

BEFORE THE
DELAWARE RIVER BASIN COMMISSION

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IN RE: NATURAL GAS HEARING

SESSION II

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BEFORE: CAROL R. COLLIER, Executive Director,
Hearing Officer

William J. Muszynski, Member

HEARING: Thursday, February 24, 2011
6:00 p.m.

LOCATION: Patriots Theater at the War Memorial
1 Memorial Drive
Trenton, NJ 08625

Reporter: Nicole Montagano

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WITNESSES: Tanyette Colon, Jennifer Foulk, Nancy Hedinger, Michael McMackin, Dorothy Clarke, Austin Kelly, Jamie Balancia, Donna Fasanella, Cathy Pregmon, Joe, Candido Rodriguez, Henry D'Silva, Andrew McGrath, Julie Edgar, Lorraine Skala, Kathleen C. Feeney, Esquire, Manijeh Saba, Elizabeth Tatham, Grace Agnew, Sarah Parker-Givens, Lisa Rochelle, Robert Tiffany, Barbara Tiffany, Erin Crump, Heather Maltin, Linda Lord, Pam Fitzpatrick, Faith Zerbe, John McVeigh, Paul Roden, Liz Nelson, Sara Scully, Liz Nelson, Victoria Ochocki, Ann Dixon, Tracy Carluccio, Laura Michaels, David Giffen, Becca Menshen, Juliet Marlier, Rodney Platt, Elizabeth Christy, Audrey Braam, Val Sigstedt

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P R O C E E D I N G S

HEARING OFFICER:

Okay. I'd like to call this hearing to order. This is the natural gas hearing, DRBC regulations. And I'd like to start with the Pledge of Allegiance. Please stand.

PLEDGE OF ALLEGIANCE RECITED

HEARING OFFICER:

Good evening and welcome. I'm Carol Collier, executive director of the Delaware River Basin Commission, and I'll function as Hearing Officer for tonight's public hearing.

Thanks for taking the time out of your busy schedules to participate in DRBC's natural gas rule-making public hearing process. And just to note, please silence your cell phones. This is the sixth of six hearing sessions conducted this week in three locations around the basin. On Tuesday, we held two sessions, each at Honesdale, Pennsylvania and Liberty, New York. All sessions will collectively allow for a total of 18 hours of oral testimony.

Before launching into the specific procedures of the conduct of this meeting, I'd like to

1 take this moment to express my gratitude to Bill
2 Nutter and his staff of the War Memorial and the State
3 of New Jersey for the use of this facility. I'd also
4 like to let you know that John Buster is here from the
5 Commonwealth of Pennsylvania, representing the
6 Commissioner of that state.

7 As you know, DRBC issued a press release
8 and a public notice on December 9th, 2010, announcing
9 the availability of the draft natural gas well-
10 drilling regulations found at DRBC's website. The
11 notice initiated a 97-day public comment period,
12 provided for public hearings to accept oral testimony,
13 and established formal procedures for filing written
14 comments to be accepted through March 16th. We are
15 using the National Park Service's electronic comment
16 system called PEPC, Planning Environmental Public
17 Comment system. Comments are directed to the DRBC and
18 will be reviewed by DRBC staff and Commissioners to
19 develop responses, including changes to the rules as
20 appropriate.

21 Lest there be any confusion about this
22 aspect of the process, I want to emphasize the DRBC
23 and not the National Park Service is conducting this
24 rule making, including the review of the oral and
25 written comments. The PEPC site's a valuable tool

1 that will help us record and sort your written
2 comments effectively, and it is DRBC who is conducting
3 that process. We do thank the National Park Service
4 wholeheartedly for making PEPC available to us. And
5 to date we've received 1,200 comments electronically
6 and over 400 hard-copy comments.

7 What we will do this evening is start
8 with a very short presentation to provide a high-level
9 overview of the proposed rule. We also provided at
10 the registration table a two-page, at-a-glance, fact
11 sheet. Both sources of information are intended to
12 establish a common frame of reference for your
13 comments today.

14 I also want to acknowledge the Commission
15 has received numerous requests, no doubt there will be
16 more of them in today's hearing, sessions asking us to
17 extend the comment period and hold other public
18 hearings. Please be aware the Commissioners are
19 considering those requests and will announce the
20 response at the regularly scheduled DRBC public
21 hearing this coming Wednesday, March 2nd.

22 So let's go through a few of the
23 logistics. A second document distributed at the
24 registration table focuses on rules and guidelines for
25 the conduct. These rules are intended to help sustain

1 the flow of the hearing, to allow as many people as
2 possible to be heard, and to ensure that an adequate
3 record of all comments is obtained. We hope to hear
4 from 150 people during the six hours of testimony here
5 today.

6 I would like to reiterate just a few of
7 the rules to ensure that we have a civil, orderly
8 proceeding. Commenters may speak once during a single
9 hearing session. Comments will be recorded by a court
10 reporter. Please begin by stating your name, your
11 place of residence, and if you wish, affiliation.
12 Speak clearly so that we can ensure we come away with
13 an accurate record. Commenters will have two minutes
14 each, and time will be strictly observed. Once a
15 commenter's time is ended, the commenter must stop
16 speaking and leave the microphone area. Lastly, I
17 implore you to please remain quiet during testimony so
18 that the court reporter can produce an accurate
19 record. We've handed out numbered cards, and what I
20 will do is call ten numbers at a time. When called,
21 please step up front and sit in the front row, and
22 David Kovach will assist.

23 We appreciate everyone's cooperation, and
24 thank you for your participation in the rule-making
25 process. So let's get started. I ask speakers one

1 through ten to come forward please in this row. And I
2 will turn it over to Bill Muszynski, who is manager of
3 DRBC's water resources management branch, to give a
4 short summary of the regulations.

5 MR. MUSZYNSKI:

6 Good evening. This is a drawing here of
7 the basin going from the Atlantic all the way up to
8 the top of the basin up in New York. And it includes
9 the reservoir systems for the New York City residents
10 as well. For those of you who are not familiar with
11 us, the Commission was founded in 1961. It has five
12 signatory parties who are the Commissioners of four
13 states and the United States government, who is
14 represented by the general of the North Atlantic
15 Division.

16 The Marcellus Shale, and you'll have
17 possibly a little difficulty seeing in the back, the
18 hashed area, the dashed area, is the area of the
19 Marcellus Shale that cuts across a large part of our
20 basin, almost 36 percent of our basin. And the sort
21 of tannish or, it should be tan, darker area, that is
22 the portion of our basin which we consider to be
23 special protected waters. So as you can see, they do
24 sort of coincide and overlap at least as far as the
25 portions in Pennsylvania and New York.

1 The anticipated or expected gas well
2 development that we concluded is about 15,000 to
3 18,000 horizontal wells. These do not include any
4 vertical wells that may be associated with this
5 program. Assuming six to eight wells per well pad,
6 you're looking at 2,000 to 2,200 well pads. That
7 would equate to about 10,000 to 12,000 acres, assuming
8 about five well pads per --- five acres per well pad.
9 And that does not include the additional acreage for
10 support infrastructures.

11 As far as water needs go, usually one
12 horizontal well is fractured at about five million
13 gallons of water. That would equate to about 90
14 billion gallons of water over a 10 to 20-year, 25-year
15 development process. If there is no reuse, it would
16 be 90 billion gallons. If there is a reuse of the
17 flow-back water that comes --- the initial water that
18 comes back out of the frack right after the frack
19 process, that would lower that amount to about 72
20 billion gallons which would be used as part of the
21 next fracking.

22 In terms of wastewater treatment and
23 disposal, as I mentioned, the flow-back water, we're
24 estimating that would be about 20-percent return.
25 That number was higher when we first started this

1 program. We were looking in the range of 40 percent
2 after looking at what was happening in other states.
3 With the data coming in from the Susquehanna Basin, it
4 seems to be indicating that the flow-back is more in
5 the 10 to 20-percent range. So that would be about a
6 million gallons per well that we'd get back to reuse
7 as part of the next fracking process or would be
8 converted into wastewater which would need to be
9 treated and disposed. And, of course, the issue with
10 regard to that is treatment plant capacity in the
11 basin as well as the capability of the treatment
12 plants to handle this material.

13 The Commission's strategy is based upon a
14 three-pronged approach. Water withdrawal, the water
15 to support this operation. We are certainly concerned
16 about protecting surface and groundwater supplies,
17 preserving the ecological flows in our basin, as well
18 as ensuring that there is a capacity for the treatment
19 facilities that are already in the basin.

20 With regard to the well pads and the
21 infrastructure, we have crafted a Natural Gas
22 Development Plan which I will talk about in a minute,
23 that would look at not just well pads, but looks at
24 the entire development and lease area as one program.
25 We are looking to make sure that the water is managed,

1 meaning that we know where the water comes from. It's
2 coming from the DRBC-approved source. Where it goes
3 to make sure when it leaves the source, it goes to
4 well pads in the basin that are approved to accept
5 this water. And then what happens to that water on
6 the well pad site itself. And then eventually making
7 sure that it is --- needs to be disposed of properly
8 and that it is disposed of properly.

9 We are also putting in the regulations
10 requirements that there be approved presite
11 alteration, post --- pre-set alteration during the
12 well construction and fracking, and after when the
13 wells are in production, that there be monitoring,
14 monitoring both of the surface and the groundwater
15 sources in the vicinity of that well pad. In
16 addition, the DRBC will be doing ambient monitoring,
17 not necessarily associated with a particular site of
18 the ambient waters.

