocco, Mary

Organization:

Address: 5 Riverside Dr 2B New York NY 10023 USA

Correspondence Text: Total Copies Received: 1

Dear Governor Cuomo: I am writing to you to urge you to take strong, decisive action to stop any further use of hydraulic fracturing for shale gas drilling in the State of New York y rau lc racturing is a direct threat to public health and tHe- future well-being of the State. Governor Paterson left you with a partial moratorium on hydraulic fracturing, which expires on July 1, 2011, but vetoed a moratorium bill the Senate and the Assembly had passed with overwhelming support. The executive order allows continued use of hydraulic fracturing in vertical wells. As evidenced by the well- documented corruption of natural water supplies in Dirnock, PA and other locations due to vertical gas drifting, this executive order is insufficient. I ask that you: • Issue a moratorium on all vertical drilling for shale gas now occurring in New York State; • Withdraw the NY State Department of Environmental Conservation's deeply flawed dSGEIS until the DEC completes a comprehensive, scientific analysis of the cumulative impacts of hydraulic fracturing, based on sound, unbiased, scientific evidence; • Promote a robust Severance Tax-as all gas-drilling states except New York and Pennsylvania already have in place-to ensure a measure of financial recompense for the damages the gas industry has already inflicted; • Work to attract and promote green energy industries in New York-this is the real path to future job creation. I recognize that, as Governor, you must consider the demands of many constituents. The shale gas industry is promoting gas drilling by claiming that it is "clean energy," a "job creator," and easy revenue for property owners and the State, in reality, the exact opposite is true. All gas drilling using hydraulic fracturing, whether vertical or horizontal, results in the following: • Poisoning of water, soil and air on a massive scale through use and disposal of chemical toxins in drilling muds, fracking fluids,and the detritus from drilling and fracking; Destruction of ecosystems through creation and use of drilling sites; • Destruction and destabilization of geologic formations through drilling and fracking; • Accelerating global warming by release of methane and other gases into the air. Allowing hydraulic fracturing to continue will ensure that millions of New Yorkers will be exposed to deadly toxins and have severe health problems and New York State will suffer permanent, irreparable environmental harm. New York's economic base-tourism, agriculture, real estate, and business investment-will be devastated. The citizens of New York look to you to protect our health, economy and sustainable future. Sincerely,

Correspondence ID: 9350 Database Entry Date: 3/18/2011 Name: Holtzman, Dorothy

Organization:

Address: 1199 A Shetland Drive Lakewood NJ 08701-7950 USA

Correspondence Text: Total Copies Received: 3

Dear Paula Schmitt, I am writing to you because of my concern to protect the Delaware River. I want to put on the brakes on hydrofracking in the Delaware River region. Hydrofracking introduces highly toxic chemicals such as benzene as well as radioactive elements such as radium to our drinking water supply. I understand that the Delaware River Basin Commission (DRBC) was commissioned with a legal mandate to do no harm to the protected waters of the Delaware River Basin. It is a dereliction of duty for the DRBC to allow a process as toxic as hydrofracking to occur in a protected watershed. Protection of it is the reason that they were commissioned. Widespread evidence supporting the connection between hydrofracking and ground water pollution exists. It makes drilling in the Basin an immediate danger for the residents of New York City and Philadelphia who depend of the precious Delaware River as their main source of fresh water. The current draft rules adopted by the DRBC have no restrictions on the chemicals that drillers use during the fracking process. They do not outline fracking wastewater standards. Those actions need to change. We, our children and the future of our communities depend on clean drinking water. Ms. Schmitt, I look forward to hearing from you soon on this important issue. I hope that you share my concerns and will do all that is in your power to help. You can also contact me at 732-262-3170. Sincerely, Dorothy Holtzman

Correspondence ID: 9351 Database Entry Date: 3/17/2011 Name: Johns, Lydia

Organization:

Address: 435 Winona Street Philadelphia PA 19144 USA

Correspondence Text: Total Copies Received: 1

Dear Ms. Schmitt: I am writing to you on behalf of the people living within the Delaware River who are dependent on the river's source of water. I'm sure you are keenly aware of the practice of "fracking" and the real possibility of toxic waste this method of extracting natural gas can produce. Highly toxic chemicals such as benzene and radioactive substances are frightening to say the least, and I do not want to have to boil water to bathe or to prepare meals if it can be avoided. We the people of this tri-state area need organizations like the DRBC to stay committed to their purpose!! Don't cave in to corporate greed at this point only to regret later while watching the fish and birds, and children sickened by these toxins on network news. I am appealing to your conscience, to your sensibility, to your motherly instincts to protect life. Please remember the old adage, "an ounce of prevention is worth a pound of cure". I trust you will do the right thing for our families, for our future. Thank you for your attention. With Deepest Sincerity,

Correspondence ID: 9383 Database Entry Date: 3/21/2011 Name: vanAuken, Sarah

Organization:

