

BEFORE THE  
DELAWARE RIVER BASIN COMMISSION

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IN RE: DRAFT NATURAL GAS REGULATIONS

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BEFORE: ROBERT TUDOR, Hearing Examiner

HEARING: Tuesday, February 22, 2011  
6:00 p.m.

LOCATION: Liberty High School  
115 Buckley Street  
Liberty, NY 12754

WITNESSES: Wayne Marshfield, Gerald Euker, Llana Hoodes, Carolyn Duke, Lisa Lyons, Meg Montgomery, Carolyn Price, Aaron Price, Amber Gonzalez, Wes Gillingham, Allan Scott, Sean Zigmund, Jack Danchak, Jordan Davis, Tracy Carluccio, Catherine Scott, Jan London, Harold Roeder, Grace Van Hulsteyn, Nadia Steinzor, Jill Wiener, Alden Thayer, Harold Yodice, Van Morrow, Midge Maroni

Reporter: Kenneth D. O'Hearn

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(Whereupon, at 1:30 p.m., the Delaware River Basin Commission opened the public hearing at the Liberty High School, 125 Buckley Street, Liberty, New York, with opening remarks by Hearing Examiner Robert Tudor, followed up by a PowerPoint presentation by Chad Pindar. Immediately thereafter, the following commenced:)

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HEARING EXAMINER:

Well, that was intended to be a very cursory overview. The actual rule proposal is about 70 pages long with a lot more detail. In terms of the comment system to date, we have received about 1,200 comments via this electronic Pepsi system and about 300 or 400 comments as separate written letters. So we anticipate that by March 16th we would have thousands of comments in addition to the oral testimony in these six sessions.

So with that said, the procedure we employed in terms of --- on our web page was to allow elected officials to be --- have a first opportunity to speak. And for this session our first speaker would be Wayne Marshfield, a supervisor, town of

1 Hamden. And let me just say in terms of procedure,  
2 we'd ask you to come up to the mic and I think the mic  
3 is on. And I'll shut mine off. And, you know, state  
4 your name, spell your last name, any affiliation. And  
5 then we have this little timer device here and it will  
6 allow for a minute, 50 seconds and a little bell will  
7 go off. Actually, it's a big bell. And then we will  
8 allow 10 or 15 seconds to kind of wind up your remarks  
9 so that we can go on to the next person. Thanks.

10 MR. MARSHFIELD:

11 My name is Wayne Marshfield,  
12 M-A-R-S-H-F-I-E-L-D. And I'm representing the town of  
13 Hamden and the Delaware County Board of Supervisors.  
14 I see natural gas as a financial savior for our  
15 county, focusing on our towns outside of the New York  
16 City watershed. Delaware County is a poor county, one  
17 that needs jobs, tax revenues and opportunities for  
18 our residents. Natural gas will provide that much  
19 needed economic boost.

20 In regard to the proposed DRBC draft  
21 regulations, the definition of the natural gas  
22 development project is far too inclusive encompassing  
23 everything from pipeline, to compressor stations to  
24 vehicle tire cleaning and dust control on roads. This  
25 is totally unacceptable and puts the DRBC in charge of

1 activities that can and should be regulated by our  
2 municipalities. Since when does the DRBC have  
3 anything to do with compressor stations or tire  
4 cleaning? The project definition should be limited to  
5 the water withdrawals and discharges and to those of  
6 100,000 gallons per day or more. We have gone from  
7 this common sense threshold to the point where DRBC is  
8 seriously proposing to regulate dust control.

9           Also the past full requirements reveal  
10 the invariant discrimination against natural gas  
11 drilling as compared to other uses. The massive fuel  
12 requirements on page 39 give a lot of attention to  
13 what is a minimal water use and does not take into  
14 account the much greater distortions of flow rates  
15 related to the New York City withdrawals from the  
16 basin. Natural gas is made the lowest priority while  
17 out in the basin consumption by New York City has a  
18 much greater impact. This is inherently unfair and  
19 suggests the DRBC needs to put much more pressure on  
20 New York City as a means of securing more water per  
21 gas. The city withdrawals are controllable and should  
22 be addressed as part of the comprehensive solution to  
23 make room for natural gas. And we thank you for this  
24 opportunity to comment, and I will leave a couple ---.

25

HEARING EXAMINER:

1 All right. Can you get that? Okay. All  
2 right. Well, the procedure I'd like to follow is to  
3 have like --- to have, you know, the first ten people  
4 who ---. If you look at the back of your card, you've  
5 got your numbers there who want to speak. Come down  
6 and occupy these chairs here on the right so that we  
7 can just follow one another in some orderly fashion.  
8 So with that I'll call on commenter number one, I  
9 don't know who you are, to approach the mic. Oh, he  
10 was number one? Commenter number two. Excuse me. I  
11 messed up already.

12 MR. EUKER:

13 My name is Gerald Euker. I live in  
14 Callicoon, New York.

15 HEARING EXAMINER:

16 Gerald, could you spell your last name?

17 MR. EUKER:

18 E-U-K-E-R. I've lived in the Upper  
19 Delaware River Valley for my whole life. I have  
20 witnessed the gradual decline of agricultural industry  
21 and once bustling hamlets and villages struggle with  
22 vacant storefronts. Our schools are closing as  
23 enrollment declines and our youth are leaving because  
24 of the lack of jobs. The recent recession has made  
25 the situation even worse. We now have an opportunity

1 to turn it all around with natural gas, an industry  
2 already creating tremendous economic advancements in  
3 Pennsylvania and other states. Drilling is already  
4 safely taking place in many other watersheds under  
5 regulations developed by the states and other  
6 commissions such as the Susquehanna River Basin  
7 Commission.

8           The draft DRBC regulations are flawed and  
9 must be corrected. These regulations in current form  
10 will deprive us of the best opportunity we have to  
11 turn things around economically. They must be revised  
12 to reflect the balance intended by the compact which  
13 says the government, employment, industry and economic  
14 development of the entire region and the health,  
15 safety and general welfare of its management of the  
16 population are and will continue to be vitally  
17 affected by the use, conservation, management and  
18 control of the water and related resources of the  
19 Delaware River Basin.

20           The economic part of the mission has been  
21 totally ignored by the draft regulations. The  
22 standards they set make the drilling for natural gas  
23 nearly impossible. It is obvious from renewing the  
24 regulations that the DRBC doesn't have a clue as to  
25 what it's doing and therefore should act as an



1 intricate party leaving the regulations up to the  
2 states. When we look at the events unfolding in North  
3 Africa and the Middle East it becomes even more  
4 important to develop workable regulations which will  
5 allow the safe development of the natural gas industry  
6 and will take us further down the road toward energy  
7 independence and national security. Thank you.

