

Drilling in the Delaware River Watershed
Public hearing: February 22nd, 2011

I am a resident of Wayne County and current Chairman of the Delaware River Committee for PA Council of Trout Unlimited (PATU).

The PA Council and its Chapter membership are deeply concerned about gas drilling and the potential effects gas drilling will have in the Delaware River Watershed. We believe the proposed rules currently being considered are not adequate to protect the Delaware River and its water resources.

The river basin is faced with the prospect of thousands of gas wells in Wayne County that could negatively impact the Delaware River's water resources, fish and wildlife. The DRBC has acknowledged that there is a potential for water withdrawals, wastewater disposal and other activities associated with Marcellus Shale gas drilling that could have a cumulative impact on water quality. YET the DRBC has fast tracked the development of regulations without ever having a scientific evaluation to foresee what impact gas wells will have on the river, streams and aquifers in our watershed.

The rulemaking process must consider the impact of a comprehensive build-out of wells, water withdrawal and wastewater discharges. When those impacts have been determined the DRBC will then be in position to develop regulations adequate enough to protect the entire water resource.

The current proposed regulations assume state laws are sufficient with regard to gas well construction and operation. Over 1400 violations have already occurred in Pennsylvania. By relying on the states requirements for well construction and operation the DRBC is handing off its responsibility to protect the Delaware River and streams in Wayne County.

DRBC's wastewater regulations need to be updated. The draft rules should prescribe wastewater standards for all of the specific constituents of gas drilling that will require the removal of all toxic substances. Further, the regulations should require the disclosure of the concentration of chemicals used in the hydraulic fracturing process, not just the volume and type of chemical.

Quarterly reporting of monthly and daily totals of volumes of flow-back and production water collected, does not provide adequate time for enforcement to catch problems before impacts occur.

The proposed DRBC gas drilling regulations leave it to the drilling sponsor to self-report violations of the regulations, including excess withdrawals and incidents. DRBC's gas drilling regulations do not explain how or how often the agency intends to inspect well pads for compliance and enforce the regulations described therein.

Leaving the reporting of violations to the gas company can be a mistake. Sanction fees for violations of the regulations are trivial and encourage bad behavior. In many cases it will be cheaper to pay the fines than take proper precautions necessary to protect the water resources in the basin.

The shale has been there for over 350 million years. What is the hurry to drill? Cumulative impacts MUST be assessed before any drilling is permitted. Fish kills, spillage, water contaminations, and well blowouts have already been recorded in our state. We cannot let it happen here by allowing weak regulations and little oversight.

The DRBC purpose is to ensure proper management and protection of the Delaware River basin's water resources, especially those listed as "Special Protection Waters." The PA. Council of Trout Unlimited request that the commission complete a proper

scientific analyses and put in place adequate regulations and proper monitoring methods to maintain the integrity of the Delaware River Watershed.

Lee Hartman

DRC Chairman PATU