Address: 247 S Juniper St Apt 300 Philadelphia PA 19107 USA

Correspondence Text: Total Copies Received: 2

Dear Commissioners, Please DO NOT adopt regulations for gas drilling now. Please wait until the EPA study can show us how to do it safely. I am further asking the following: 1. Do not allow any wastewater with toxic chemicals from gas drilling to be discharged into the Delaware River or the tributaries that feed it. 2. Do not allow deep wastewater injection wells since some of the toxins could eventually get into deep aquifers and contaminate our drinking water. Some of these deep wells have also been linked with many small and some medium sized earthquakes. 3. Do not import any wastewater and do not import drainage water from coal mines into our Basin. 4. Please wait at least two years with the regulations and with the drilling. Thank you for listening to the citizens of the Delaware Valley and beyond. Citizens whose water will be in jeopardy once drilling begins. Sincerely,

Correspondence ID: 9410 Database Entry Date: 5/20/2011 Name: McGale, Judy

Organization:

Address: 4950 York Road Holicong PA 18928 USA

Correspondence Text: Total Copies Received: 4

Letter to: DRBC Executive Director and the DRBC Commissioners Dear Executive Director Collier and DRBC Commissioners: As a citizen who lives near the Delaware River Basin, I strongly urge you to heed the advice of the Philadelphia Inquirer editorial "Is our water safe?" published March 20, 2011, which states, "Growing doubts about the safety of high-pressure drilling for natural gas should persuade the Delaware River Commission to extend its drilling ban." The gas has been in the Marcellus Shale for millions of years and it can wait several more years for the EPA Study that is underway to show us how hydraulic fracturing for gas can be done safely and if it can be done without risking our water and health." Please wait! These are my recommendations regarding the regulations you have proposed: 1. Don't allow any toxic chemicals from gas drilling to be discharged into our streams and rivers through sewer plants or in any other way. Our drinking water and health must be our top priority and the DRBC is responsible for protecting us. 2. Don't allow uncovered "impoundments" or holding ponds to be used to store toxic wastewater and don't allow importing toxic wastewater from gas drilling outside the Delaware Basin. The wind can carry methane gas with carcinogenic and/or radioactive materials more than 100 miles and we can't risk asthma in children or other health problems. 3. Don't allow deep injection wells to be used to dispose of toxic wastewater because they are suspected of inducing earthquakes in Texas, Arkansas, Oklahoma and West Virginia. Aquifer contamination is another danger. 4. Don't allow toxic and sometimes radioactive drill cuttings to be disposed in landfills since they can leach into the ground and pollute aquifers. In summary, please wait for the EPA Study to provide guidance and direction before finalizing regulations!

Correspondence ID: 9412 Database Entry Date: 4/12/2011 Name: McKinley, K. Jean

Organization:

Address: PO BOX 336 West Point PA 19486 USA

Correspondence Text: Total Copies Received: 14

Before creating rules to hydrofrack our water supply, please find a way to consider the cumulative impact of natural gas drilling. If water quality becomes unsafe, we need to know that the DRBC will stop permitting new wells. Your mission is to do no harm. Go slow.

Correspondence ID: 9461 Database Entry Date: 4/12/2011 Name: Endrick, Tina

Organization:

Address: 11 State Street Landsdale PA 19446 USA

Correspondence Text: Total Copies Received: 17

To DRBC: Please protect the Delaware River. We cannot allow drilling near our drinking water.

Correspondence ID: 9462 Database Entry Date: 5/20/2011 Name: Young, Rachel

Organization:

Address: 157 E 3rd Street3D New York NY 10009 USA

Correspondence Text: Total Copies Received: 8

To whom it concerns: Based on the scientific data pouring in from all over the world --- you need to ban hydraulic fracking. Now.

Correspondence ID: 9463 Database Entry Date: 4/12/2011 Name: Wagner, Carol

Organization:

Address: 811 McIntosh Way Lansdale PA 19446 USA

Correspondence Text: Total Copies Received: 9

Dear DRBC, I am concerned about hydro-fracking contaminating the Delaware River Basin drinking water. If it occurs, have a way to stop the drilling! Also, take into account the cumulative impact between states. Sincerely, Carol H. Wagner

Correspondence ID: 9655 Database Entry Date: 4/11/2011 Name: Wright, Pamela

Organization:

Address: 1215 Hatboro Rd Richboro PA 18954 USA

Correspondence Text: Total Copies Received: 1

Commission Secretary of the DRBC, The Delaware River Basin Commission released fracking regulations for public comment. The regulations are inadequate. They do not protect water, health, landscape and the environment. These regulations won't make drilling safe. Until it is established that drilling is safe, it must be banned.