8 HEARING EXAMINER:

9 Thank you. Commenter number three.

10 MS. HOODES:

11 My name is Llana Hoodes, H-O-O-D-E-S,  
12 representing the Northeast Organic Farming Association  
13 of New York. Most of New York's members include  
14 organic farmers, ranchers, food processors,  
15 distributors, wholesalers, retailers, organic seed and  
16 farm equipment, and input merchants, organic gardeners  
17 and consumers who value the choice to purchase organic  
18 food in the marketplace.

19 NOFA New York has adopted a policy that  
20 the federal government should end the exemption of  
21 hydraulic fracturing in the Safe Water Drinking Act  
22 and the prior public listing of all chemicals used in  
23 hydraulic fracturing fluid. We also support the EPA  
24 taking the time to do a comprehensive study of the  
25 effects of hydrofracking on water quality. We believe

1 that DRBC is issuing regulations prematurely in  
2 advance of an EPA study and in advance of a full  
3 accounting of the chemicals used in hydrofracking.

4           Organic farmers, who are numerous in the  
5 region, engage in sustainable land use practices that  
6 conserve water quality may well be driven out of  
7 business if hydrofracking is allowed in the basin.  
8 Consumer groups have already warned that they will  
9 institute preferential buying practices favoring  
10 organic farmers in regions where hydrofracking is not  
11 taking place. NOFA New York members believe that  
12 hydrofracking is not compatible land use in areas  
13 where organic farming is practiced. Organic  
14 agriculture is an existing, rapidly growing,  
15 sustainable industry that can provide economic and  
16 environmental services to our region if you do your  
17 jobs and protect the waters and soils of the basin.

18           DRBC proposed regulations, in addition to  
19 incorporating information from EPA study on water  
20 quality impacts should also include a comprehensive  
21 cumulative impact assessment, including impacts on  
22 human and domestic animal health of all gas wells, not  
23 limit impact assessment to one well at a time. You  
24 should fully disclose to the public complete lists of  
25 the chemicals to be used in fracking fluids. They

1 should mandate a practical plan for tracking and  
2 dispose of all wastewater, inclusive of fracking  
3 fluids and radioactive waste generated by fracking.  
4 And they should demand that all expenses to the DRBC  
5 or county, local governments be born by the gas  
6 companies, including to provide road regulatory and  
7 other services to implement the development of gas  
8 wells and all mandated water monitoring and testing  
9 costs.

10 HEARING EXAMINER:

11 Thank you.

12 MS. HOODES:

13 Thank you.

14 HEARING EXAMINER:

15 Commenter number four. No number four.  
16 You sure? Check the back of your little registration  
17 form because we're just going to number five. All  
18 right. Number five.

19 MS. DUKE:

20 My name is Carolyn Duke. I am a potter  
21 and a small business owner in Sullivan County. I'm  
22 speaking today on behalf of many of the small business  
23 owners who have recently moved full time to Sullivan  
24 County and are willing to take on the financial risk  
25 of opening a small business in this county.

1                   My husband, two sons, and I decided to  
2 make our weekend summer home a full-time residence in  
3 1992. For us, this was a complete leap of faith.  
4 Sullivan County at that time was still in its downward  
5 spiral from the --- large hotel days, and most people  
6 we talked to had a constant negative song about  
7 nothing good could ever happen here. Sullivan County  
8 had seen its boom and now we were definitely in the  
9 bust. But we stayed.

10                   And like so many who also decided to  
11 stay, in order to find work, we had to invent our own  
12 jobs. I opened a pottery studio with an art gallery  
13 and gift shop in our barn where I would sell my work  
14 and also feature the work and products of many of the  
15 county's artists, crafters, and farmers. My husband  
16 opened a photography studio and full-time recording  
17 studio, the only one in Sullivan County to my  
18 knowledge. We have connected with our public radio  
19 stations and other local music groups to offer our  
20 space for concerts open to the public.

21                   We're not the only family with a story.  
22 Others followed and took the same risks. We wanted to  
23 live in a rural community surrounded by an amazingly  
24 beautiful landscape and take our chances that  
25 economically the county would improve. Now we are

1 part of an eclectic network of new businesses, who by  
2 the local board, is one of the fastest growing  
3 industries in the United States, people buying local  
4 products from local farmers and local producers. We  
5 are not working in Sullivan County because it makes us  
6 rich. We are here because we love what we do and we  
7 believe in where we live.

8 All of this is going to come crashing  
9 down if we're not careful in how we proceed with  
10 natural gas drilling. People aren't going to live  
11 here if they don't have access to clean water. To  
12 quote Betsey Howell, executive director of the Central  
13 Pennsylvania Convention and Visitors Bureau, there is  
14 the potential that gas drilling ---

15 BELL SOUNDS

16 MS. DUKE:

17 --- will damage the environment, and  
18 hurting the environment hurts tourism. I live in  
19 Roscoe, New York, Trout Town, U.S.A. Industry  
20 officials insist the drilling process, if performed  
21 correctly, poses no risk to the environment. Even a  
22 major disaster, the cumulative effect to monitor  
23 environmental violations could negatively affect  
24 quality of water. These regulations are premature and  
25 inadequately address the potential pollution and

1 devastation that could result from the dangerous  
2 practice of hydrofracking. The people living and  
3 working in this area deserve better. Thank you.

4 HEARING EXAMINER:

5 Thank you.

6 MS. LYONS:

7 Hi. Good afternoon. My name's Lisa  
8 Lyons, L-Y-O-N-S. I live in Livingston Manor, New  
9 York, where I am a small business owner. My  
10 background is 12 years' experience in New York City  
11 government and five years with the National Park  
12 Service which thankfully I believe gave me a little  
13 broader point of view and a little bit of practice at  
14 making decisions.

15 I didn't write any comments because I  
16 figured I might learn something here that would help  
17 me make a better comment, and I think that was seeing  
18 the map at the beginning of the presentation. I had  
19 contacted Clara Rosenberger probably six years ago to  
20 get a copy of that map. We live at the headwaters of  
21 that beautiful watershed and my goal in having that  
22 map was to teach other people how things are all  
23 connected. So few people know what watershed --- in  
24 all the area we were at. My understanding of the  
25 DRBC's role is that you're charged with a decision-

1 making on the part of many, many people and many  
2 interests.

3           And my point today is that --- get the  
4 good facts that help you make the decisions. We have  
5 some important facts that are missing. I see no  
6 reason whatsoever to share change, whether it's water,  
7 land or air quality by not waiting for better  
8 information. So that really is all I want to say  
9 today.

10           I have other points I could make today,  
11 but that's what I would like to make today. Thank  
12 you.

13           HEARING EXAMINER:

14           Thank you.

15           MS. MONTGOMERY:

16           My name is Meg Montgomery,  
17 M-O-N-T-G-O-M-E-R-Y. I'm a resident of Liberty, and  
18 the author of the song Frack Tack. To anyone who  
19 cares at all for facts, there's a mountain of proven  
20 testimony that illustrates beyond a shadow of a doubt  
21 how insanely dangerous hydrofracking is to our water,  
22 to our environment and to our very way of life.