19 The wastewater disposal site, we have to
20 make sure that any treatment plants that are thinking
21 of accepting this wastewater are done so that we
22 protect the receiving water bodies to which those
23 facilities discharge. That means that we have to make
24 sure that they have adequate effluent requirements and
25 treatment requirements. And facilities that have not

1 been approved to take this wastewater, we have to make
2 sure that we review them to make sure that they do
3 have that adequate criteria. In addition, wastewater
4 that leaves these sites, we want to make sure that,
5 again, they get to the sites to which they are
6 supposed to go, and so there's a tracking program to
7 make sure that they do get there and are correctly ---
8 treated correctly. And finally, we want to make sure
9 that there's adequate treatment available.

10 The purpose of the regs, again, is the 15
11 million people that rely on the water of these basins
12 for drinking water purposes. This is an incredible
13 natural resource in this particular area, the mid-
14 Atlantic metropolitan area. Three-quarters of the
15 non-titled river is designated a national wild and
16 scenic river system. And as I mentioned earlier, DRBC
17 has designated the area from basically the Calhoun
18 Street Bridge here in Trenton all the way up to the
19 Delaware River portion as special protection waters.

20 The other purpose of these regulations is
21 to comply with DRBC's existing programs that we
22 already have. Our regulations implemented statutory
23 ordinances that were granted in the DRBC compact by
24 the signatory parties when they signed the compact.
25 They agreed to try to manage this basin more as a

1 basin as opposed to the individual states. And so
2 that's why they get together and try to manage it as a
3 basin. It supplements the Commission's comprehensive
4 plan.

5 And if you look on our website, you will
6 see that there are regulations already on the books,
7 regulations that deal with groundwater protection,
8 regulations that deal with flood plans, regulations
9 dealing with special protection water, and finally,
10 our water withdrawal and wastewater --- water quality
11 regulations that are already on our books. So these
12 regulations have been looked at with regard to how all
13 of these pieces fit together.

14 We consolidated the regulations. In
15 essence, rather than have people try to look at the
16 water withdrawal and the wastewater, we tried as much
17 as possible to put them in one place. We have made
18 enhancements in some places. In other places we've
19 made it by reference. But we put them in one place so
20 that everybody has an easier time of finding it, how
21 they apply specifically to this particular operation.
22 So it included the regulations for water withdrawal,
23 for well pads, natural gas as well as wastewater
24 disposal. They provide certainty and clarity to both
25 industry and to the public that they can now look at

1 them in one place.

2 It includes a proposal for approval by
3 rule process. And the approval by rule process I'll
4 discuss a little bit later, but essentially that is
5 something the Commission does not have. It is
6 something that is in the Susquehanna Basin for their
7 water approvals, but is not in the Delaware River
8 Basin Commission at this time. It relies on the New
9 York and Pennsylvania programs to --- and expertise to
10 regulate well construction operations. The reason you
11 do not see well constructing casing requirements and
12 cementing requirements in our regulations is because
13 there was a decision to --- after reviewing the
14 regulations with the Commissioners and the states,
15 that we would rely on their programs that they already
16 had in place. In some cases, Pennsylvania has
17 recently revised those regulations, and we understand
18 that New York has not completed its process yet, but
19 we felt comfortable that we could rely on their
20 regulations.

21 In any event, when you deal with the
22 Commission and the states, it is the more stringent of
23 the requirements that always count. So even if we
24 were less stringent than they were or they were less
25 stringent than we were, it is the most stringent

1 requirements that count.

2 And these regulations are written to
3 apply to all natural gas formations, not just the
4 Marcellus Shale. So they are comprehensive in the
5 sense that if people change formations on us,
6 whatever, these regulations apply to all those
7 formations. This is just the way they are set up in
8 the six sections.

9 The types of approval that you can get.
10 Water use and water withdrawal for well pad, if you
11 meet particularly the requirements of the setup in the
12 draft regulations, you may be able to apply for an
13 approval by rule, which is an approval by the
14 executive director. And there are public noticing
15 procedures that apply to both approval by rule as well
16 as a docket.

17 If you do not meet certain criteria, then
18 you have to go through the normal approval process,
19 which is approval by Commissioners at one of our
20 public hearings. The Commissioners meet five times a
21 year, so you would have to wait until one of those
22 five times to be considered by the Commission for
23 approval.

24 On the Natural Gas Development Plan,
25 which is a much more comprehensive document, and the

1 wastewater discharge, which is really a revision to
2 normally existing approvals, both of those, you would
3 have to go through our Commission hearing process, and
4 again, the public participation process that goes
5 along with it.

6 How does this play out in the water
7 withdrawal and use approval side? For new sources, if
8 you were going to apply to get a new withdrawal source
9 for this purpose, you would have to get a docket. So
10 whether you're groundwater or surface water
11 withdrawal, treated wastewater to be used, or
12 non-contact cooling water, you would have to go
13 through a docketing process. If it's an existing ---
14 already existing approved source that may have
15 capacity --- excess capacity associated with it, you
16 estimate it for ten years and you did --- if you can
17 stay within that, then you can apply for an AVR if
18 you're groundwater or surface water, et cetera.

19 Reuse of recovered flow-back or
20 production waters would be incorporated into an
21 approved docket or an AVR. And then finally, if you
22 input water into this basin --- actually, even if you
23 export water out of this basin, that can only have
24 been done with the approval of the Commission. So
25 that would have to be a docketed activity.

1 The types of conditions that are included
2 in water use and withdrawal, these are just a few of
3 them. There's obviously more conditions in the Act
4 and regulations. To highlight a couple, there is the
5 AVR process potential. There's also water tracking
6 and reporting requirements that are reported directly
7 to the Commission by the person who is providing the
8 water for this purpose. And that would come in to us,
9 so we are actually out seeking RFPs. We are actually
10 putting requests for proposals out to provide us with
11 a computerized online tracking system so that that
12 would feed into this program and then it would become
13 available and open, obviously, to the public for
14 review as well.

15 As for testing requirements, regardless
16 of whether you're putting in a groundwater well for
17 water supply purposes or for any other purpose, you
18 have to demonstrate that the aquifer itself will not
19 be impacted significantly and negatively impacted by
20 your operation. If you're a surface water, we have
21 passby flow requirements to ensure that ecological
22 flows in the waterway are protected.

23 For the natural gas pad and the Natural
24 Gas Development Plans, there are requirements that we
25 have split the programs into low volume wells that

1 hydraulically fracture less than 80,000 gallons
2 because the hydraulic fracturing, especially vertical
3 wells, has been a common practice in drinking water
4 wells. But we had to split them into low volume and
5 then wells with high volume. High volume is anything
6 that goes over the 80,000 gallons per well number.

7 There are siting setback requirements
8 that are associated with these that are in the
9 regulations. There are, again, water and wastewater
10 tracking at the well pad site itself that needs to be
11 done. And there's also background, groundwater and
12 surface water monitoring, again, all the way during
13 the construction and fracking and then during the
14 production and operation stage. For as long as
15 production goes, there will be monitoring
16 requirements.

17 There are planning requirements that we
18 put especially because this would be the very keystone
19 of the Natural Gas Development Plan. Offsite cutting,
20 drill cuttings, targeted formation, that material
21 would not be allowed to be remaining onsite. And we
22 do require wastewater storage, flow-back water storage
23 to be in tanks. We do allow for centralized
24 impoundments, but not located on the well pad sites
25 themselves. And there are modified public noticing

1 procedures.

2 This essentially is the spine, I call it,
3 of the Natural Gas Development Plan. There'll be a
4 lease area map requirement where it shows the entire
5 leasehold so as these companies come into us, we will
6 know what their entire leaseholdings are in the basin.
7 And the landscape map will have a variety of features
8 associated with it, including hydrology maps, geology
9 maps so that we know what makes up this leasehold area
10 currently in terms of the roads, structures, et
11 cetera.

12 And in addition, there will be a well pad
13 site --- well pad sitings and restriction requirements
14 that we placed into the draft regs. But in any event,
15 these are not absolute prohibitions. I know having
16 listened through a few days of comments already that
17 people are taking these as absolute restrictions.
18 They are not absolute restrictions. There are ability
19 to get deviations, to get variances to these
20 restrictions. The only restriction that you cannot
21 apply for a variance for is if you're located in a
22 floodway, which is where --- the floodway is defined
23 as usually on maps of the Weather Service. FEMA,
24 Federal Emergency Management Agency, puts out a fire
25 and floodway, for instance, of the Delaware River.

1 And it's really that section that carries the majority
2 of the floodwaters and has a certain current
3 associated with it as well.

4 So then when you get those, you get
5 what's in the lease area. You then look at your
6 restrictions and you put your map together. And
7 finally, you put down what your planning, the proposal
8 for that particular lease. And that's the plan that
9 would go out to the public and to the Commissioners
10 for consideration.

11 On the discharge approval side, each of
12 these have to be looked at individually because we
13 need to tailor-make requirements to the waterway
14 either based on our existing water qualities or
15 information that you get as part of the program. We
16 are putting in a provision for a treatability center.
17 As a treatment that wants to consider accepting this,
18 I have to do a treatability study, estimates of the
19 wastewater and make sure it does not negatively impact
20 that wastewater treatment plant's operation or the
21 sludge handling facilities in any way for treatment,
22 and can meet the effluent requirements that are placed
23 on it. It will be site specific.

24 Discharge requirements. Also there's
25 provisions in the regulations for acute and chronic

1 toxicity analysis and limitations. And on the total
2 dissolved solids, there are stream quality objectives
3 that the Commission already has in place. These are
4 not new requirements, but we certainly put that in
5 there to alert you that, again, the Commission already
6 has these basin-wide.

