

Congress of the United States

Washington, DC 20515

February 2, 2011

Carol R. Collier, Executive Director
Delaware River Basin Commission
PO Box 7360
West Trenton, NJ 08628-0360

Dear Ms. Collier:

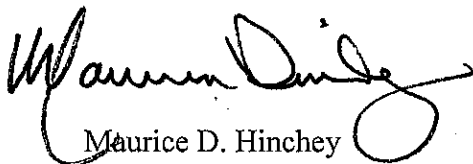
We wanted to make sure you are aware of recently uncovered information about the use of diesel fuel in hydraulic fracturing fluid. This week investigators from the House Energy and Commerce Committee released the results of their investigation into the composition of hydraulic fracturing fluids. They found that oil and gas service companies injected 32.2 million gallons of diesel fuel in wells in 19 states, despite an industry pledge to not use diesel fuel in hydraulic fracturing operations.

As the investigator's report indicates, diesel fuel is composed of toxic chemical constituents including benzene, toluene, ethylbenzene, and xylenes (collectively known as BTEX compounds). Benzene is a known carcinogen, while continued exposure to other BTEX compounds can lead to a host of health problems including brain, respiratory and kidney damage, according the U.S. Department of Health and Human Services, as well as private research. In addition, the U.S. Environmental Protection Agency, which is currently in the midst of a study of the risks hydraulic fracturing poses to drinking water, has found that "the use of diesel fuel in fracturing fluids poses the greatest threat" to underground sources of drinking water.

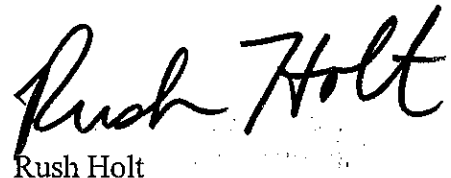
The Commission's draft regulations make no mention of diesel fuel or the risks it may pose to the Basin's water supplies. Given this information, we urge you to suspend the current rulemaking process to review these new findings to determine if the draft regulations are still sufficient. Following that, we recommend that you extend and expand the public comment process for the Commission's proposed draft regulations for natural gas development in the Delaware River Basin. This will ensure that the public is able to fully review and comment on any updates or changes the DRBC makes to its draft regulations, in light of this new information.

Enclosed is a copy of the investigator's findings. We appreciate your consideration of this request and look forward to your response.

Sincerely,



Maurice D. Hinchey



Rush Holt