Correspondence ID: 10020 Database Entry Date: 6/20/2011 Name: Marshall, Charles

Organization:

Address: 32 Wistar Rd. Paoli PA 19301-1838 USA

Correspondence Text: Total Copies Received: 3000

Dear Delaware River Basin Commission, The Delaware River is an incredibly important natural resource that supplies drinking water to more than 15 million people in the region. So I was concerned to hear that the DRBC is proposing to open the Delaware River Basin to dangerous Marcellus Shale gas drilling. The DRBC has the power to protect this critical drinking water source and the Commission's proposed regulations do not go far enough to ensure this. I am concerned that the proposed rules would not restrict the chemicals that gas drilling companies are allowed to use to drill the wells, which is dangerous considering the toxicity of these chemicals. The rules would also allow, gas drillers to use open air pits for storing hazardous drilling wastewater and solid wastes, risking spills and leaks, as has already happened elsewhere in Pennsylvania. Additionally, the rules would not address all the impacts of gas drilling near the river, and how drilling would affect drinking water downstream, as well as wildlife habitat. Given the dangers of gas drilling, I am calling on DRBC to continue its existing moratorium on Marcellus Shale gas drilling throughout the Delaware River watershed until a cumulative impact study of this type of drilling has been conducted, and until the EPA's nationwide hydraulic fracturing impact study is completed. The rules that are eventually implemented should guarantee no drilling takes place anywhere near this critical water body and protect the watershed to the utmost. Pennsylvania needs gas, but drinking water is essential. Sincerely,

Correspondence ID: 10021 Database Entry Date: 6/20/2011 Name: La Croix, Suzanne

Organization:

Address: 241 Avenue of the Americas Apt. 2C New York NY 10014-7504 USA

Correspondence Text: Total Copies Received: 2640

Apr 11, 2011 Delaware River Basin Commission Subject: Don't Drill the Delaware Dear Delaware River Basin Commission, The Delaware River is an incredibly important natural resource that supplies drinking water to more than 15 million people in the region. So I was concerned to hear that the DRBC is proposing to open the Delaware River Basin to dangerous Marcellus Shale gas drilling. The DRBC has the power to protect this critical drinking water source and the Commission's proposed regulations do not go far enough to ensure this. Given the dangers of gas drilling, I am calling on DRBC to implement regulations that guarantee no drilling takes place anywhere near this critical water body. Moreover, I hope that DRBC will extend this comment period to ensure that all concerned New Yorkers have the opportunity to engage in this process. We are killing the earth by allowing such activities to pollute us out of water entirely, by giving in to corporate and individual greed, and by not looking ahead 20 or 30 years to what the environment will suffer from our lack of forethought.

Correspondence ID: 10022 Database Entry Date: 6/20/2011 Name: DiGiacomo, Arielle

Organization:

Address: 14 Fieldston Rd Princeton NJ 08540-6452 USA

Correspondence Text: Total Copies Received: 2300

April 14, 2011 Carol R. Collier P.O. BOX 7360 West Trenton, NJ 0628-0360 Subject: Take your time! Delay the drilling rules to properly gather public input, new studies Dear Carol R. Collier and DRBC Commissioners, As someone who cares deeply about human health and the environment, I'm very concerned that the Delaware River Basin Commission is offering the public so few opportunities to comment on draft regulations for natural gas development. More time and input is needed to address an issue that will impact so many people's lives, such a critical water supply, and the health and safety of my community for decades to come. Please expand the public participation process for the draft natural gas regulations to 180 days. Please schedule additional public hearings in geographically accessible locations, including at least one meeting in each Basin state and in New York City and Philadelphia, the two largest population centers that rely on the Delaware River water supply. In addition, because Pennsylvania is such a large state, one hearing should be held in the Upper Delaware region, one in the central watershed area, and one in the southeastern area I also request that the Commission does not adopt final rules or permit gas drilling to begin in the Delaware River Watershed until key scientific studies are completed by New York State and the USEPA, and after a federal cumulative impact analysis of gas development impacts on the River Basin is conducted. Thank you for considering broadening the public participation process. Much is at stake and the DRBC must do all it can to prevent pollution and degradation of the Delaware River and the watershed. Sincerely,