7 As Carol mentioned, this is the second
8 day of hearings. We've held hearings at two locations
9 on Tuesday, and this is, I guess, the last session for
10 today. The 90-day --- actually, it's more than 90
11 days because we put it out earlier, but we are
12 counting it as an additional 90-day period. Written
13 comments, close of business, March 16th, 2011. You
14 can submit it electronically via the PEPC system. You
15 can provide paper submissions, which are mailed to our
16 Commission and not mailed to our Commission secretary
17 at the address that we have here, and you can find
18 that on our website as well. Or any comments orally
19 or written that are handed in today to our staff will
20 also be included.

21 We will take all of these comments, put
22 them into this electronic system that the Park Service
23 was kind enough to allow us access to, and that will
24 help not only facilitate our review of the comments,
25 but it will also allow the public to see what the

1 comments were as opposed to a summary report.
2 Normally, when you do a response document, you
3 summarize all the comments, and that's what the
4 majority of the people see. If you want to see the
5 actual comments, you have to visit someplace to see
6 it. But hopefully, through this electronic system,
7 you have electronic access to the types of comments
8 that we received after the close of the public comment
9 period.

10 HEARING OFFICER:

11 Thank you, Bill. May I have the lights,
12 please? Now let's start with testimony. Number one.

13 MS. COLON:

14 Tanyette Colon from Damascus, PA. I'm
15 reading this letter today on behalf of both myself and
16 my husband, who's a physician. I will start by saying
17 that this is quite possibly one of the biggest threats
18 to public health.

19 The draft regulations issued by the DRBC
20 on hydraulic fracturing in the Delaware River Basin
21 are incomplete. You have not looked at the chemicals
22 being used, and blatantly ignore health effects. How
23 can you ignore health effects from chemicals like
24 2-butoxyethanol, benzene, toluene, ethylbenzene and
25 xylene are being used? 2-B for short causes internal

1 bleeding, leading to liver and kidney failure. At
2 high doses, it's lethal. Permit data shows that 2-B
3 was used in our basin at the Woodland Management
4 Partners exploratory well this past summer. Benzene
5 is a known carcinogen. Toluene is a known abortive,
6 causing miscarriages. Ethylbenzene is a neurotoxin,
7 causing brain fog as well as chemical sensitivity. No
8 long-term health impact study has been done, but we
9 know what damages these chemicals can cause
10 individually. How can we risk allowing these to enter
11 an aquifer that provides water for 15 million people?

12 You also did not take into account the
13 health effects of the substances already found in the
14 shale: heavy metals, radioactive elements, high levels
15 of barium, lithium, hydrogen sulfide that's produced
16 by bacteria, and a chemical called 4-NQO, which is one
17 of the most potent carcinogens, and it's showing up in
18 flow-back fluids all over the Marcellus Shale. It is
19 neither naturally occurring in black shale or a known
20 drilling fluid, yet it consistently appears. It is
21 imperative that the DRBC conduct a health impact
22 assessment before proceeding with any final
23 regulations. To do anything else would be
24 irresponsible.

25 And I'll quickly end on this note. Those

1 who live in our area in Damascus witnessed what
2 happened with the Woodland Management exploratory
3 well. An analysis of that pit content indicated
4 presence of high levels of barium, lead, arsenic and
5 chromium. Families nearby were potentially exposed to
6 hydrogen sulfide. And to this day, as far as I know,
7 the residual content of that pit was solidified and
8 buried close to those homes with no resolution today.
9 Thank you.

10 MS. FOULK:

11 Jennifer Foulk, Chalfont, Pennsylvania.
12 I'm a professor of biology at Montgomery County
13 Community College in PA, and I have a graduate degree
14 in conservation biology.

15 The idea that hydraulic fracturing can be
16 allowed in a river basin that supplies water to 15.6
17 million people is ludicrous. Your draft rules place
18 zero restrictions on chemicals used in fracking.
19 According to the Endocrine Disruption Exchange, many
20 of these chemicals are hazardous and known
21 carcinogens, such as diesel fuel, benzene and
22 formaldehyde. There is also no way to study what
23 happens when chemicals are mixed and act
24 synergistically to produce a new cocktail of
25 pollutants.

1 Your draft rules do not establish
2 standards for all wastewater constituents. Treatment
3 facilities in Pennsylvania are not equipped for the
4 current degree or volume of contaminated wastewater,
5 nor can they test for all contaminants since the
6 complete cocktail is not available for public
7 disclosure.

8 Public water supplies are already being
9 affected. In the last two years, Cabot Oil and Gas
10 trucked more than 44,000 barrels of wastewater to a
11 treatment plant in Hatfield, Pennsylvania, which ended
12 up in a creek that supplies drinking water to 300,000
13 people. That creek's a mile from my house. And these
14 are just the incidents we know about.

15 Your draft rules defer to state
16 regulations, which are, in Pennsylvania, completely
17 inadequate. In 2010, there were 2,486 violations
18 noted by the Pennsylvania DEP, including explosions,
19 spills and toxic pollution of air and water. If you
20 allow drilling in the basin, then months from now when
21 the pockets of some are full of dollars but our
22 property values have plummeted, our roads are a mess,
23 our trees are gone, our wildlife is poisoned, our air
24 and water are ruined, we're all sick and our kids are
25 all sick, how much is clean water going to be worth to

1 you? What's it going to take to realize that we can't
2 drink money?

3 MS. HEDINGER:

4 Good evening. My name is Nancy Hedinger,
5 and I'm here on behalf of the League of Women Voters
6 of New Jersey. The League of Women Voters is a
7 nonprofit, nonpartisan organization, and we have
8 concerns about the premature adoption of regulations
9 on natural gas development, including hydraulic
10 fracturing, in the Delaware River Basin.

11 We support open government and the active
12 and informed participation of citizens on public
13 issues. So as not to put --- to publish critical
14 regulations which will affect basin state residents
15 for decades from now without adequate public input,
16 the League requests the comment period to be extended
17 to at least 120, if not 180 days. In addition, public
18 hearings should be held at geographically accessible
19 locations in each basin. And there should be at least
20 one public hearing in New York City and one in
21 Philadelphia.

22 We also urge you to delay the
23 promulgation of regulations until the Commission has
24 received and considered the results of independent,
25 cumulative impact analyses of the effect that gas

1 drilling will have on the quantity and quality of the
2 waters in the Delaware River Basin. The study should
3 also address the site-specific characteristics of the
4 shale formation and the potential for seismic
5 activity.

6 In addition, empirical data from wells
7 and other locales illustrates that the drilling
8 process, as well as the compressor stations serving
9 it, release air pollution, which will settle out in
10 our surface waters and reservoirs. This too needs to
11 be taken into account before final regulations are
12 adopted. It is also worth noting that the initial
13 results from the EPA fracking study are not due until
14 2012.

15 Hydraulic fracturing technology in the
16 United States is still in the experimental stages.
17 Its cumulative long-term impacts are not fully known
18 in the United States. Therefore, we feel it is in the
19 best --- not in the best interests of the citizens of
20 New Jersey, New York, Pennsylvania, Delaware for the
21 Commission to fast track the regulations before the
22 science is in. We urge you to slow down, get all the
23 facts and make an educated decision.

24 MR. MCMACKIN:

25 Hello. My name's Michael McMackin. I'm

1 a registered master plumber in Line Lexington,
2 Pennsylvania. I'd like to make public comment on
3 every aspect of your grandiose plan, but
4 unfortunately, you only allow me two minutes to make a
5 public comment.

6 But what I have to say is how do you, the
7 DRBC, expect to protect my community from gas drilling
8 and chemical wastewater from being dumped into the
9 Neshaminy watershed after you already have allowed the
10 industry, the municipalities and the government state
11 regulating protection agencies to dump 44,000 barrels
12 of frack wastewater into the watershed and the Lower
13 Delaware River, and over one million barrels to go
14 lost and unaccounted for without one fine or action
15 for these violations to the people and to the river
16 under a moratorium?

17 I ask what will the new DRBC regulations
18 do to prevent this from happening once again, or we as
19 a community just have to accept this kind of criminal,
20 unregulated, free-for-all, causing inevitable
21 destruction to our greatest natural resource, our
22 fresh water supplies. We must ban gas drilling in the
23 Delaware River, all of its tributaries and our
24 watersheds. Thank you.

25 MS. CLARKE:

1 Good evening. My name is Dorothy Clarke.
2 I live in Highland Park, New Jersey in Middlesex
3 County, and I get drinking water from the Delaware and
4 Raritan Canal, which is fed from the Delaware River.

5 My family and I will be directly affected
6 by gas drilling, and the rules you adopt are crucial
7 to our health and the health and viability of the
8 Delaware River. I urge the Commission to fulfill its
9 mandate and protect the clean waters of the Delaware
10 River Basin. I urge you to do this in two ways.

11 First, delay and vote against the
12 adoption of the final regulations until two studies
13 can be completed. The DRBC should conduct a
14 cumulative impact study of the impacts to the basin,
15 including not only the impact of water withdrawal,
16 spills and possible migration underground of toxic
17 frack water, but also the possible future impacts. It
18 is well known within the industry, concrete and
19 grouting that are necessary to segregate frack water
20 in deep wells from drinking water supplies closer to
21 the surface are subject to failure over time, which
22 could have catastrophic consequences decades or even
23 centuries in the future.

24 The simple fact is that the chemicals
25 that are pumped down holes must remain segregated from

1 aquifers and surface waters for as long as the area is
2 to remain habitable. And until you can credibly
3 assure that rules and procedures are in place that
4 guarantee this outcome with a reasonable degree of
5 certainty, it would be dangerous and possibly illegal
6 to allow this process to go forward.