23           Hydrofracking is a weapon of mass  
24 destruction. It's just one WMD in a much larger war  
25 of the democratic process and the people of this great

1 country. The economic purpose of hydrofracking is to  
2 funnel trillions of dollars into the hands of the  
3 plutofracks (phonetic) who do not pay taxes. Its  
4 political purpose is to destroy the health and  
5 livelihoods of those who live in its range, rendering  
6 them either powerless or dead. This is the express  
7 purpose of the Halliburton loophole. In a time when  
8 we have the technology to quickly and safely  
9 transition to a renewable economy, instead we are  
10 battered by the blind greed of the two percent who  
11 want to squeeze every last drop of fossil fuel out of  
12 the ground, every last penny out of our pockets and to  
13 destroy the Constitutional liberties.

14           If you, the members of the DRBC, pave the  
15 way for hydrofracking in the Delaware River, which  
16 supplies drinking water to almost 20 million people in  
17 New York, New Jersey and Pennsylvania, you will be  
18 willing accomplices to a terrorist attack, the likes  
19 of which this country has never seen.

20                   HEARING EXAMINER:

21           Okay. I think we're looking for  
22 commenter number eight. And then at this point in  
23 time I'd like commenters 11 through 20 to occupy the  
24 seats up here, please.

25                   MS. PRICE:



1 My name is Carolyn Price. I'm from the  
2 Town of Windsor in Broome County. It is really very  
3 important that we develop natural gas because we must  
4 get off using coal to protect our environment.  
5 Sunday, I had the opportunity to attend a wonderful  
6 debate at Sydney Portland (phonetic) with two  
7 professors. One professor from Syracuse that was very  
8 supportive of natural gas drilling and a professor  
9 from Cornell that has great reservations. It was an  
10 excellent debate.

11 But there were some things they agreed  
12 on. And one thing they agreed on that there is no  
13 energy that doesn't have risk. They also agreed that  
14 we must get off using coal. They said that we must  
15 work toward feeding our grids with nuclear, hydro,  
16 natural gas, wind and solar. And they were very  
17 united in feeling we had to move in that direction.

18 Yes, we need natural gas. And I looked  
19 at your vision statement, and it's very well written.  
20 The thing I'd like to point out is that you mention  
21 that you will integrate environmental and economic  
22 need. And I believe speaker two said he didn't see  
23 much about the economic emphasis. So as you develop  
24 these regulations, I think you need to bring that in  
25 because that's in your vision statement.

1                   And also, you said you will base  
2 decisions on sound science, and that is really needed  
3 because people have been bombarded through the media  
4 with internet, television, radio, newspapers with  
5 information that is often misleading and sometimes  
6 false. This has ---

7 BELL SOUNDS

8                   MS. PRICE:

9                   --- instilled fears about natural gas  
10 development that are not based on science but based on  
11 Hollywood hype and political maneuvering. I wish you  
12 well as you continue to develop your regulations  
13 relating to natural gas. We really need it. Thank  
14 you.

15                   HEARING EXAMINER:

16                   Thank you. Commenter number nine.

17                   MR. PRICE:

18                   My name is Aaron Price. A-A-R-O-N,  
19 P-R-I-C-E. And I'm from Windsor, New York. The  
20 regulations on gas drilling being considered will not  
21 protect a single lake from acid rain. The regulations  
22 being considered will not clear our skies of  
23 greenhouse gases or remove mercury from a fisherman's  
24 catch. The regulations being considered will not help  
25 to reduce our reliance on foreign oil. Quite the

1 opposite.

2                   These regulations will steer us off of  
3 the course of sustainable and affordable energy by  
4 ensuring that coal continues to be burned in ever-  
5 increasing amounts. The power to regulate can be the  
6 power to conserve. It can also be the power to  
7 destroy.

8                   As the Commission finalizes its rules, I  
9 ask you to carefully consider the impacts of your  
10 rules on this important clean, domestic fuel supply.  
11 As the Commission writes the regulations that will  
12 govern gas drilling in the Delaware River Basin,  
13 please remember that dozens of pages of rules are not  
14 the solution for developing the energy of tomorrow.  
15 What is needed is a commitment to a healthy balance of  
16 growth and environmental care, an informed and  
17 reasonable collaboration by lawmakers, residents and  
18 experts to prepare for natural gas' growing role.

19                   Not only do we as citizens have a right  
20 to clean air and clean water, we have a right to  
21 cleaner energy. I urge the Delaware River Basin  
22 Commission to provide regulations that make the  
23 development of the Marcellus Shale possible for us  
24 all. Thank you.

25                   HEARING EXAMINER:

1 Thank you. Commenter number ten.

2 MS. GONZALEZ:

3 My name is Amber Gonzalez,  
4 G-O-N-Z-A-L-E-Z. And I go to New York Law School and  
5 I work for Domestic Citizens. If the DRBC regulations  
6 are promulgated as proposed, they could present issues  
7 of regulatory taking under the New York Constitution  
8 and Eminent Domain procedural. The surrounding  
9 properties close to drilling activities are not under  
10 any useful agreements for mineral extraction can be so  
11 adversely affected by the drilling as to constitute a  
12 government taking for public use without just  
13 compensation.

14 The public use requirement is to ensure  
15 that a governmental action promotes the common good  
16 purpose that is arguable here. The documented  
17 experience well known has already exposed to gas  
18 drilling in other areas such as well blowouts and  
19 explosions, water and ground contamination, water flow  
20 destruction, depletion, air pollution, geological  
21 impacts and health problems for both humans and  
22 animals taken cumulatively or separately to constitute  
23 a regulatory taking.

24 The regulations provide financial  
25 assurance only for the gas well sites themselves and

1 only up to a limited amount that may be reduced as the  
2 executive director sees fit. The regulations are not  
3 comprehensive enough to address the property rights of  
4 surrounding landowners or to protect the surrounding  
5 environmental landscape from degradation in all forms  
6 stemming from gas drilling. If these properties are  
7 deemed by the courts open to economic use or as having  
8 a permitted physical invasion on their property or the  
9 regulations interfere with the owner's distinct  
10 investing back restitution, the government, or rather  
11 the taxpayers, will be responsible for providing just  
12 compensation to the surrounding landowners under the  
13 Eminent Domain Provision. Thanks.

14 HEARING EXAMINER:

15 Thank you.

16 MR. GILLINGHAM:

17 Hi. I'm Wes Gillingham, Catskill  
18 Mountainkeeper. We have testified in the past ---.

19 HEARING EXAMINER:

20 Wes, Wes, can you just spell your last  
21 name for the court reporter?

22 MR. GILLINGHAM:

23 Okay. G-I-L-L-I-N-G-H-A-M. We have  
24 testified in the past that we are against these  
25 regulations going forward until there's a full

1 cumulative impact analysis. Your presentation on the  
2 number of wells and well pads clearly stated that this  
3 does not include vertical wells.