Organization: Delaware Riverkeeper Network

Address: 300 Pond Street, Second Floor Bristol PA 19007 USA

Correspondence Text: Total Copies Received: 3

THE TRUTH ABOUT NATURAL SHALE GAS EXTRACTION IN THE UPPER DELAWARE RIVER WATERSHED What You Need to Know
Drilling for natural gas in Marcellus and other shales requires polluting development methods, including: ¹ Hydraulic fracturing: "Fracking" (or "fracing") is the practice of injecting fluid and sand into the rock formation to open fractures to release gas. Fracking markedly boosts production. Fracking fluids contain chemicals, many of them hazardous and carcinogenic - up to 154 hazardous contaminants (State of New Mexico).¹ In PA, public records show that formaldehyde, a human carcinogen, acids, pesticides that are toxic to fish and aquatic life, and at least 85 other hazardous materials are added to the fracking water being used (PADEP).² The drilling and fracking processes introduce chemicals into the well and also disturb, distribute, and bring to the surface chemicals/minerals from beneath called "flowback" (such as salts, sulfides, and "normally occurring radioactive materials" or NORMS, which occur in the region; NORMS have required decontamination elsewhere such as at 140 sites since 2005 in Texas's Barnett Shale).³ The wastewater is stored in open pits at the well site posing air and water pollution risks. ⁴ Horizontal drilling: The well bore is directed down and extended horizontally to access the shale (usually about a mile down and at least a mile horizontally). This expands the amount of gas that can be recovered from each well. It takes between 2 and 9 million gallons of water to frack a deep horizontal well.⁴ Multiple wells are often developed on each pad requiring 3-5 acre pads, miles of driveways and feeder pipelines, noisy and brightly lit construction sites, increased stormwater runoff, fragmented habitats, air polluting machinery and thousands of truck trips to the site. These practices have impacts: Environmental pollution is reported around the country near natural gas wells either from spills, accidents or well development practices⁵. However, gas drilling is exempt from many provisions of federal environmental laws.⁶ Virtually no human health studies are underway to assess the impacts on people. For instance, the situation is so severe that in Colorado a Health Impact Assessment has been called for due to pollution problems there.⁷ Examples of pollution: ⁸ In Dimock Twp., Susquehanna Co., PA natural gas (methane) has intruded into the local water, fouling water wells and forcing homes on water tanks after a water well exploded in January, 2009.⁸ In September, 2009, 3 spills of fracturing fluids occurred; 2 entered Stevens Creek, causing a fish kill. In Western PA and West Virginia, 30 miles of Dunkard Creek that borders both states was ruined in a weeks-long disaster that came to a head in September, 2009; 161 species of fish, mussels, and salamanders died in the stream, which flows to the Monongahela River. A water quality emergency occurred in the fall of 2008 and twice again in 2009 on the Monongahela from an overload of gas drilling wastewater that led to a bottled water advisory for 325,000 people, including Pittsburgh⁹. In Bradford Twp., McKean Co., PADEP found Schreiner Oil and Gas responsible for contaminating at least 7 water supplies with methane and/or high levels of iron and manganese, ruining local wells.¹⁰ 1 www.emnrd.state.nm.us/OCD 2 Don Hopey, "State concerned about waste water from new gas wells", Pittsburgh Post Gazette, 12.21.08 and <http://www.riverreporter.com/issues/08-12-18/frac.pdf> 3 "Radioactive Waste Surfaces at Texas Gas Sites", Peggy Heinkel-Wolfe, Denton Record-Chronicle, 11.11.07. 4 "Gas Well Drilling and Development, Marcellus Shale, June 12, 2008 Commission Meeting", www.srbc.net 5 <http://www.earthworksaction.org/pubs/Spills.pdf>, <http://www.earthworksaction.org/oilgaspollution.cfm> 6 http://www.earthworksaction.org/COtoxics_reg_gaps.cfm 7 Witter, et al, "Potential Exposure-Related Human Health Effects of Oil and Gas Development: A White Paper", Colorado State University, University of Colorado, page1 and 21. 8 Steve McConnell, "Gas driller found in violation for „polluting“ groundwater", Wayne Independent, 3.10.09 9 PADEP News Release 10.22.08, "DEP investigates source of elevated total dissolved solids in Monongahela River", <http://www.ahs.dep.state.pa.us/newsreleases/default.asp?ID=5337&varQueryType=Detail> 10 <http://www.ahs2.dep.state.pa.us/newsreleases/default.asp?ID=5494&varQueryType=Detail> 10 ¹¹ In Susquehanna Co., diesel spills related to gas drilling by Cabot dumped 100 gal., 800 gal. and 100 gal. of fuel on the ground in 3 separate incidents.¹¹ ¹² In Pavillion, Wyoming, the USEPA has investigated contamination of 11 water wells near Encana Corp. gas wells that had been developed with hydrofracking. Methane and 2-butoxyethanol phosphate were found by EPA.¹² ¹³ In an incident in Louisiana, 20 cattle died from drinking fluid next to a hydrofracked natural gas well. ¹⁴ In Hickory, PA, farmer Ron Gulla's fish pond has been polluted and polluted runoff continues to ruin his farm¹³; PADEP says the lack of pre-drilling condition data lets Range Resources off the hook. PA's shale region is experiencing pollution from natural gas storage facilities, pipelines and gas wells¹⁴. ¹⁵ In Arkansas, two major wastewater companies were shut down after high salt levels were found in a reservoir and fish kills occurred in a local creek.¹⁵ ¹⁶ Newsweek recounted a fracturing fluid spill that sent a worker to the hospital and is being investigated as the cause of his nurse's near death illness¹⁶. ¹⁷ Wyoming geologists found benzene 1,500 times the level