7 In addition to the cumulative impact
8 study, the DRBC should wait for the EPA studies to be
9 completed. The EPA study of the effects of the
10 hydraulic fracturing on the drinking water is
11 currently underway. And aside from the urgency of the
12 gas industry to begin drilling now before the facts
13 are out and while the boom is underway, there's no
14 reason for this process to begin in such a crucial
15 watershed before this study is completed. Only with
16 the proper understanding of the facts can regulations
17 be drafted that will ensure the protection of public
18 health and the environment can indeed drilling be
19 deemed safe to go forward at all. You should also
20 expand the public participation process. Thank you.

21 MR. KELLY:

22 I'm Austin Kelly from Philadelphia,
23 Pennsylvania. And it should be obvious that this is
24 wrong on so many levels. There have been no hearings
25 in Philadelphia, New York, Pittsburgh, none at all in

1 Delaware. Millions and millions of people will be
2 affected. Our health and well being, not to mention
3 the Mother Earth from which we came, are all going to
4 be degraded and spoiled by these initiatives which
5 serve corporate profit, not the public interest.

6 This sort of theater which we're facing
7 today is not really democracy. When the Delaware
8 River Basin Commission says democracy, they mean
9 business. This is the only lesson we can draw from
10 these hearings, this rush to drill, in a context in
11 which the regulatory bodies on federal and state level
12 have been weakened and defunded, not to mention the
13 regulatory mechanisms, such as relevant laws, which
14 were intended to protect the public interest.

15 In the absence of all of those, this fast
16 track, these three months towards fracking can be
17 nothing but trouble for all of us and all of our
18 future generations. And anyone who helped with that
19 process is committing a great wrong. And I think we,
20 the people, know as we watch in Cairo, Wisconsin and
21 around the world, that it is through our own actions
22 that the right will be done. And it's not through
23 waiting for these so-called leaders to lead us. That
24 is all.

25 HEARING OFFICER:

1 Before the next speaker, can I please
2 call anyone who has cards 11 through 20 to come
3 forward?

4 MS. BALANCIA:

5 Good evening. My name is Jamie Balancia.
6 As with the previous speaker, I'm from Highland Park,
7 New Jersey.

8 Fracking is not a form of clean energy.
9 Fracking is not sustainable or renewable energy. The
10 fracking of the Delaware River Basin is the
11 perpetuation of a practice of gas companies putting
12 their profits before our health and safety.

13 The DRB supplies water to five percent of
14 the United States population. And the water is used
15 for drinking purposes and for the production of our
16 food. There are about 50 million people who are going
17 to be directly impacted by this project. The industry
18 has tried to divide us, garner our support by
19 promising payoffs and work. But this is everyone's
20 fight. This is everyone's investment because it's
21 everyone's water and everyone's future.

22 We've heard that the industry will
23 regulate itself. We're being asked to simply trust
24 that our interests will be protected. We need to
25 recognize that this project is not proposed because of

1 the goodness of the gas industry. It's a business
2 decision with short-sighted goals for which we, the
3 public, must pay. We must unite to call for
4 sustainable jobs, renewable energy and sanctity of the
5 water on which we all rely. This is our water and
6 this is our future. I thank you for your time.

7 MS. FASANELLA:

8 Hi. My name is Donna Fasanella. I
9 reside in Lawrenceville, New Jersey. I just bought a
10 property last year in Sullivan County, New York,
11 almost seven acres, and was gravely disheartened to
12 hear about this plan of fracking in this entire area,
13 or at all.

14 And I agree, these meetings seem to be
15 nothing more than an inconvenient, but necessary,
16 contrivance. It seems that there's a foregone
17 conclusion for big business, big oil and gas, to move
18 in and make a killing.

19 Just as a point of fact, last week a poor
20 Ecuadorean grandmother who had sued Chevron was
21 awarded \$8.3 billion in a lawsuit award because
22 Chevron had damaged the rainforest where she and her
23 family lived for generations, just so you understand
24 what's going on across the world, even to the very
25 poor, who may seem otherwise hopeless.

1 The oil and gas industry admit to the
2 enormous and extensive use of water in the drilling
3 process. Every day there are dozens of large tanker
4 trucks bringing in hundreds of thousands of gallons of
5 water to be mixed with lethal chemicals to be injected
6 deep into the earth. The river's creeks and streams
7 and beautiful forests of this region are being
8 depleted at such a rapid rate that the gas industry
9 must now resort to buying up outer-lying cities' and
10 towns' municipal water. Along with the ongoing
11 depletion of surrounding waters, like the Lehigh
12 River, known for its pristine beauty and whitewater
13 rafting excursions, and the Susquehanna, which is the
14 main source of the area's residents' drinking water,
15 is a potential inevitable polluting of these important
16 water supplies. At present ---. Thank you.

17 MS. PREGMON:

18 Good evening. My name is Cathy Pregmon.
19 I'm from Delaware County, Pennsylvania. I am here as
20 a concerned citizen speaking on behalf of myself and
21 the many others who could not come today. I do not
22 believe that there are people who couldn't come that
23 were motivated by apathy. Rather, they may have been
24 concerned with economic survival that does not depend
25 on their gas drilling leases.

1 I urge the DRBC to revisit the draft
2 regulations and also extend the public comment period.
3 We look to your agency to provide better, more
4 comprehensive regulations than currently promulgated
5 by DEP. Please put restrictions on the chemicals
6 drillers can use in the fracking process. Specify
7 wastewater standards on chemicals used in the drilling
8 practice, and do not allow exemptions from stormwater
9 management as exempted under the Clean Water Act.

10 We know that you, the DRBC, can
11 promulgate better, safer and more stringent
12 regulations than are currently in place. I urge you
13 to wait for the cumulative studies and protect the
14 river basin and all its citizens before it's too late.
15 Thank you very much.

16 JOE:

17 Thank you for your time. Quote, there
18 has never been a proven case of water contamination
19 caused by hydraulic fracturing, unquote. Industry
20 representatives and lobbyists use this line over and
21 over in Josh Fox's film, Gasland. But this line
22 contains two major deceptions.

23 One, the words hydraulic fracturing. Big
24 gas defines hydraulic fracturing as the moment
25 underground fractures are split and not the entire

1 drilling process. The industry could never claim that
2 there has never been a proven instance of water
3 contamination due to the whole process of gas
4 drilling. But when they confine their definition to
5 the split, the explosion, the underground earthquake.
6 This is a part of the process that has never been
7 fully investigated, and they can legally deny the
8 obvious.

9 Two, the word proven. How can you prove
10 something that has never been fully investigated? The
11 fact that non-naturally-occurring chemicals
12 specifically associated with fracking fluids and
13 drilling muds are showing up in the American people's
14 water is the first level of proof. My name is Joe. I
15 live in Lehigh Valley, Pennsylvania, downstream from
16 Gasland. And we all live downstream. Thank you for
17 your time.

18 HEARING OFFICER:

19 Thank you.

20 MR. RODRIGUEZ:

21 My name is Candido Rodriguez. I live in
22 Bucks County, Pennsylvania. And one of the previous
23 speaker said that drilling is good for America. And I
24 have to submit to you that is a disaster for America
25 because of the enormous uncertainties that are still

1 open for the hydrofracking. One is the lack of a
2 cumulative impact of water withdrawal and well
3 development. And there is no method in the draft
4 regulations for control of the drilling and the water
5 depletion. The other issue has to do with that there
6 are no restrictions on the chemicals that drillers use
7 in the hydraulic fracturing.

8 So in view of these, it is easy to
9 recognize how the interests of the gas industry are
10 dictating the action and how the interests of the
11 people are taking a second seat. So profit trumps
12 people. It is not difficult to recognize how there's
13 hydrofracking stories developing, privatizing profit,
14 and externalizing costs, such as cleanup costs, damage
15 to the environment and ecosystems, public health
16 costs, infrastructure repair costs and costs resulting
17 from dumping gas into the atmosphere. So I think to
18 protect our waters, the DRBC needs just one
19 regulation. No hydrofracking allowed.

20 MR. D'SILVA:

21 Henry D'Silva from Bucks County,
22 Pennsylvania. Our personal freedoms are often gained
23 legally or otherwise by often compromising the
24 freedoms of others. Such is the case of obtaining
25 fossil fuels such as natural gas or oil anywhere.

1 In the Delaware watershed, the freedom to
2 profit by a few stands by compromising the safety and
3 health of over 15 million people in the watershed.
4 The DRBC was founded to protect these people. Gas
5 drilling should be banned as there should be --- no
6 amount of regulation will guarantee such protection
7 under any section of the regulations.

8 In my opinion, we don't need an
9 environmental impact study as there should be a total
10 ban on obtaining such fossil fuel. We are five
11 percent of the world's population and we use 25
12 percent of global petroleum and gas. We should be
13 using much less.

14 Another reason is our own health. Cancer
15 has become the number one killer in the US, and we're
16 looking at a number of carcinogens in the process of
17 hydrofracking. Also, all this abundant energy that we
18 seek is lowering our physical activity and leading to
19 obesity and diabetes and heart disease. And this is a
20 no-win situation if you proceed.

21 And we have, in addition, global warming
22 and rising greenhouse gases. We really should not be
23 doing this process. Dr. Howard of Cornell University
24 pointed out that the process of gas drilling, the
25 total process, is somewhat dirtier than coal mining.

1 So please ban this process. Thank you.

2 MR. MCGRATH:

3 My name is Andrew McGrath. I'm a
4 resident of Delaware County, Pennsylvania, and I'm
5 among the thousands of citizens who are extremely
6 concerned about the irreversible effects of hydraulic
7 fracturing. And I ask that you push back the March
8 16th public comment deadline by a minimum of six
9 months and not finalize the regulations for at least
10 two years in order to take into account the EPA study
11 of deep gas drilling's life cycle impact on water.