4           The history of shale gas development  
5 across the United States clearly shows it's not just  
6 about horizontal wells. Shale gas development is an  
7 industrialization of the landscape. These proposed  
8 regulations do not adequately address this. It has  
9 been clearly shown by documented agency actions and  
10 science there are serious problems in Pennsylvania and  
11 across the United States with shale gas extraction.

12           I'm going to quote from Tom Myers, a  
13 national expert on groundwater contamination, a  
14 hydrogeologist. Fracturing by injection fluids into  
15 the shale will cause conditions that make transport of  
16 contaminants from the shale to surface aquifers  
17 possible. You simply cannot go forward with  
18 regulations to regulate that until you have the clear  
19 science to show that it can happen without it moving  
20 upgradient. The theory documented and promoted by the  
21 gas industry and regurgitated by those who believe  
22 that contaminants in the shale are isolated is simply  
23 not true. And there isn't the science to back this  
24 up.

25           The transport of contaminants may take

1 decades, depending on the conditions. And it will  
2 occur much more quickly if they reach a place of  
3 preferential flow. What we have here is a situation  
4 where you need the science, you need the  
5 documentation, and it isn't happening. And it's  
6 actually happening in the opposite direction. Every  
7 day, every week, every month, there's more information  
8 out there showing how unsafe this practice is. And  
9 until we have a regulatory process in the states, ---

10 BELL SOUNDS

11 MR. GILLINGHAM:

12 --- in the individual states to show that  
13 it can go forward, it should not happen. The truth  
14 hurts. And what hurts, it's going to hurt the health  
15 and safety of our community.

16 HEARING EXAMINER:

17 Thank you.

18 MR. SCOTT:

19 My name is Allan Scott, and I am the CEO  
20 of the Sullivan County Partnership for Economic  
21 Development. Sullivan County Partnership is a  
22 150-member, non-profit business association charged  
23 with promoting and coordinating the economic  
24 development of private business in Sullivan County in  
25 order to benefit the general public by enhancing the

1 quality of life and improving our standard of living.

2           The partnership has worked on many  
3 projects over the years and has worked with a variety  
4 of regulatory bodies through scores of projects over  
5 its two-plus decades of existence. From the New York  
6 State Department of Environmental Conservation to the  
7 Army Corps of Engineers, and a whole host of local  
8 regulatory stakeholders, we have addressed many  
9 environmental concerns while advancing and promoting  
10 economic development for the betterment of the  
11 business community and ultimately the residents of our  
12 coverage area.

13           The partnership as a formal policy has  
14 taken a position to support gas drilling in the areas  
15 affecting Sullivan County only if it is done so in a  
16 way that ensures safe extraction of the resources  
17 while preserving the environment. We believe that the  
18 current wave and investigatory studies that are being  
19 undertaken by the New York State EEC and the  
20 affiliated state agencies will ensure the monitoring  
21 and safe extraction of these much needed resources  
22 with the best interests of the public at the  
23 forefront. We are concerned, however, that the draft  
24 regulations proposed by the DRBC will create  
25 unnecessary duplication of already existing safeguards



1 and will thus make it a tremendous hardship on  
2 business located in Sullivan County area of interest.

3           The northern and western parts of the  
4 county have been struggling economically for quite  
5 some time. Taxes continue to rise in order to provide  
6 the most basic of services, while the public entities  
7 charged with providing these services are nearly  
8 bankrupt. School enrollments are down. Many  
9 manufacturing is now gone, and the single most ---

10 BELL SOUNDS

11           MR. SCOTT:

12           --- important industry in this area, the  
13 agrobusiness and its direct subclusters, are under  
14 extraordinary stress.

15           In closing, the partnership clearly  
16 understands that preserving the health and welfare of  
17 our businesses and the environment are of utmost  
18 importance. The beauty of the Delaware River Basin  
19 matches or surpasses most in the area in the  
20 northeast. Yet ensuring that our citizens have viable  
21 means to provide for families, that our local  
22 commercial activities grow in order to prosper and  
23 provide much needed tax revenue for public service.  
24 The economic development opportunities, the gas  
25 drilling industry, can provide when done so

1 responsibly are extraordinary and may just be the  
2 catalyst this area needs to spark our economic  
3 recovery. Thank you very much.

4 HEARING EXAMINER:

5 Thank you. I think we're on commenter  
6 number 13.

7 MR. ZIGMUND:

8 My name is Sean Zigmund, Z-I-G-M-U-N-D.  
9 I recently moved back to Sullivan County to start a  
10 small-scale produce farm on my mother's property. I  
11 grew up here. I have family and friends here, and I  
12 strongly oppose natural gas drilling and I strongly  
13 urge the DRBC to conduct a cumulative impact study on  
14 the effects of hydraulic fracturing in the Delaware  
15 Basin.

16 Dimock, Pennsylvania is a mere two hours  
17 from here. I recently met Craig and Julie Sautner  
18 (phonetic), residents of Dimock, who signed a lease  
19 with Cabot Oil and Gas in the summer of 2008 to drill  
20 on their property. Since the drilling began, the  
21 water became contaminated to the point they could no  
22 longer consume it or even wash in it. They're not  
23 alone. There are now a dozen other families ---  
24 families who have joined together in a lawsuit against  
25 Cabot. The Department of Environmental Protection of

1 Pennsylvania fined Cabot a mere \$360,000 for the  
2 contamination, but the residents involved get nothing  
3 more than a faulty water filtration system that still  
4 to this day does not properly filter the water. It  
5 can't be filtered. It's contaminated with toxic  
6 chemicals, period.

7                   This is fact, not hyperbole, not  
8 environmentalist fanaticism. There's no science that  
9 exists to prove that fracking for natural gas can be  
10 done without affecting the land, air and water. On  
11 the contrary, case after case is piling up across the  
12 U.S. proving that natural gas hydrofracking is  
13 decimating the landscape, the air, the water and the  
14 quality of life of U.S. citizens.

15                   Big oil and gas companies have proven  
16 time and time again, Exxon Valdez, BP's ocean rig  
17 catastrophe last year, and the list goes on, but they  
18 do not and will take necessary action to prevent these  
19 catastrophes. Please do not allow hydrofracking to  
20 occur without first getting the independent scientific  
21 facts, which I'm sure will prove this method of gas  
22 drilling is not only unsafe for humans and all living  
23 beings. It's irresponsible and short-sighted. We can  
24 obtain energy naturally, renewably and responsibly.  
25 We need jobs, yes. But they should be forward

1 thinking like renewable energy sources, wind, solar  
2 and geothermal.

