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BASIN COMMISSION

2011 FEB 14 P 12:27

Mark B. Cohen
Pennsylvania House of Representatives
Harrisburg, PA 17120-2202

February 9, 2011

Carol Collier
Executive Director
Delaware River Basin Commission
P.O. Box 7360
West Trenton, NJ 08628

Re: Draft Natural Gas Development Regulations—the Public Process

Dear Ms. Collier,

I urge the Commission to expand the public comment period for the proposed natural gas regulations issued on December 9, 2010. Philadelphia City Council's Marcellus Shale Gas Drilling Impact Report and Resolution No. 100515 of 2010 raised serious issues that demand a deliberate and careful response by regulators as well as more time for the public to fully assess the risks and benefit of drilling.

I join with City Council and community groups in requesting that the Commission expand the public comment period for the proposed regulations from 90 days to at least 180 days in order to allow for informed public comment. In addition, I request that additional public hearings be scheduled to allow public comment in communities whose drinking water may be impacted by drilling—especially Philadelphia.

Marcellus Shale gas drilling could very well affect water quality for generations; it is not too much to ask for a few more months of deliberation now with so much at stake.

Thank you for your attention on this important issue.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark B. Cohen".

Mark B. Cohen
State Representative, 202nd legislative District
Democratic Chair, Human Services Committee

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April 14, 2011

The Delaware River Basin Commission
 P.O. Box 7360
 West Trenton, NJ 08628-0360

Dear Members and Staff of the Commission:

The Delaware River Basin Commission (DRBC) is faced with the question of whether or not to approve drafted natural gas development regulations that would oversee drilling in the Delaware River Basin. I am writing this letter to urge the DRBC to reconsider environmental protections not covered by the current proposed draft and to postpone any vote on these regulations until after a cumulative impact analysis of drilling upon the resources of the Delaware River Basin.

There are several concerns that I have with the proposed DRBC regulations. First, the drafted rules do not provide stringent enough regulations to ensure the protection of the Delaware River drinking water from contamination by wastewater produced by natural gas drilling. This wastewater may include radioactive materials, like radium, and carcinogens, like benzene, and is discharged into the river, which fifteen million people, including many of my constituents, rely on for clean, safe drinking water. If these new regulations are approved, there is no way to guarantee that those people will have access to drinking water that is free from high levels of incredibly harmful toxins. It would be unacceptable to approve regulations that would not ensure the people who rely on the Delaware River can be confident their drinking water is safe.

This is not the only negative environmental impact that the DRBC's proposed regulations would have. The regulations are modeled after the state's Department of

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Environmental Protection (DEP) standards, which exempts natural gas drilling from storm water management regulations and its most stringent stream protection rules, the Exceptional Value and High Quality stream buffer standards. The commonwealth also exempts gas wells from air pollution standards and has substandard safety requirements for gas drilling, cementing, and well construction. Furthermore, new regulations require all safety and inspection enforcements must be cleared with the DEP before any punishments may be issued to violators. The ability of inspectors to oversee, manage, and address any potential rule-breaking by drilling companies is compromised and weakened by having to first receive permission from the DEP to take any action. The DRBC has proposed to defer to the DEP in its monitoring of natural gas drilling throughout the basin, choosing to side with large drilling companies as opposed to the communities of the region who rely on careful monitoring by inspectors to ensure their health and safety is protected.

For these reasons, I join the Philadelphia City Council and several other smaller river towns in encouraging the DRBC to wait to vote on whether or not to approve its current draft of regulations until the completion of a cumulative impact analysis on the environmental impact drilling will have on the resources, the environment, and the communities of the Delaware River Basin. I urge that a scientific analysis of the environmental impact of drilling be conducted and used to potentially rewrite proposed regulations to deal more comprehensively with the environmental issues I raise in my letter as well as any others that such a study may find. The DRBC has a responsibility to protect both the people and the environment of the Delaware River from the pollution and destruction that may be caused by drilling companies. Our water is a fundamental component of millions of lives that cannot exist without it, and it would be a terrible thing for the DRBC not to consider the harmful impact its proposed regulations may have on this beautiful ecosystem.

Thank you for your continuing attention to community concerns,

Sincerely

A handwritten signature in dark ink, appearing to read "Mark B. Cohen", written in a cursive style.

Mark B. Cohen

State Representative 202nd District

and Democratic Chair, Human Services Committee