safe for people in a water well near hydrofracked gas wells. 2 Hundreds of water contamination reports are documented in CO, Alabama, Ohio, Texas, and PA.17 Wastewater from natural gas development, high in total dissolved solids (TDS), salts and containing toxins and "flowback" contaminants, must be disposed of at a treatment plant but there are not enough facilities. Sewage plants can't handle the contaminated waste. Injection wells and mines are being considered as disposal sites; some companies are re-using wastewater at gas well sites. PADEP has proposed regulations in November for effluent standards for TDS, chloride, and sulfate, but they allow interim permitting while standards and rules are worked out for how to dispose of the wastewater.18 Air pollution is emerging as a major human health and environmental problem in drilling areas, especially where drilling has been occurring for a period of time19; NYSDEC's DSGEIS projects that gas development may violate existing air standards.20 Explosions, accidents, fires, and emergencies come with natural gas exploration and well development. These require municipal emergency response, even though in some ways municipalities are being prevented from having controls over gas drilling operations within their borders -- gas companies are suing Pennsylvania towns to stop local regulation, such as stormwater, wellhead, floodplain and zoning ordinances.21 Examples of emergencies: 2 In Leidy Township, Clinton County, PA, a gas well exploded into flames Sept. 14, 2008; special firefighters from Texas were brought in to contain the fire, which was expected to burn for weeks.22 2 In Appomattox County, also on September 14, a Williams Gas Co. pipeline that runs from the Gulf Coast to New York exploded without warning, destroying 2 homes and damaging 6 others, hurting 5 people, causing the evacuation of a neighborhood of hundreds, and leaving a 50 foot crater behind.23 2 In Greene County, PA a worker was killed and another badly injured when a coalbed methane gas well exploded.24 2 In Dallas-Ft. Worth, Texas, drilling in shale by Chesapeake Corp. may have caused earthquakes. Wells drilled deep to store flowback water from natural gas wells are blamed for inducing earthquakes according to geoscientists.25 2 In Ohio, one home exploded

Correspondence ID: 10024 Database Entry Date: 6/20/2011 Name: N/A, Johnathan

Organization:

Address: N/A N/A UN N/A USA

Correspondence Text: Total Copies Received: 34

Hi I am a student at John Dewey High School. I really care about my clean water so please don't frack and pollute it. You will kill us all. If you were smart you wouldn't do that. I like my animals and your hurting them and the environment when you frack. Burning water is cool but it is dangerous for everyone and everything. If you are going to frack at least just make it safe to drink. And please don't destroy the wildlife. If it will be harmless and you say it isn't then you should drink the water. Sincerely, Jonathan

Correspondence ID: 10025 Database Entry Date: 6/20/2011 Name: N/A, N/A

Organization:

Address: N/A N/A UN N/A USA

Correspondence Text: Total Copies Received: 4

RE: Ban Fracking Dear Commission Secretary, I write to make comment about the DRBC Draft Natural Gas Development Regulations. Fracking, or hydraulic fracturing, poses a threat, if allowed to proceed, to the air, water, and overall environmental survival of the Delaware River Basin. It also is a serious health threat. Of course, there is controversy. While there is abundant scientific evidence from such esteemed organizations as Cornell University and multiple other scientific and regulatory groups that the environmental costs of this process are high, the gas industry, its coalitions, and its various supports say that there will not be a problem. I could include numerous articles and papers expounding on the health risks (which the DRBC has completely failed to address) and environmental dangers this can cause; however, I fear that including them will only be ignored by those who support this project in favor of monetary and political gain. So, the bottom line is this: Whether you want to believe that there are inherent dangers in the hydraulic fracturing process or not, I think everyone can agree that the potential for problems does exist. Even supporters recognize that "something" could happen, but justify it by a myriad of arguments about the monetary benefit to be gained (arguments that, themselves, are usually founded on misinformation). Nonetheless, the DRBC is charged with protecting the Delaware River Basin. Accordingly, the Delaware River Basin must be protected from threats and dangers. Thus, even if the DRBC members choose to ignore the scientific evidence that clearly shows the environmental and health destruction that this will wreak, there must be recognition, even by the fiercest of drilling supporters, that the risks are high and the potential for problems is significant. So, if the risk is 100%, then drilling cannot be allowed. If the risk is "only" 10%, that is still too high. In other words, any risk is unacceptable in the Delaware River Basin as the Delaware River is to be protected from threats, real and potential. Only if the risk could be 0%, and proven to be 0%, could drilling be allowed.

Organization:

Address: N/A N/A UN N/A USA

Correspondence Text: Total Copies Received: 14

RE: Preservation of Residential Communities Dear Commission Secretary, I write to make comment about the DRBC Draft Natural Gas Development Regulations. The current draft regulations place no limits on where drills and well pads may be built and operated in the Delaware River Basin. Accordingly, residential communities are threatened by this potential for mass industrialization. There is every reason to believe that vast areas of the Delaware River Valley will be rendered unsuitable for habitation. I invite you to research recent articles written about similar activities already underway in Wyoming and the Colorado River Valley. So much destruction has occurred in the latter area, due to lack of limits on numbers and locations of well pads, that alarmingly large swaths of the Colorado River Valley have been denuded of all vegetation and rendered inhabitable. Ultimately, our residential communities will most assuredly have to suffer from noise pollution, air pollution, and potential water pollution, as well as loss of areas desirable for habitation. The entire Delaware River Valley risks industrialization if the process is allowed to continue without restraint. Current estimates place as many as 20 drill rigs on one well pad, with each well pad encompassing as much as 20 acres each. And, thousands of well pads are expected. It is for that reason that regulations must place clear and specific limits on the number of drills and well pads that can be constructed per square mile. Likewise, no more than one drill should be allowed per well pad. In fact, industrialization of the area cannot be permitted due to the inevitable destruction of the residential communities. Furthermore, the regulations must include a ban on all drilling operations in areas zoned as residential or natural resource protection; in fact, if the drilling is to be allowed, it should only be allowed to occur in those areas zoned as industrial. Nockamixon Township recently tried to block drilling operations in areas not zoned for industrial use. The legal fight cost the residents of Nockamixon Township a tremendous amount of money, resulting in a huge hike in taxes. The result is that the gas firm withdrew from the legal fray. However, the case has not been won yet. And, a larger, better-financed company, like many of the huge multi-national firms expected to descend on the Delaware River Valley, could launch that and similar activities throughout the River Basin. This leaves the taxpayers paying for legal battles that could be prevented by placing restrictions in the regulations to begin with. This could happen to any township in any state in the basin for which the DRBC is responsible. Thus, please help the residents avoid destruction of their communities. Likewise, please avert what will ultimately cost taxpayers millions in legal battles.

Correspondence ID: 10027 Database Entry Date: 6/20/2011 Name: N/A, N/A

Organization:

Address: N/A N/A UN N/A USA

Correspondence Text: Total Copies Received: 4

RE: Prohibit Land Use by Eminent Domain Dear Commission Secretary, I write to make comment about the DRBC Draft Natural Gas Development Regulations. Natural gas drilling companies will need, if allowed to proceed, to build dirt roads and/or lay piping to and from water sources. While the drilling occurs on lands for which they have acquired mineral rights, surrounding property typically must be used for the construction of the dirt roads, piping, etc. In most cases, these surrounding properties are not ones for which the gas drillers have mineral rights, as they are not "drilling" on that surrounding land. However, historically, in other parts of the country, the land needed on these surrounding properties has been obtained through eminent domain. Eminent domain is supposed to be reserved for extreme cases of land need when no other alternative is possible, AND also supposed to be reserved for projects for the common good (e.g., highways, trains). In other words, eminent domain is meant to be a last resort, but a last resort for a public service or public works project ' not for-profit activities in which a small number of people benefit, but the public is not served. If that were the case, then every commercial entity would be able to take land by eminent domain. The argument in courtrooms for eminent domain for commercial purposes has been that it is "for" the public good as it generates income for the public via taxes. Given that gas drilling is a tax-exempt operation in Pennsylvania, that argument fails to support the statement that this is for the public good. Lastly, use of surrounding lands will only contribute further to environmental decline by extending the destruction and disruption of land beyond the borders of the drill site, will extend the degree of deforestation, will increase sediment, erosion, and storm water problems, will expand the territory nuisanced by noise pollution, and will significantly contribute to the loss of the scenic and wild character of the basin. To the extreme, as what has been seen in some other areas in the US under heavy fracking activity, such expansive uses of land can lead to an uninhabitable community. If allowed, this could happen here.

Correspondence ID: 10028 Database Entry Date: 6/20/2011 Name: N/A, N/A

Organization:

Address: N/A N/A UN N/A USA

Correspondence Text: Total Copies Received: 4

RE: Prohibit Use of Public Lands Dear Commission Secretary, I write to make comment about the DRBC Draft Natural Gas Development Regulations. Natural gas drilling is proposed to occur on public lands within the Delaware River Basin. These lands play several vital roles. They maintain a buffering system that augments water quality in the area. They provide a habitat for many species of animals and plants, allowing for biologic diversity, environmental well-being, and overall health of the land and air of the Delaware River Basin. Plants, in particular, are important to removal of green house gases, as well as maintenance of water quality. These public lands play abundant roles, therefore, in the preservation of environmental health, namely of ground, water, and air, in the Delaware River Basin. Their contribution to biological and natural chemical systems and cycles are vital. Furthermore, public lands provide a source of beauty, and help to maintain the wild and scenic character of the basin and the Delaware River within that basin. Lastly, public lands are for public use; inherent in that is that they are not for private use. As I cannot decide to build a house and drill a water well on public lands, surely, gas drillers should not be able to undertake the far more environmentally devastating and land-disrupting process of building and operating gas drilling rigs. No one entity, be it private or commercial, should have the right to use what is the property of the public at large. Accordingly, to protect the environment, including the water, air, and soil, as well as to protect the wild and scenic character of the basin, and, lastly, to preserve the rights of the public, the DRBC must prohibit drilling on public lands. These lands include State Parks, State Game Lands, National Parks, State Colleges and Universities, and any other form of publicly owned land. Thank you for your serious consideration of these matters. Regards,