3 BELL SOUNDS

4 MR. ZIGMUND:

5 No local jobs will come of fracking. To  
6 take a quote directly from the DRBC website, a river  
7 is more than an amenity. It's a treasure. Water is  
8 absolutely necessary for life to exist, so is the air  
9 around us and the land. Please wait until a  
10 cumulative impact study can be performed, and use the  
11 EPA study as well from 2012. Thank you.

12 HEARING EXAMINER:

13 Thank you. Number 14.

14 MR. DANCHAK:

15 Jack Danchak, D-A-N-C-H-A-K. I'm a  
16 taxpayer from Bethel, New York. Dear Commissioners, I  
17 oppose the DRBC draft regulations as they are now  
18 written. These regulations would impose a 500-foot  
19 distance from any water body where drilling would be  
20 allowed. With all the waterways, streams, creeks,  
21 ponds and lakes that are here, it would be impossible  
22 to drill anywhere in the Upper Delaware River Basin.

23 The proposed regulations also give the  
24 DRBC no deadline to act on applications. And they  
25 give the executive director the full authority to stop

1 almost anything at any time and for no reason  
2 whatsoever. This is not right and not the American  
3 way of doing things. The regulations are discouraging  
4 and would be chasing gas companies elsewhere. They  
5 must be revised.

6           Most of us living in or near the natural  
7 gas corridor have suffered and struggled through the  
8 years. We now have a once in a lifetime opportunity  
9 to help ourselves, our county, our state and America  
10 to be independent from foreign countries for our  
11 energy needs. The petroleum geologists, the  
12 knowledgeable experts tell us with modern technology,  
13 there are thousands of working natural gas wells using  
14 the fracking method throughout the United States and  
15 there is not one major problem reported. I said  
16 major.

17           As a property owner with 100-acre lake, I  
18 am convinced that gas drilling can be done safely and  
19 responsibly. And as president of our sportsman's  
20 federation, I am and I have been an environmentalist  
21 for a long time. And I am in favor of drilling for  
22 natural gas. For the sake of the thousands of people  
23 living here who share my thoughts, please encourage  
24 gas companies to come to this area and don't chase  
25 them elsewhere with the current proposed DRBC

1 regulations on gas drilling. Thank you.

2 HEARING EXAMINER:

3 Thank you. Commenter 15.

4 MR. DAVIS:

5 My name is Jordan Davis, D-A-V-I-S. I'm  
6 a student and activist. So I want to start off by  
7 saying that hydrofracking is very unstable, unsafe  
8 and, I believe unnecessary. No regulations will make  
9 natural gas clean or prevent well blowouts, water  
10 contamination, air pollution, especially considering  
11 the underfunded nature of the DEC and its corollaries.  
12 Who will pay for the pollution? What about climate  
13 change?

14 Natural gas is still a fossil fuel and  
15 further investment in this directs money and energy  
16 away from investment and renewables and other way more  
17 important things such as organic agriculture. Also  
18 gas companies' profits, these economics, not  
19 important. The earth is.

20 The regulations you have proposed are not  
21 enough. We need to ban, not hands off. No more  
22 business as usual. Consider this. Two to nine  
23 million gallons of fresh water, thousands of chemicals  
24 being disposed of, and already overburdened waste  
25 facilities. Two million gallons per well. That means

1 366 tanker trucks of fresh water, 183 waste trucks.  
2 That means more roads, diesel engines, traffic, noise  
3 and habitat destruction.

4           You all accept business as usual, but I  
5 don't. The earth comes first. No compromise.

6           HEARING EXAMINER:

7           Thank you.

8           MS. CARLUCCIO:

9           Tracy Carluccio, Delaware Riverkeeper  
10 Network, C-A-R-L-U-C-C-I-O. I'd like to just say a  
11 couple things about what we're up against. We're up  
12 against an industry that's exempt from portions of  
13 every major federal environmental law. Safe Drinking  
14 Water Act, exempt. Allows them to inject dangerous  
15 chemicals into the ground with no safeguards. Clean  
16 Water Act, exempt, from the sections that protect our  
17 streams from stormwater runoff. Clean Air Act, exempt  
18 from key portions of the Clean Air Act, the air we  
19 breath.

20           Even industrial accountability laws that  
21 make polluters clean up the mess they make, they're  
22 exempt, such as the Superfund Law. And at the state  
23 level, New York has not proposed any new regulations  
24 for high volume, hydraulic frack, and is even allowing  
25 vertical fracturing to go on right now. And in

1 Pennsylvania, the communities across Pennsylvania are  
2 being torn apart by gas drilling because of the weak  
3 regulations there. 2,486 violations just in 2010 of  
4 those relatively weak regulations. So all we have to  
5 protect is here in the Delaware River watershed is the  
6 Delaware River Basin Commission. And yet the DRBC has  
7 rushed out regulations without doing a cumulative  
8 impact analysis, without waiting for the EPA to take a  
9 hard look at the hydraulic fracturing that's allowed  
10 to go ahead under the last federal administration for  
11 the wrong reasons, the Halliburton loophole. And  
12 these rules don't meet the standard. They don't meet  
13 the mandate that the DRBC labors under, the do-no-harm  
14 mandate.

15                   The exceptional water quality of the  
16 Delaware River must be protected by the statutes that  
17 the DRBC labors under. And that means that the 15  
18 million people that drink water from this watershed  
19 and the critters that live in the streams and the  
20 environment that is part of that watershed needs to be  
21 protected by you, and it cannot be degraded. These  
22 rules don't do that.

23 BELL SOUNDS

24                   MS. CARLUCCIO:

25                   They should be pulled back. And in the



1 meantime, we have to remember, without do-no-harm, we  
2 will be harmed.

3 HEARING EXAMINER:

4 Thank you.

5 MS. SCOTT:

6 Hi. My name is Catherin Scott,  
7 S-C-O-T-T. I'm from Hortonville, New York. I also  
8 belong to the Catskill Citizens for Safe Energy. My  
9 parents moved up here when I was an infant because  
10 they wanted us to have a better life, and we did. And  
11 we were a bunch of barefoot, dirt-crusted little  
12 rugrats running the hillsides of Sullivan County. We  
13 played in creeks and ponds and the lakes. I remember  
14 going to visit my family in the city, and refusing a  
15 glass of water because I knew it didn't taste right.  
16 My father said to me, no, this is the water they  
17 drink. They just purified it from the journey that it  
18 takes from upstate to downstate. And then it became a  
19 point of pride.

20 After 9/11, we saw how vulnerable New  
21 York City was with the reservoirs up here and with  
22 terrorism, a very real and probable threat. My nephew  
23 is a DEP officer or water dog. His job is to maintain  
24 the safety of those reservoirs. I feel it is my job  
25 to maintain the safety of the water that goes to 17

1 million people, not just myself. And I think that the  
2 rush to drilling without the safety of adequate  
3 science puts a lot of people that I care about, and I  
4 love in jeopardy, not just upstate New York but also  
5 in New York City.