12 I want to point out that the interests of
13 giant, multinational oil and gas corporations are
14 quite different from the interests of the people who
15 live in this area, and that strong regulation and
16 enforcement is extremely important. The gas and oil
17 companies have shown that they cannot police
18 themselves as evidenced by thousands of violations in
19 Pennsylvania alone in 2010. These draft rules that
20 you have issued rely on weak state regulations in many
21 areas.

22 And an area that I'd like to talk about
23 for the next 45 seconds is the centralized wastewater
24 storage facilities that the DRBC allows in these
25 regulations. And they defer to state standards for

1 them. In New York's draft supplemental generic
2 Environmental Impact Statement, impoundments as large
3 as 40 acres are anticipated, and operators are
4 building huge impoundments in Pennsylvania right now.
5 One of the major sources of air pollution is from
6 these wastewater impoundments in which toxic
7 contaminants volatilize to the air, then are breathed
8 in. They're deposited on soil and water, causing
9 highly mobile pollution.

10 Further, DRBC proposes no setback
11 requirements for the impoundments, deferring to the
12 states for onsite pits up to 250,000 gallons.
13 Pennsylvania setbacks are the same as for gas wells,
14 which is only 100 feet from a water body, and as close
15 as 20 inches above the seasonal high water table.

16 So in summary, for the last ten seconds
17 here, please wait for the science. Understand that
18 there may not be a safe way to do hydrofracturing.
19 And focus on renewable energy such as solar, wind,
20 geothermal and the other sustainable energy sources
21 that will guide us through the 21st century.

22 MS. EDGAR:

23 Good evening. My name is Julie Edgar.
24 I'm from Topton, Pennsylvania. I'm an extremely
25 concerned citizen who has been concerned enough to

1 join Clean Water Action and Lehigh Valley Gas Truth on
2 account of my concern.

3 Insofar as your detailed regulations have
4 stymied and frustrated the selfish and short-sighted
5 aims of profit-mongering gas corporations and property
6 owners, you are apparently doing a much better job
7 than I thought before I got here today, and I thank
8 you for that. But insofar as the cumulative
9 environmental impact studies are incomplete, I must
10 ask why are we even here today considering the
11 adoption of these regulations prematurely?

12 On one hand it is a tragedy that we, the
13 public, must stand here to ask you to protect our
14 collective health and safety over and above privatized
15 profits. But on the other hand, this is a great
16 opportunity for you, for you, the DRBC, to stand up
17 and set a shining example as the protectors of the
18 largest unfiltered watershed in the United States of
19 America. And we are looking to you to do that. You
20 have the difficult, unenviable and thankless job of
21 standing up to the caterwauling of self-interested and
22 impatient business and property interests who would
23 too gladly sacrifice the health and welfare of
24 citizens, animals and ecosystems for their extremely
25 short-term gain.

1 Folk have the right to leverage their
2 private property for profit, but only insofar as it
3 does not injure others. And I would also mention
4 injuring ecosystems which support the long-term
5 survival of all living things. This is how the world
6 works. Corporations rape and pillage the world's
7 resources and socialize and externalize the many
8 costs. Unfortunately, it's expedient for them to pay
9 fines or violations than to actually do it safely.
10 And since the federal government, due to the
11 Haliburton loophole, is not protecting us under the
12 Clean Water, Clean Air and Superfund laws, we look to
13 you so you can be the saviors of many coming
14 generations.

15 People who stood here in favor are
16 thinking ten years down the road. We want you to
17 think 100 years down the road for all of us, please,
18 and thank you.

19 MS. SKALA:

20 My name is Lorraine Skala. I live in
21 Bucks County. I'm an environmental educator. And I
22 don't know what else I can add to the much more
23 eloquent speakers that have come before me except to
24 say that I rely on the Delaware for my drinking water.
25 I was appalled when I found out that fracking water

1 was being dumped into the Neshaminy, which I live
2 about a quarter mile from, and I kayak in and around
3 the Delaware and Neshaminy.

4 But you know, my biggest concern right
5 now is I teach children. I teach them water issues.
6 What do I say to them? Can I come away and say, yes,
7 your future, you know, drinking supply is going to be
8 protected? I'm teaching them about the Marcellus
9 Shale. I'm teaching them about all the impacts on our
10 watershed. And it's scary. It's a scary future
11 they're looking at. So what do I tell them? Please
12 protect our drinking water. Thank you.

13 MS. FEENEY:

14 Hi. My name is Kathleen Feeny. I am a
15 lawyer. I am not associated with any group. I came
16 here as an individual today because I'm so gravely
17 concerned. I closed my business and gave up any money
18 that I desperately need that I could have made today
19 to inform myself. And as a lawyer, I know that if
20 this were a courtroom and we were going to decide this
21 the way they do in my line of business, the jury's in.
22 The jury is in.

23 But what is so troubling to me is that
24 the Commissioners aren't here. No one really wanted
25 to hear what I had to say today. I know you two have

1 been very attentive, clearly informing yourself as
2 quickly as you can. But it seems to me, being part of
3 a system that puts up PowerPoints, it just fits this
4 scheme that serves this interest of fracking into some
5 kind of framework so that later --- although this
6 proceeding is so rushed and the Commission isn't here
7 to hear any of us. Where are they? I know you can't
8 answer me. But as a lawyer, I know that they're not
9 here. And this is a mere procedural formality that's
10 fitting into the way things are going.

11 I'm 57 years old. I grew up in
12 Pittsburgh. You couldn't swim in the Monongahela, the
13 Allegheny or the Ohio. When we drove up to Lake Erie,
14 it was stone bed, and that was all done by industry.
15 And my dad told me, we're going to bring it back.
16 We're going to bring it back in your lifetime, kid.
17 And they did. The rivers are barely coming back.
18 Lake Erie is coming back to life. We could always go
19 to the Delaware Water Basin. You're going to take
20 that, too?

21 Now I live in New Brunswick, New Jersey.
22 Neither I nor my kid nor my grandkid could swim in the
23 Raritan, the Passaic, the Hudson, the West, all given
24 up to industry. These are our natural resources. My
25 dad's dead of cancer, but it needs to come back.

1 HEARING OFFICER:

2 Excuse me. Before you start, may I call
3 numbers 21 through 30 to come forward?

4 MS. SABA:

5 Good evening. My name's Manijeh Saba. I
6 live in Somerset, New Jersey. Yes, where are the
7 Commissioners? Why aren't they here? Why are they
8 hiding from the public? This is appalling.

9 And my other question is what is the
10 rush? What is the rush to issue a deficient
11 regulation with unknown impacts on the health of the
12 public and millions and millions of people for
13 generations to come? Why rush before the results of
14 scientific hydraulic fracturing cumulative impact
15 analysis is released?

16 DRBC has the mandate of do no harm to the
17 protection of the Delaware Rivers. But the draft
18 falls far short of its mandate. Why is the rush?
19 Results of EPA --- EPA study of hydraulic fracturing
20 for potential impact on drinking water, public health,
21 environment is due in 2012. Why is the rush?

22 Please remember, water is basic to life.
23 Seventy (70) percent of our body is water. This
24 fundamental substance needs to be protected from
25 profit-motivated, fear-mongering oil and gas

1 industries and their land --- and selfish landowning
2 supporters.

3 Clean water supports health. Health is
4 basic and is our fundamental right. Respect your
5 mandate of do not --- do no harm, and withdraw the
6 draft and begin after the study is released. And stop
7 --- extend the deadline.

8 MS. TATHAM:

9 My name is Elizabeth Tatham. I live in
10 Bucks County. These regulations are too weak and they
11 are totally inadequate.

12 In Honesdale, I was appalled to hear
13 landowner after landowner complain that the 500-foot
14 setback proposed was just too excessive. 500 feet
15 from a reservoir, 500 feet from a stream, from
16 wetlands and the Delaware River is excessive? Nothing
17 will suit these people. They want to drill two feet
18 from the Delaware.

19 I know a man in Texas who had his well
20 water tested, and the lab found traces of drilling
21 chemicals in it. They said not to give it to small
22 children because it has neurotoxins in it. I asked
23 him, where is your well? How close is it to fracking?
24 He said one mile. If one mile wasn't enough to
25 protect this man's water, what will 500 feet do? It

1 won't protect anybody.

2 Several people mentioned using a tracer
3 earlier today. This is an effective procedure for
4 proving where the fracturing flow-back from the gas
5 well went and what water it contaminated, whether in
6 wells or stream. It is critical that you mandate
7 tracking of chemicals by independent labs that you
8 have approved and that no fracking ever occur in this
9 watershed without it.

10 The Academy of Science in Philadelphia
11 --- Sciences in Philadelphia did a preliminary study
12 that showed there were 25 percent fewer salamanders
13 and aquatic insects in streams near heavy drilling
14 than there were in streams where little or no fracking
15 occurred. This shows what it does to aquatic life.
16 What do you think it does to our children? Thank you.

17 MS. AGNEW:

18 Hi. My name is Grace Agnew, and I'm a
19 librarian at Rutgers University and I live in Highland
20 Park, New Jersey.

21 I wanted to mention a risk and a danger
22 that I think is very significant that hasn't been
23 addressed yet. One of my hats, as I am a data
24 management specialist, I work with large depositories.
25 And for the past ten years, I've been consulting on

1 the National Earthquake Engineering System. You may
2 know that recently there were a cluster of earthquakes
3 in Arkansas that the Arkansas Geological Survey
4 believes is related to fracking. They are not near a
5 fault. They are near injection wells as part of the
6 fracking process.