Correspondence ID: 10029 Database Entry Date: 6/20/2011 Name: N/A, N/A

Organization:

Address: N/A N/A UN N/A USA

Correspondence Text: Total Copies Received: 1

I am-writing you to express my strong support for H 2766/51215, the so-called "FRAC Act." This important legislation will restore the federal regulations that protected our drinking water for over 30 years before the oil and gas industries secured exemptions to it under the 2005 Energy Act. As you may be aware, shale gas extraction relies on a process known as high-volume hydraulic fracturing. Millions Of gallons of chemically treated water ("fracking fluid") are pumped into the well bore to break up the rock formation that contain' s the gas; Despite industrȳ claims to the contrary, the amount of chemicals used is significant. A May 2009 report published by the U.S. Geological Survey states: Whereas the percentage of chemical additives in a typical hydrofrac fluid is commonly less than 0.5 percent by volume, the quantity of fluid used in these hydrofracs is so large that the additives in a three million gallon hydfrac job, for example, would result in about 15,000 gallons of chemical in the waste. A single horizontal gas well may use up to 6 million gallons of water and 30,000 gallons of chemicals every time it is "fracked"-and most wells are fracked multiple times. For any given well, drillers may use dozens of different chemicals in their fracking fluid. Some of these chemicals are biocides, some are lubricants, some anti-rust agents. Many are highly toxic. Spillage, flooding, defective well casings, improper disposal, and underground fluid migration are some of the ways these toxic fluids can, and do, find their way into our drinking water. The USGS report quoted above also said: While the... use of sophisticated hydraulic fracturing processes to extract gas resources from tight rock have improved over the past few decades, the knowledge of how this extraction might affect water resources has not kept pace. And an April 2009 report by the Community Science Institute of Ithaca, New York, concluded: There is solid evidence that gas wells have contaminated drinking wells in the past However very few systematic studies have been done. The Community Science Institute recently estimated that anywhere from 1 to 5% of water wells in the vicinity of gas wells will become contaminated. The Penn State Cooperative Extension put the figure at 8%. Last spring, in response to numerous complaints of changes in water quality and quantity, the EPA conducted a study in Pavillion, Wyoming, where the Canadian corporation EnCana has been carrying out extensive fracking operations. The EPA tested thirty-nine water wells and found that eleven of them were contaminated with a variety of chemicals, including methane and 2-butoxyethanol (2-BE), which is a known constituent in fracking fluids Methane is highly combustible, and 2-BE is an organic solvent used in paints and cleaning products. By federal law, employers are required to inform their employees when they are working with 2-Butoxyethanol With hydraulic fracturing now underway in thirty-five states, it is clear that a significant portion of the

Correspondence ID: 10030 Database Entry Date: 6/20/2011 Name: N/A, N/A

Organization:

Address: N/A N/A UN N/A USA

Correspondence Text: Total Copies Received: 3

RE: Require Use of Non-Toxic Tracers Dear Commission Secretary, I write to make comment about the DRBC Draft Natural Gas Development Regulations. Despite the gas industry's claims that there have been no confirmed cases of water contamination as a result to fracking, it must be recognized that there have been thousands of cases of drinking water. contamination associated with fracking reported throughout the United States. Individuals have seen their water turn brown. Worst yet, there have been tests demonstrating presence of such highly toxic substances as benzene in drinking water in areas undergoing fracking. The water is rendered nonpotable, and not even suitable for washing dishes (due to corrosiveness), washing clothes, and for bathing or showering. This has been reported by newspapers, local governments, news agencies, and other entities throughout the world. One of the leading reasons that a case has not been "confirmed" is that there has been no protective measure in other parts of the country to assess water quality for drinking water wells and public water supplies prior to the arrival and activity of the drilling companies. Furthermore, there has not been an effective means by which to then do later testing. Once an aquifer is contaminated, homes for literally miles in the path of the plume can be affected; the problem is that it can take years due to the typical slow movement of underground water and associated plumes. As such, for the protection of the environment and for public health, there must be a means to evaluate the safety of the water. Of course, prevention of contamination would be foremost. However, as water contamination is an "inevitable" consequence of fracking, as one gas company executive admitted on camera, there must be a means for at least knowing when an event has occurred ' to allow residents to prevent further exposure, to initiate remedial processes, and to provide citizens the proof needed to seek remuneration for damages. The evidence must be clear in so much that one must know that there has been a contamination event, and that the contamination event was directly sourced from the drilling site. The only way to definitively do that is to require the use of non-toxic tracers in the drilling process. Each rig must be required to use these tracers for every event in which ANYTHING is being injected into the ground. Preferably, each rig should have an individual identifiable tracer. Furthermore, the drilling companies should then be financially responsible for drinking water testing of all homes in a 10 mile radius, annually, for at least 30 years, as plumes move slowly.