6                   Through this journey, I have made friends  
7 in West Virginia, Texas, Colorado, Arkansas, Australia  
8 and others around the world just trying to get more  
9 information from people who lived this. And their  
10 story is that promises made have been broken. And it  
11 makes me feel like a virgin on prom night. I feel  
12 like the gas company is willing to say anything to get  
13 that dress up over my head. I didn't appreciate it  
14 then, and I don't appreciate it now because the fact  
15 of the matter is once you lose your virginity, you  
16 don't get it back. Once we poison this water, we  
17 don't get it back.

18                   And my question to the DRBC is what is  
19 plan B? Ten years from now if we find ---

20 BELL SOUNDS

21                   MS. SCOTT:

22                   --- degradations, we're not satisfied,  
23 and my family is drinking water that is toxic, what is  
24 your plan B? How do you become virgin again? It's  
25 not going to be that easy. Thank you.

1                   HEARING EXAMINER:

2                   Thank you.   Eighteen (18).

3                   MR. LONDON:

4                   Hi.   Jan London, J-A-N L-O-N-D-O-N.   Kind  
5 of shocked.   Appears to me there's an agreement  
6 between anti-gas drillers and pro-gas drillers.   They  
7 want to stop the regulations and redo them.   A little  
8 bit different, but they're both in agreement there.

9                   I got two main issues.   In addition to  
10 the water, the noise that we discussed, so much of the  
11 time.   First is are we prepared for what any  
12 significant seismic activity could do to the tens of  
13 thousands of wells going through here, thousands of  
14 ---.   What kind of steel is used for the well case?   I  
15 strongly suggest stainless steel for strength and non-  
16 decay to at least 500 feet below the aquifer all the  
17 way up to the surface.   Of course, that crosses my  
18 mind that they won't do that.

19                   Are we prepared to deal with a five-  
20 percent failure of tens of thousands of wells and one  
21 seismic activity?

22                   Second, the deceit of the energy  
23 independence is being exposed daily.   Some of the  
24 largest gas companies, the Chesapeake --- so large  
25 percentages of shale leasing to the China ---

1 multinational companies. Some of these are in the  
2 last month. They're paying you \$5,000 an acre and  
3 reselling it to China for \$40,000 or \$50,000 an acre.  
4 Lease signers are being used to fight the gas  
5 company's fight. Don't kid yourself. This gas will  
6 go to the highest bidder in the world. You think  
7 China's energy companies are going to be responsible  
8 for every bit of environmental damage 30 years from  
9 now? Please wait for currently ongoing scientific  
10 studies to this infant technology. To quote an old  
11 adage, haste makes waste. Thank you.

12 HEARING EXAMINER:

13 Thank you. Just before you start, what I  
14 usually do when we get around 19 is then call down the  
15 rest of the folks. So if there's anybody with a  
16 number 21 to 30, if you would come down here, I would  
17 appreciate it. I'm sorry. Twenty-one (21) to 30, if  
18 you can take your seats here, that would be great.

19 MR. ROEDER:

20 I'm Harold Roeder, Jr. I live in  
21 Hortonville, which is a town of Delaware, County of  
22 Sullivan, State of New York. I serve as a councilman  
23 on the Town of Delaware Board. The town board has  
24 taken a position of neither promoting nor impeding gas  
25 drilling. Furthermore, when gas drilling does occur

1 in the town of Delaware, the board wants it to be  
2 performed safely and responsibly.

3           Safety of our water is and has been the  
4 responsibility of New York State through the  
5 Department of Conservation. In our town, we have  
6 waters which include brooks, creeks, streams, ponds,  
7 lakes, springs, wetlands and other drainage areas as  
8 well as a river. All in all, the DEC has done a  
9 pretty good job of protecting these waters. Both the  
10 DEC and the DRBC are now in various stages of  
11 formulating gas drilling regulations for the  
12 protection of our water. Our town board expects that  
13 both agencies will bring us the kind of gas drilling  
14 regulations which will protect the water and at the  
15 same time not be so restrictive that they unduly  
16 impede the use of private lands for gas drilling.

17           I speak specifically to the DRBC in  
18 setback regulation of 500 feet. The State of New York  
19 using its setback regulations has successfully  
20 protected its waters from residential, commercial,  
21 light and heavy industry, as well as municipal uses  
22 for decades. It is doing such right now, and their  
23 setbacks are nowhere near what the DRBC proposes.  
24 Hopefully, the DRBC is here in support and  
25 reinforcement of the New York State regulations that

1 are to come and not here to usurp them.

2 I respectfully suggest that the DRBC  
3 revisit their proposed setback regulations and align  
4 them with those of the New York State. Thank you for  
5 your time.

6 HEARING EXAMINER:

7 Thank you. Commenter number 20, please.  
8 I think Harry was 19. Do we have a 20? All right.  
9 We'll go to 21. Okay. Any last call for 20 or 21?  
10 All right, 22.

11 MS. HULSTEYN:

12 My name is Grace Van Hulsteyn spelled  
13 V-A-N H-U-L-S-T-E-Y-N. This comment is directed not  
14 to the new rules themselves but ---.

15 HEARING EXAMINER:

16 Approach the mike a little closer.  
17 That's all.

18 MS. HULSTEYN:

19 My comment is directed not so much at the  
20 new rules themselves but at the Commission's continued  
21 resolve to subject a sensitive river basin to the  
22 unpredictable consequences of deep drilling and  
23 hydrofracking.

24 I was so shocked to learn that the DRBC,  
25 which I was relying on, I thought as a safety party,

1 that whether the site was going to allow these wells  
2 in the basin, the exploratory wells. I'd like to know  
3 whether the reason for this was the distress of the  
4 many reports nationwide of water contamination through  
5 spills and migration of fracking fluid or to the  
6 belief that the risks are so small as to be tolerable?

7           Apparently, what the DRBC said at the  
8 time was that there were economic concerns that it had  
9 to concern itself with. And more distinctly, reminded  
10 the DRBC of economic concerns were not really within  
11 its mission. Nobody can now warn that the river won't  
12 be harmed by drilling and hydrofracking, even of the  
13 limited explore --- even those of the limited  
14 exploratory wells because too little is understood  
15 about the underground river of water.

16           Some helps in the works in the EPA, but  
17 you have decided not to wait for that. Meanwhile the  
18 pristine river could be compromised even in a long  
19 term by a single incident of contamination,  
20 diminishing its health and its value to millions.