7 I noticed your regulations, your
8 PowerPoint, do not address the issues of the danger of
9 seismic activity. You know, you don't have to be an
10 earthquake engineer to know that if you inject stuff
11 at very high pressure in geologic structures, you're
12 going to cause seismic activity. What people here may
13 not know is that the northeast is one of the most
14 overbuilt --- well, they know that. They live here.
15 It's one of the most overbuilt areas, but it's also
16 overbuilt before there was significant regulations in
17 the building codes to support seismic activity. If we
18 have an earthquake here, we are in trouble. And we
19 know that fracking can and probably has caused
20 numerous seismic activities. You haven't addressed
21 it. You haven't done your homework.

22 If you think that I'm not speaking
23 correctly, if you think I'm speaking out of my hat,
24 let me tell you that the USGS has identified that we
25 have everywhere from mild to severe risks of

1 earthquakes in this area, particularly in New York.
2 And I can also say that Christchurch, New Zealand did
3 not think that they were going to get an earthquake
4 and did not think they were going to lose a lot of
5 lives. We would put Christchurch to shame if we have
6 earthquake activity. Do your homework first, please,
7 before you even think about opening up the Delaware
8 Basin to fracking.

9 MS. PARKER-GIVENS:

10 Hi. My name is Sarah Parker-Givens, and
11 I'm from Easton ---. My name is Sarah Parker-Givens,
12 and I'm from Easton, Pennsylvania in Northampton
13 County. And I live right alongside the Delaware
14 River. And I'm here because I oppose this process of
15 fracking.

16 I oppose the dumping of hazardous
17 wastewater containing known cancer-causing chemicals
18 into our drinking water. And I think it's time to
19 begin investing in clean alternative ways to create
20 energy that don't have a detrimental environmental
21 impact. I ask that there be more public hearings
22 because I know there's lots of people in my area who
23 would want to come and speak out. And I ask this
24 process to be banned. Thank you.

25 MS. ROCHELLE:

1 My name's Lisa Rochelle. I live in
2 Easton, Pennsylvania. I have lived along the wild and
3 scenic Delaware all of my life on both the
4 Pennsylvania and New Jersey borders. When I was 13
5 years old, my mother died of cancer. When I was 33
6 years old, my father died of cancer. When I was 40
7 years old, my two sisters were threatened with breast
8 cancer.

9 These corporations that pollute do not
10 pay the true cost, the legacy price that we pay with
11 our children, the quality of our water and the quality
12 of our air. An increased rise of asthma has happened
13 around the fracking wells, along with nosebleeds,
14 which is why the mayor of Dish, Texas moved his family
15 out of Texas. It's pretty bad when the mayor leaves.

16 I urge you to ban. This is not drilling.
17 This is poisoning. There's just no other way to say
18 it. Really, you know. These corporations that make
19 millions and billions of dollars of profits each year,
20 none of us do. But we're the ones who pay the price
21 with our health. We get cancer. And then we can't
22 work and then we can't pay our mortgages. We can't
23 sell our house because the property values go down,
24 and then we need to go on the state and federal
25 systems, and then you call us freeloaders. What the

1 hell is the matter with that?

2 Do you have children? I don't. But I
3 care about yours if you have them. What are you doing
4 to the earth? You tell me what creatures can live
5 without water. Who can? But all of us, all of these
6 mammals, not even just all the animals on the earth,
7 no one lives without water. You show me who lives
8 without water. You want to light your water on fire
9 when it comes out of your tap? It's bad enough that
10 we're fluoridated. It's bad enough in my area where I
11 work in Martins Creek that there's a coal power plant
12 that they call a steam plant. It's coal. And one of
13 the surface things broke and it came dumping down the
14 river, and it took three days before they even
15 informed the treatment plant that it happened. These
16 treatment plants aren't equipped. We're going to get
17 poisoned if you don't stop it. Ban it now.

18 HEARING OFFICER:

19 Thank you.

20 MR. TIFFANY:

21 Hello. My name is Robert Tiffany. I was
22 born and spent the first few years of my life on the
23 Susquehanna River in Wyomissing, Pennsylvania. Last
24 May I went back to visit friends and relatives there.
25 I would hope that you people should go there to see

1 what is going on before you make any decisions.
2 Relatives, brothers, sisters, cousins are being split.
3 Farms are being split because there are two opinions
4 in the family. But it doesn't help when the lake,
5 which is still common to the two halves, is bubbling
6 water and all of their wells are polluted. They'd
7 been promised to have drinking water the rest of their
8 lives. By whom? Not by DEP, but by some small
9 company that comes along. Forget it. They don't
10 provide water for their clothes.

11 Now, I know this hearing is about
12 regulations. It's about better regulations to limit
13 the probability or possibility of a disaster or
14 contamination. I think what I would like to see you
15 folks do is to go back to the other groups,
16 committees, I've heard say, whoever it is. I want to
17 talk about inevitability. It is inevitable given the
18 state of geology, the state of the art in drilling and
19 the secrecy and ability to buy anything you wish for
20 enough money that's going to cause our downfall. When
21 do we learn?

22 MS. TIFFANY:

23 Hello. My name's Barbara Tiffany, and I
24 live in Point Pleasant, Pennsylvania. And I do not
25 envy you in your job. And I realize that and I think

1 we all realize that the interest of large corporations
2 are overwhelming and the pressure that you have to be
3 under is excruciating. However, I would like to
4 direct your attention to the three --- four bottles of
5 water on your table.

6 HEARING OFFICER:

7 I haven't opened them.

8 MS. TIFFANY:

9 Imagine that they are filled with some
10 portion of the effluent from one of these drilling
11 projects. Please, I invite you to drink it. In fact,
12 what we're really talking about here is murder.

13 MS. CRUMP:

14 Hi. My name's Erin Crump. I'm in
15 Montgomery County, Pennsylvania. I want to start with
16 saying that I don't think 18 hours of oral testimony
17 is enough for you to hear about the environmental
18 disaster that this is going to create. So I would
19 definitely ask that you extend the comment period, but
20 I'm with most people in this room that think you
21 should just ban the process altogether.

22 I think we're really wasting an awful lot
23 of time. I sat here and I watched your PowerPoint and
24 I'm looking at all the things you have to do. You
25 have to have these tracing programs. You have to find

1 adequate treatment plants. You have to permit. You
2 have to monitor. You have to have planning
3 requirements. You're doing all this stuff. You're
4 fragmenting forests. You're trucking in water.
5 You're trucking out frack water. There's all this
6 stuff that's going on and on and on. Why don't we
7 just not do this? Why don't we stop and focus our
8 time on things like sealing our homes, making sure
9 that we stop wasting all the energy that we're wasting
10 anyhow?

11 Once we do that, then we can look for
12 less scary options for creating energy. I don't see
13 anybody out there protesting putting solar panels on
14 homes or putting in geothermal wells or building
15 houses. I just don't see it. People aren't pissed
16 about that. This is what they're mad about. Those
17 things create jobs, they save us money and they're
18 going to make sure that we live in a safe world. So I
19 think that all of this is ridiculous. I don't know
20 why we don't just stop this process. We do not have
21 to go down this road. There are other roads that we
22 can go down. Thank you.

23 MS. MALTIN:

24 Hi. My name is Heather Maltin, and I
25 live in Gwynedd Valley, Pennsylvania. I'm very

1 opposed to fracking, and I agree with all the speakers
2 so far. And I do wonder if there are any speakers
3 here that are in support of fracking because I know
4 that this is an open forum. So it's pretty clear that
5 this is a bad thing and we're going down the wrong
6 road. I mean, are we so foolish to let big business
7 take over and let us be destroyed and have no water
8 and no health for our families and our future?

9 I'd like to see this Commission wait
10 until we see the EPA study be concluded, look at the
11 health impact. I mean, rushing ahead is not the way
12 we want to go. Is it fair and is it right? It's not.
13 It's wrong. It's the wrong decision. We need
14 scientific data. We need to look at the short-term
15 and long-term effects of these chemicals in our soil
16 and in our water so we know they're not good, and
17 we're just going to find out more and more bad.

18 Let's look at states that have destroyed
19 their land and water because of ignorance and because
20 people who have no money and resources are being taken
21 advantage of. That's all I'm seeing. That's all I'm
22 hearing of. I don't hear of any good. And I see
23 these commercials for the natural gas companies,
24 they're so misleading. They make us think it's a
25 good, clean way to heat our homes and to make things

1 run, and it's not. If people really knew what was
2 going on, they'd be sick.

3 So I just hope that we think before we
4 act and we protect our water. And, you know, why
5 can't we have more hearings in the Philadelphia area
6 and in some towns where there are highly educated
7 people who will stand up should they know what's going
8 on? Because many people do not know what is going on
9 here. Please, I urge you, stop rushing ahead before
10 we know what we're doing to ourselves. Thank you.

11 HEARING OFFICER:

12 May I have 31 to 40? Numbers 31 to 40
13 come forward.

14 MS. LORD:

15 Hi. My name's Linda Lord. I'm from
16 Gloucester City, New Jersey. I live two blocks from
17 the river, and my family has been in New Jersey for
18 over 100 years.

19 I'm hoping that you will wait for the
20 cumulative studies. I'm not against natural gas, but
21 I think that the process that's being used to extract
22 it is unconscionable. I think that there's not enough
23 protections against accidents. I don't think the
24 casings are going to be monitored correctly. I think
25 there's no --- the process that they use, there's no

1 way to reroute the chemicals in case of accidents.
2 How long does it take them to stop pouring chemicals
3 down before --- when an accident occurs? Is it going
4 to go on for months and months like what happens in
5 the Gulf? Is there a plan to reuse these chemicals?
6 Can't they vacuum them back out? Isn't there a better
7 way to do this so that it's safer? Do the
8 carcinogenic chemicals have to be used? Can we not
9 substitute something better?

