

Commission Secretary, DRBC
P.O. Box 7360
25 State Police Drive
West Trenton, NJ 08628-0360

Dear Delaware River Basin Commission,
Re: Natural Gas Development Regulations - DRAFT

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; 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.

As the Environmental Advisory Council for Abington Township in Montgomery County, PA, we are concerned about our drinking water, the landscape, and the future of the Delaware River and all its tributary streams which provide numerous benefits to our community. Some specific concerns about the draft rules include:

- 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 the 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 has minimal 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 and its tributaries. 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. We 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.

Thank you for taking the time to make the right decisions about this important issue and for doing your part to ensure the health of our river, watersheds, and communities.

Sincerely,

Environmental Advisory Council Members
Abington Township

Abington Township Environmental Advisory Council
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Cc :Tracy Carluccio, Deputy Director