21           As to economics, please consider, your  
22 proper mission aside, that environmental risk is not  
23 the tradeoff ---

24 BELL SOUNDS

25           MS. HULSTEYN:

1           --- for wealth. The most dangerous risks  
2 of contamination occur in the exploration process, not  
3 in production. So contamination could occur even if  
4 not one well in the basin were to produce a single MCF  
5 of gas. Spills and migration can ruin the river even  
6 though no landowner receives a dime of royalties, even  
7 though wells are then abandoned and sealed, and jobs  
8 and local stimulus meet a sudden and premature end.

9           HEARING EXAMINER:

10           Thank you. Commenter number 23.

11           MS. STEINZOR:

12           My name is Nadia Steinzor. That's  
13 S-T-E-I-N-Z-O-R. And I'm the Marcellus organizer for  
14 Earthworks Oil and Gas Accountability Project. We're  
15 a national group and for over 20 years we've  
16 documented the damage and impacts with the fracking  
17 industry and assisted landowners and towns once they  
18 have held. And there are problems associated with the  
19 fracking industries. Unfortunately, many of them  
20 sorely regret having welcomed the industry with open  
21 arms that's exempt from many federal laws and that  
22 cuts corners, denies their responsibility, and does  
23 everything it can to not be regulated.

24           And with that in mind, I recommend the  
25 DRBC is going to have a heck of a job trying to



1 regulate this industry. So thank you for beginning to  
2 issue regulations. Restrictions on gas development in  
3 the particular area and preauthorization wastewater  
4 disposal are the positive first steps. But despite  
5 the gas industry's clear intention to develop  
6 thousands of wells over many years, the DRBC has made  
7 no effort to assess the cumulative impacts of water  
8 withdrawal and well development, and draft regulations  
9 do not have any plans to address the cumulative  
10 environmental impacts at a very wide result.

11 By rushing you into these draft  
12 regulations, the DRBC has chosen not to wait for a  
13 federal study that would provide a cumulative impact  
14 analysis, that all members stay sort --- make their  
15 own decisions and develop their own regulations. The  
16 DRBC has also chosen to rely on the state regulations  
17 for critical aspects, such as well casing setbacks and  
18 safety, but the Commission in many states have yet to  
19 update the outdated regulations that date back to the  
20 1980s, and that cannot deal with modern-day industrial  
21 gas development. This is not your grandfather's ---.  
22 It uses high levels of toxic chemicals and water and  
23 has a very strong impact on landscape.

24 The DRBC shouldn't just slip under the  
25 low bars of state regulations but this is a golden

1 opportunity for the DRBC whose mandate is to do no  
2 harm to the previous area ---

3 BELL SOUNDS

4 MS. STEINZOR:

5 --- of drinking water to set the bar  
6 higher and to lead. Thank you.

7 HEARING EXAMINER:

8 Thank you. Twenty-four (24).

9 MS. WIENER:

10 My name is Jill Wiener, W-I-E-N-E-R. I'm  
11 a Sullivan County resident, landowner, business owner,  
12 member of Catskill Citizens for Safe Energy. I have a  
13 bunch of concerns about the draft regulations, but  
14 we'll just limit this.

15 So one of the concerns is the fact that  
16 you have estimated well development and well pad  
17 development, and there's no ceiling for well pad  
18 development or well development in the regulations at  
19 all. So you might estimate 10,000 to 15,000 wells.  
20 Where's the ceiling there because your estimates could  
21 be very far off? I understand that the industry is  
22 not contesting your estimates at all. That should be  
23 a big hint.

24 With the admission by the DRBC that 80  
25 percent of the contaminated toxic produced water will

1 stay underground in our highly fractured, radioactive,  
2 geology, I'm requesting that each frack well be  
3 classified as an injection well and be regulated as  
4 such.

5           Furthermore, there's a glaring omission  
6 in the definition section of the gas draft. Produced  
7 water, flowback water, and drill cutting should fall  
8 under the definition of hazardous waste and be treated  
9 as such. We've heard about how the industry  
10 supporters are finding that 500-foot setback from  
11 water bodies as very restrictive. I would argue and  
12 respectfully disagree that those setbacks are not  
13 nearly stringent enough to protect our river. And it  
14 is our river. It's our river. It belongs to us. It  
15 belongs to the people who rely on it for their  
16 drinking water and their recreation and that they make  
17 a living off of it.

18           And in the end, from researching the  
19 behavior of the industry, it is pretty clear to me  
20 that there's not a piece of paper strong enough to  
21 protect our river, our health and the water supply for  
22 the 15 million Americans that are relying on your  
23 judgment and your authority. Thank you.

24                           HEARING EXAMINER:

25                           Twenty-five (25).

1                   MR. THAYER:

2                   Hello. My name is Alden Thayer,  
3 T-H-A-Y-E-R. I'm from Claryville. I'm a landscape  
4 designer and run a small construction company.

5                   I want to bring in a point of view that I  
6 haven't heard here yet tonight. Futurists, that is  
7 people who predict the future both here and in Europe,  
8 uniformly say that in 16 years, only 16 years, solar  
9 energy will be providing enough energy to provide all  
10 of our energy needs. This is based on a parallel to  
11 the computer industry which is --- as the solar  
12 industry has now become, it's a knowledge-based  
13 industry. And apparently such industries expand  
14 exponentially in their knowledge and their abilities.  
15 Computers, every two years increase --- they double  
16 rather, their capacity. Or looked at another way,  
17 they go down to half the price for what you were  
18 getting two years before. And this isn't just a  
19 theory. This has actually been proven for the last 20  
20 years in the computer industry.

21                   Such it is in the solar industry. The  
22 same thing has been happening. Currently solar  
23 provides something like half a percent of all the  
24 energy used on the planet. Double that every two  
25 years. All you need is eight doublings, 16 years

1 time, and we'll have all the energy we need. Is it  
2 worthwhile in periling one of the most beautiful  
3 rivers in the world when in 16 years we won't even be  
4 asking to use natural gas? Thank you.

5 HEARING EXAMINER:

6 Okay. Commenter 26, if there is one.  
7 Does anybody have a number that exceeds 25? Yes, sir.  
8 What's that?

9 MR. YODICE:

10 Twenty-eight (28).

11 HEARING EXAMINER:

12 All right. Let me just go through these,  
13 26, 27? Any 27s out there? You got it.

14 MR. YODICE:

15 How you doing? My name is Harold Yodice,  
16 Y-O-D-I-C-E. I came here tonight to just listen to  
17 the folks that were here and just as someone who is  
18 maybe a little bit on the outside, I can see the  
19 difference between the people who don't want fracking,  
20 okay. I don't know how many of their children go to  
21 schools here, how many of them depend on actually a  
22 job up here? Not a private industry, but a job where  
23 you have to go to someone and work for someone, okay.  
24 I don't know how much taxes they pay. I know last  
25 year I paid over \$45,000 in property taxes, okay. I

1 have ten buildings in Sullivan. And there's no end in  
2 sight.