10 I really hope you extend the period for
11 this. I really hope that you take my grandchildren
12 into consideration before you poison their water. And
13 I really hope that you do the right thing. Thank you
14 very much.

15 MS. FITZPATRICK:

16 Hello. My name is Pam Fitzpatrick. I'm
17 from Bucks County. I've been doing water advocacy for
18 30 years. No one pays me to be here. I have never
19 taken a dime.

20 I think a lot of people are chasing the
21 money, the corporations. I think it's a moral issue
22 because children are dying. I have an acquaintance
23 that had went to a child's autopsy in the Gulf for the
24 poisoning, and it is global poisoning. I think it's
25 clear about ---. I also have a background in geology,

1 and there's no way that this is safe, and there should
2 be a ban on it.

3 I also wanted to address all these
4 industries want to go and set up shop at the most
5 pristine, beautiful sources of our water that are near
6 the headwaters. And the headwaters are the things
7 that really have to be protected. It's right there.
8 Money cannot buy clean water. It should just be
9 banned.

10 The headwaters are like your brain. If
11 you pollute your brain, the rest of it just is
12 destroyed. And I'm hearing from people from all over
13 the country and New Zealand and around the world about
14 Halliburton, gas drilling, how our resources are being
15 destroyed. And what good is it if you take the money
16 if your water is bad and you can't survive?

17 My friend signed a lease. She should
18 know better, she said, in this beautiful area near
19 Fort Still. There were five cars a day. Now with gas
20 drilling, there are 500 trucks transporting water, and
21 they're pulverizing the roads. She says, I can get
22 \$300,000 in three years, and I know that my water may
23 get polluted beyond ---. It just doesn't make any
24 sense. Fifty (50) years from now they're going to
25 say, boy, that fracking, why couldn't they --- it's

1 like the dinosaur ages. Why couldn't they do
2 something that's clean? Thank you.

3 MS. ZERBE:

4 My name is Faith Zerbe. I'm a resident
5 of Delaware County, and I also have the luxury of
6 spending a lot of time in beautiful upper Delaware
7 tributaries looking at the fresh water critters that
8 live here. And it's such a beautiful place. And I
9 also have the luxury of looking at the September ---
10 in September of 1989, going back and looking at the
11 petition that was put in by Delaware Riverkeeper
12 Network for outstanding natural resource waters. I
13 dug it out of a file yesterday and I thought, wow,
14 here is the petition that started this, the special
15 protection waters. And I thought, wow, I was 15 years
16 old then. And we were thinking about this. And DRBC
17 has been doing such a good job so far.

18 But now here we are with this fossil fuel
19 giant. And 20 years later, we're thinking, what are
20 we going to do? And we're considering regulations to
21 regulate an industry that may not be safe to regulate.
22 So we need to put the brakes on. And I urge DRBC to
23 do that.

24 Some major issues I see with the
25 regulations. First, DRBC regulations do not require

1 the use of nontoxic fracking fluid. We need to push
2 the industry to do these things if they want to do any
3 drilling at all in our watershed. DRBC does not
4 require a tracer to be added to fracking and flow-back
5 waters to ensure that we can pinpoint pollution back
6 to the drillers, therefore setting up a system that
7 protects the drillers and not the communities. We
8 know from the history of the drillers across the
9 nation when you look at the track record, they're not
10 standing up. They're not being accountable. So we
11 can't have them do this here.

12 Also, air impacts are not addressed.
13 Really, very concerned about new studies that EPA has
14 come out to look at looking at the fact that emissions
15 are 9,000 times greater for methane than what they had
16 thought before. And also, scientists have shown
17 clearly that we need the setbacks, that we need to
18 protect the watershed and the 500 setbacks even more
19 than that. So I implore you to do the right thing, to
20 use your power and to keep special protection waters.
21 Thanks.

22 MR. MCVEIGH:

23 My name is John McVeigh. I live in Upper
24 Black Eddy, Pennsylvania. I have several comments and
25 questions I just want to post for a public record.

1 I have two minutes to discuss what I
2 feel. I could talk for thousands of minutes. I got
3 interested in this about six months ago only, and I
4 scribbled down these notes very quickly just tonight.
5 My first comment is natural gas is not a sustainable
6 energy source. Why is the existing footprint not
7 large enough? Why isn't the whole State of
8 Pennsylvania and West Virginia not big enough for
9 these people? What is driving the speed of this
10 drilling? The natural gas can wait. It can stay in
11 the rocks another 100 years. What is driving this?

12 There needs to be a moratorium in the
13 Delaware watershed. Permanent moratorium. The
14 Delaware watershed is too valuable. Our water is too
15 valuable. Clean water is more --- is too valuable.
16 We don't seem to appreciate how valuable clean water
17 is, and that needs to be appreciated. Permit
18 moratorium on the Delaware watershed. That's what we
19 need.

20 There are many clearly documented areas
21 of risk and many documented examples. Re-explosions,
22 road accidents, pipeline accidents, corruption. There
23 is no remediation plan. What's the plan for Dimmock?
24 What's the plan for the mountaintop coal removal areas
25 of West Virginia? There is no remediation plan.

1 Capitalism is not about the government
2 creating jobs for people. Government is supposed to
3 protect the people. And the Delaware River and the
4 state forests need to be protected. Conservation has
5 not been looked at. The environmental impact, the
6 risk assessment, has not been done. Water treatment
7 of frack fluid --- there's thousands of websites where
8 you can get the data on how dangerous this is. Six
9 months, and I can talk for hours about it. The
10 cultural impact hasn't been addressed. The pipeline
11 grid hasn't been addressed. The EMS and the fire
12 hasn't been addressed. Future generations, health
13 problems, the loss of the ecosystem of all living
14 things, DRBC is responsible for this. This is your
15 job.

16 MR. RODEN:

17 Hi. My name is Paul Roden. I live in
18 Bucks County. And I support the extension of public
19 comments. And we should wait at least for the EPA
20 study. But I think it should be banned.

21 The more I read about it, the more
22 horrified I am. How could the Delaware River Basin
23 Commission award Delaware River the Pennsylvania river
24 of the year, and then go forward with these
25 regulations? The regulations are a joke.

1 And what about the surface casing specs?
2 There's nothing in there about the piping for
3 extracting the stuff. What about blowout permits?
4 You saw what happened in the Gulf without a good
5 blowout permit. Who's going to pay for the monitoring
6 of all this stuff? When the governors don't want to
7 --- don't believe in regulation and taxes, who's going
8 to pay for the cleanup? In this whole era of anti-
9 tax, anti-government, the government can't do anything
10 right, who is going to pay for the monitoring? These
11 companies aren't. They don't want to.

12 I think it was Nockamixon Township passed
13 some regulations that one of the gas companies ---.
14 That's what we want to do. We don't want to be
15 burning this gas to begin with. We don't need it for
16 global warming. We don't need it for our water
17 supply. I grew up --- I spent my summers in Sullivan
18 County. I went to Honesdale to the agricultural fair
19 every summer. I love that stuff. I have relatives
20 still up there in Sullivan County. I don't want this
21 thing to go forward. It should be banned. I mean,
22 all these questions --- it's not going to happen
23 unless we band together and stop it. Thank you.

24 MS. NELSON:

25 Hi. My name is Liz Nelson. I'm

1 originally English. I've lived here for, I guess, 28
2 years. I live in Somerset in New Jersey.

3 And I want to say that after being here
4 all day, it's been kind of thrilling to hear people's
5 very articulate, moving words that are so pertinent to
6 the issue. But it's also very depressing. A couple
7 people have mentioned that the Commissioners are not
8 here, and that really is insulting to this whole
9 process. It almost makes me wonder if it's such a
10 done deal. Is it such a done deal that are we wasting
11 our time? Are Americans wasting their time standing
12 up for their country against polluters who wantonly do
13 whatever they want? Is this country already bought
14 and paid for by corporations? Is it Ecuador already?
15 Are our communities going to be filled with pits of,
16 you know, contaminated water tomorrow? Are we any
17 different than the Ecuadorean Indians already?

18 And my appeal to everybody here is don't
19 let this go away. Even if you don't get another
20 hearing anywhere else, don't let it go away. Go to
21 the streets and let other Americans know that this is
22 your country. Fight for it.

23 HEARING OFFICER:

24 Before you start, are the numbers past
25 40?

1 MR. MUSZYNSKI:

2 They're up to 41 now, but we have 41.

3 HEARING OFFICER:

4 Forty-one (41)? We're at 42. Okay.

5 Whoever is left out there, please come up.

6 MS. SCULLY:

7 Okay. Hi. My name is Sara Scully, and
8 I'm from Hunterdon County, New Jersey. And I don't
9 have any new information. I just have some insight on
10 this event which is interesting to me. I produce
11 events. And just looking at the production of this
12 event, I feel it says so much about our relationship
13 as the people to the DRBC. While it's very random
14 that you're in an elevated place and we're all beneath
15 you and I'm standing at a podium looking up at you, I
16 would so much prefer --- whether it's metaphorical or
17 literal, I would so much prefer this podium be up on
18 that stage equal to you. Whether or not we make that
19 literally happen, I say this in the spirit of I want
20 you to value our comments on the same level as yours
21 and truly take seriously the level of responsibility
22 all of us entrust you with.