Correspondence ID: 10031 Database Entry Date: 4/11/2011 Name: Travers, Jamie

Organization:

Address: 223 Church Rd Milford NJ 08848 USA

Correspondence Text: Total Copies Received: 1

RE: Preservation of our natural area Dear Commission Secretary, I write to make comment about the DRBC Draft Natural Gas Development Regulations The current draft regulations place no limits on where drills and well pads may be built and operated in the Delaware River Basin. Accordingly, residential communities are threatened by this potential for mass industrialization. There is every reason to believe that vast areas of the Delaware River Valley will be rendered unsuitable for habitation.-- by humans and animals alike. I invite you to research recent articles written about similar activities already underway in Wyoming and the Colorado River Valley. So much destruction has occurred in the latter area, due to lack of limits on numbers and locations of well pads, that alarmingly large swaths of the Colorado River Valley have been denuded of all vegetation and rendered barren. Ultimately, our residential communities will most assuredly have to suffer from noise pollution, air pollution, and potential water pollution, as well as loss of areas desirable for habitation. Allowing natural gas drilling in our area will put a lot of trucks on our roads. And then our tax money will have to go to paying for all the repairs of roads that comes with the increased use. I moved in to this area because I love the sense of being 'one' with nature -- trees, animals, open fields, etc. With the encroachment of gas drilling, I may as well live in Patterson, or Newark! The entire Delaware River Valley risks industrialization if the process is allowed to continue. Current estimates place as many as 20 drill rigs in one well pad, with each well pad encompassing as much as 20 acres each. Thousands of these well pads are expected if we don't stop the process! If we're to allow them at all, regulations must place clear and specific limits on the number of drills and well pads that can be constructed per mile. Likewise, no more than one drill should be allowed per well pad. Industrialization of this beautiful, natural area cannot be permitted due to the inevitable destruction of the residential communities. The extra money to be made by allowing drilling just IS NOT WORTH the cost of plant and animal life in our area!

Correspondence ID: 10032 Database Entry Date: 6/20/2011 Name: Iwanyk, James H

Organization:

Address: 60 Appletree Rd. Howell NJ 07731 USA

Correspondence Text: Total Copies Received: 300

Dear Carol Collier and DRBC Commissioners: Deep gas drilling is a threat to our water quality and therefore to public health, and must not move forward in the Delaware River Basin. The rules you have released are premature and inadequate; they do not address the acute or cumulative risks to our waters from horizontal hydrofracking. To allow this inherently contaminating, federally exempted and risky technology into the Basin would be to violate your Compact, which mandates that you must not allow water quality to be degraded. Please maintain a moratorium on gas drilling, and make that a complete moratorium. The stunning revelations in the New York Times investigative series show that neither DEP nor EPA have been able to regulate the radioactive toxic gas drilling waste dumped into Pennsylvania rivers and streams ' and, unbelievably, dumped directly on roads. Even with industry re-use, the amount of waste will continue to increase, and there are not enough boots on the ground to keep it out of my drinking water. I live downstream, and I insist: you absolutely must withdraw your draft regulations for gas drilling in the Delaware River Basin and wait to take into account both the EPA study of deep gas drilling's life cycle impacts on water; and a Cumulative Impact Study (CIS) for the Delaware River watershed. The CIS must assess human health risks, now and in the future. It must assess the, network of pre-existing fractures deep underground which could convey contaminants into groundwater and surface water, potentially creating catastrophic future pollution. It must assess the risk of earthquakes, and the inevitable degradation of cement casings over time. It must include impacts on forests, air, and climate, all of which impacts water as well. These studies are an absolute minimum to address public health and safety. Regarding gas drilling waste in the Delaware River watershed: One, all gas drilling waste (mud, liquid, and solid) must be treated as "hazardous waste," because it contains contaminants deadly to biological life. Two, there must be NO IMPOUNDMENTS for flowback anywhere in our watershed; these open, plastic-lined pits are each a Superfund site in the making, and must be completely outlawed. Three, there must be no discharge of gas drilling waste in the basin. Four, waste created here must not be exported to any other watershed. Gas drilling waste puts all our health at risk. Sincerely,

Correspondence ID: 10033 Database Entry Date: 6/20/2011 Name: Harris, Norma and Keith

Organization:

Address: N/A N/A PA N/A USA

Correspondence Text: Total Copies Received: 10

Re: Natural Gas Development Regulations We are very concerned about gas drilling in Pennsylvania... and urge the Governors of PA, NJ, NY and Delaware to wait at least 2 years for the EPA study to come out. The environment is so important to us all and our water is precious. In Hatfield 44,000 barrels of tainted gas water was dumped into the municipal water treatment plant last year. No one was accountable. This is not acceptable. There are no laws regulating disposal of tainted water in PA and the legislature has done nothing as far as we know. Supposedly it takes the energy equivalent of a barrel of oil to get a barrel of oil out of the ground. Is it worth poisoning our water system? Norma and Keith Harris Pennsylvania.