3                   Yesterday's Herald, they had an article  
4 about a \$120 billion shortfall in the state pension  
5 fund. I'd like to know how maybe making some pots or  
6 maybe building some organic vegetables are going to  
7 help to pay for \$120 billion deficit? Okay. Some of  
8 the other statistics that the non-fractors bring up  
9 are just very laughable.

10                   Solar energy has been around for 50  
11 years, okay. It hasn't progressed that far in 50  
12 years. Yet in 16 years it's going to supply the whole  
13 planet. Solar energy does not work. It's too  
14 expensive. The cost back on it is 15 to 20 years if  
15 you put it on your house. Sullivan County does not  
16 have 15 or 20 years. In another 10 to 12 years,  
17 there'll be tumbleweeds rolling through the towns.  
18 Just look at Liberty where this high school is  
19 located. One out of every three stores are locked up  
20 and closed up. And that's only this year. Wait until  
21 we get hit with the \$120 billion that we have to help  
22 support for the pension fund of the teachers, the  
23 state troopers, the police, the cops, okay. People  
24 have to wake up here.

25                   If you don't want fracking, I mean, we

1 all live here too. People who want fracking, we live  
2 here. We don't want to drink polluted water.

3 BELL SOUNDS

4 MR. YODICE:

5 I don't want to drink polluted water.  
6 But you have to come up with a better solution than we  
7 just don't want it. We want to over regulate it or we  
8 want to do away with it altogether and go make some  
9 pots and we'll pay for the \$120 billion deficit.  
10 That's not going to happen. Not with that and not  
11 with your organic vegetables and definitely not with  
12 your solar energy. Thank you.

13 HEARING EXAMINER:

14 Thank you. Are there any 29s out there?  
15 Or 30? Because we skipped a couple numbers here. We  
16 still have some time. I think that's all the people  
17 that registered. If there's anybody who would like an  
18 opportunity to speak who didn't register and hasn't  
19 already spoken, I would give you an opportunity right  
20 now. Otherwise, in the next few minutes we would  
21 adjourn this hearing. Two of you back there?

22 UNIDENTIFIED SPEAKER:

23 Yes, yes.

24 HEARING EXAMINER:

25 Okay. Come on up here. Is there anybody

1 else, because I will adjourn the hearing after these  
2 two folks unless somebody else raises their hand.  
3 Okay. You can go in whatever order you self-select.

4 MR. MORROW:

5 Oh, okay. Good evening. My name is Van  
6 Morrow, M-O-R-R-O-W. I live in Livingston Manor, New  
7 York. And I'm a taxpayer, small business owner, and  
8 my story is similar to many others I've heard here  
9 tonight. And I just wanted to take this short  
10 opportunity to announce to all and to those who will  
11 listen that I came to Sullivan County. I returned  
12 here because as a bungalow kid, and we just wanted to  
13 get out of the city and up to the country. And it is  
14 green and it is beautiful and we swam in the lakes and  
15 it's everything that you see on all the promotional  
16 pictures. You will never see an industrialized site  
17 on any promotion of anything.

18 I have to ask all of you people who are  
19 making the decisions and those in the audience who  
20 voice in any way pro-fracking, would you drink the  
21 water? I absolutely understand about jobs and the  
22 economics and all of those things. One accident, we  
23 are finished. No reversal.

24 And I put my money where my mouth is. I  
25 put solar hot water on my house this year. I know how



1 much more hot water I am now getting and how little  
2 oil I am now using. We get a lot of information from  
3 a hydropowered radio station. I know of at least one  
4 very good example of wind power and wind energy in  
5 Applepond Farm and I have asked in letter-writing  
6 campaigns, letters to the editor, however I could get  
7 my voice out, in the case of any widespread damage,  
8 what happens?

9 BELL SOUNDS

10 MR. MORROW:

11 Ten seconds. I have never gotten an  
12 answer. I live less than a mile from a proposed  
13 fracking site where the owner has leased 185 acres.  
14 I'm worried about the pull of my well. I am worried  
15 about chemicals going underground toward my house.  
16 What will happen? Would you drink the water if  
17 something happens? Would you wash your clothes?  
18 Would you cook in it? The questions are so simple.

19 HEARING EXAMINER:

20 Thank you.

21 MS. MARONI:

22 Good evening. And thank you for the  
23 presentation tonight. My name's Midge Maroni,  
24 M-I-D-G-E M-A-R-O-N-I. Twenty-two (22) years ago I  
25 bought my house in Livingston Manor with a great dream

1 of retiring up here. And right now I'm afraid that I  
2 might not be able to do that because I can't live  
3 someplace where I don't have clean water to drink, to  
4 feed my pets, to grow my vegetables, to live, to  
5 shower. And I'm trying to get my mind around some of  
6 your figures that you used in your presentation.

7           In looking around this auditorium, I'm  
8 trying to fathom how many gallons of water it would  
9 take to fill this. And then I'm trying to fathom how  
10 many gallons of water that would be if it were  
11 polluted, if it were processed waters. And how can  
12 you be 100 percent sure that this polluted water that  
13 comes back, this processed water, how could it be  
14 treated to ever be safe? I don't think I want to  
15 flush my toilet with it, frankly.

16           But there is another issue that came up  
17 very recently with regard to the --- that has  
18 discovered or challenged the issue of diesel fuel  
19 being used as a product of hydrofracking. So if there  
20 is diesel fuel, and it seems like Halliburton may have  
21 acknowledged that, if there is diesel, that's poison.  
22 And that in itself is such a huge risk that I think  
23 you need to wait until you find out what is the  
24 decision with diesel fuel being used as a fracturing  
25 chemical. It's not allowed on the groundwater.

1 Apparently it's allowed in the ocean, poor fish. But  
2 until that EPA decision, however the negotiation works  
3 out with these corporate --- what these corporations  
4 using a ---

5 BELL SOUNDS

6 MS. MARONI:

7 --- diesel fuel, please, please, make  
8 sure that you let the EPA find out what's going on  
9 with diesel fuel. And thank you very much.

10 HEARING EXAMINER:

11 Thank you. All right. I want to have  
12 the hearing --- just thank you for coming out tonight  
13 and expressing your various points of view. As of  
14 now, the comment period closes on March 16. We  
15 indicated there's two ways you could file additional  
16 comments in writing. One was by this electronic  
17 system on our website and the other was by a letter.  
18 But the Commissioners have heard requests from many  
19 individuals about extending the comment period, and  
20 they will make a decision on that at our March 2nd  
21 meeting down in Trenton. And so that's about all I  
22 have. Thanks for coming, and the hearing is now  
23 adjourned.

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25 HEARING CONCLUDED AT 7:40 P.M.

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CERTIFICATE

I hereby certify, as the stenographic reporter, that the foregoing proceedings were taken stenographically by me, and thereafter reduced to typewriting by me or under my direction; and that this transcript is a true and accurate record to the best of my ability.



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Court Reporter