23 I know you're employees. And I know many
24 of you are just doing a really, really good job. And
25 the Commissioners are elected or appointed. But you

1 have such a serious responsibility to all of us to
2 seriously look at and consider these comments on the
3 same plane as you consider your jobs and your
4 position.

5 The next thing I would just like to
6 mention also in terms of event design that reflects
7 something about our culture and attitudes is, again,
8 the bottled water. We cannot take for granted that
9 the privatization of water is an okay thing, that we
10 we'll all just buy bottled water. This technology
11 seriously threatens our free drinking water, and we
12 need to take for granted that we all should have
13 access to free drinking water in our wells that is
14 clean and healthy and not privatized. Thank you.

15 MS. OCHOCKI:

16 Hi. My name is Vickie Ochocki. I live
17 in Hatfield, Pennsylvania. But I'm not a native
18 Pennsylvanian. I was born and raised in the Los
19 Angeles Basin. In my childhood, it once went three
20 years without any measurable rainfall. So we got
21 pretty excited by seeing water in its natural state.
22 And when I moved here to Pennsylvania, it was like it
23 refreshed my soul because you got water for free. You
24 didn't have to pay for it to come out of a tap. It
25 actually came down from the sky. It actually ran

1 through the earth and there were trees growing out of
2 it and all kinds of good stuff. For a Californian,
3 that was very interesting and exciting to me.

4 I would hate to see that go away. I
5 would hate to see the rivers and the creeks become
6 stinking messes of dead fish and frogs with 18 legs
7 growing out of them. But more than that, as I've been
8 listening to people, one thing that kept coming to my
9 mind is why not wait? Why not wait until this very
10 expensive, time-consuming EPA study is complete? The
11 only reason I can think of for rushing is money. And
12 it ain't ours.

13 So I would like to submit to you that in
14 the long run, the profit, if you will, the proceeds
15 from waiting and making sure will be greater than the
16 profit, the proceeds, from rushing. So please wait
17 for the EPA to do its job. Thank you.

18 MS. DIXON:

19 Ann Dixon from Philadelphia. So thank
20 you for the moratorium so far. As you know, special
21 protection waters, most of the Delaware is --- it's
22 legally obligated for it to remain as clean as it is
23 now. So thank you for doing that.

24 We are hanging on by a thread here, and
25 we --- over 50 million people who count on the

1 Delaware River for drinking water are counting on you
2 to protect us because no one else is. And you've
3 protected us really well so far.

4 So about the regulations that have been
5 proposed, I thank you for the setbacks from streams.
6 That's a really good thing. A couple of days ago, I
7 just found out about this new chemical in fracking
8 fluid in flow back. I thought I heard it all. You
9 know, we've all heard about the benzene and the
10 toluene and the carcinogens. NCQO (sic) is a chemical
11 that isn't in frack fluid. I mean it isn't in the
12 fracking chemicals. It's not naturally in the rocks,
13 in the shale. It's a result of the combination of
14 chemicals used. This is so carcinogenic that it is
15 used to produce tumors in lab animals. And it was
16 discovered in the 1940s in gas and well --- gas and
17 oil fields.

18 So like everyone else here, I would
19 really like you to have a moratorium continue until
20 the EPA studies are complete and we can see where to
21 go from there. Thank you.

22 MS. CARLUCCIO:

23 Tracy Carluccio, Delaware Riverkeeper
24 Network. I waited until the end because I didn't want
25 to take anybody's time. And just want to say a couple

1 things that I've moved to think about over the course
2 of the day.

3 As you know, we've considered the draft
4 rules not to meet the DRBC's legal mandate to do no
5 harm. That is do no harm. And that's what is
6 necessary in order to protect the exceptional water
7 quality of the wild and scenic Delaware River and the
8 drinking water for 15 million people. And we're going
9 to be submitting extensive written comment to explain
10 why we have come to that conclusion.

11 But what I want to say tonight is that we
12 are downstreamers here. And there's three million
13 people in New Jersey, 1.5 million people in
14 Philadelphia, and all the people in Delaware. We're
15 all on the receiving end of what's going to be
16 happening up river of us. We only have the DRBC to
17 protect our drinking water and the special resources
18 attached to this river because the states are not
19 going to do it. Pennsylvania and New York do not have
20 the regulations and they don't have the will. And the
21 federal government, they're not doing it. The federal
22 government has exempted the gas industry from portions
23 of every major environmental law. All we have is the
24 Delaware River Basin Commission, and you're a powerful
25 agency. You can do it. You can actually say you

1 cannot hydraulically fracture with chemicals in this
2 watershed. And we think you should do that. You
3 should step up to the plate and do it.

4 I'm proud to be from New Jersey today.
5 I'm proud to be here with these folks. But I want to
6 say that there are people who came from Philadelphia
7 and Delaware and all over the place. Those folks need
8 to go to a conveniently located location in order to
9 speak up. And we need to have the Commissioners here.
10 I do think that. I'm proud of New Jersey, but I'm
11 embarrassed to say that Governor Christie did not see
12 fit to have the New Jersey Commissioner here tonight.
13 Every other state, when I went on Tuesday, had their
14 Commissioners there. That's embarrassing. Thank you.

15 MS. MICHAELS:

16 Hi. My name is Laura Michaels. I am
17 from Philadelphia, Pennsylvania. Came here by train.
18 And I also want to thank you for the job you've done
19 up until now to protect us. The waters at the
20 headwaters of the Delaware River are of very high
21 quality and it's a beautiful thing.

22 Generations from now will know if we
23 acted to protect them. Humanity has existed for a
24 very, very long time without natural gas. Natural gas
25 is a luxury. Humans have lived without it for a very

1 long time. We've evolved to live without it. Clean
2 water we cannot live without. Generations from now
3 will judge us by our actions in the present.

4 I implore you not to allow hydraulic
5 fracturing anywhere near the headwaters of the
6 Delaware. I implore you, if you do allow that to
7 happen, to go above and beyond the state regulations,
8 which are not enough to protect us all from very
9 dangerous chemicals, tainting our genetic legacy. I
10 implore you not to think of this generation alone, not
11 to think of corporate welfare, but for the welfare of
12 human beings living quiet lives of desperation.

13 Generations from now will not know your
14 faces and names, but they will know that somewhere in
15 the past, someone protected them or someone didn't.
16 So I implore you to protect them. I don't have
17 children of my own because I'm too afraid of the
18 corporate interests that will destroy their world.

19 HEARING OFFICER:

20 Is there anyone else who would like to
21 speak that did not pick up a number? Okay, sir. If
22 you could come up and fill out a form.

23 MR. GIFFEN:

24 Hello. I'm David Giffen. I live in
25 Buckingham. I also want to thank the Delaware River

1 Basin Commission for all the work that they've done in
2 the past. Tremendously important work. It hopefully
3 takes over for the lackluster and the horrible efforts
4 made by the states. You're looking at grandpop,
5 December 24th. That's all I got to say. Thank you.

6 HEARING OFFICER:

7 Anyone else?

8 UNIDENTIFIED SPEAKER:

9 Is there more time to speak again?

10 HEARING OFFICER:

11 No, since we didn't have that in the
12 rules. This is really to hear from people that have
13 not spoken yet tonight.

14 UNIDENTIFIED SPEAKER:

15 It might not be a rule, but we're all
16 here and you have time. You should hear from the
17 people.

18 UNIDENTIFIED SPEAKER:

19 Do you get to respond to people or no?
20 Are you just here tonight?

21 HEARING OFFICER:

22 In a hearing setting, we do not respond.
23 If this was more of a workshop setting, then there's
24 more of a give and take. And we have had a couple of
25 those, and it's possible to do another one of those.

1 Another speaker.

2 UNIDENTIFIED SPEAKER:

3 It's only 7:38.

4 MS. MENSHEM:

5 Hi. My name is Becca Menshen, and I live
6 in Bucks County. And I'm renting in Bucks County.
7 Actually, my husband and I are thinking about making a
8 permanent move to Pennsylvania. I grew up in
9 northeastern Pennsylvania, and I have a great love for
10 this state. But I'm taking great pause at the moment
11 about whether to come back here. I've been living in
12 Europe for the last 18 years. And one of the reasons
13 we chose Bucks County is because it seemed like this
14 precious place that survived a lot of these
15 developments and things. And so as I said, we are
16 taking a big deep breath and saying should we really
17 go ahead in light of what's being considered here.

18 And because this moves me so much, I went
19 on the road and put up some word out on the bulletin
20 boards to try to get folks to rally around to come to
21 this. I caught this with short notice. And I went
22 out on the road. And I thought one thing that's very
23 interesting when I went to some of the communities,
24 and I went to community centers, and asked if I could
25 post, and they said that this was too controversial,

1 for example, to go into a community center where
2 tourists would come, that here's a very controversial
3 topic that could put off tourists.

4 And I really thought to myself this is
5 the bread and butter --- a great deal of the bread and
6 butter for this region outside of the question of
7 clean water, which is without a doubt the most --- the
8 key issue that we have to deal with here. But again,
9 going back, think about that. They didn't want ---
10 and this was a very neutral posting. They didn't want
11 that on their boards. It scares tourists away.
12 Imagine what tourism will look like in a few years if
13 this thing takes the route it might.

14 HEARING OFFICER:

15 Thank you.

16 MS. MENSHEN:

17 Thank you very much.

18 HEARING OFFICER:

19 Another speaker?

20 MS. MARLIER:

21 Hello. My name is Juliet Marlier. I
22 currently live in Yardley, Pennsylvania. But I'm
23 originally from the western part of the state. And I
24 own some property with my siblings in western
25 Pennsylvania. We had been approached more than once

1 by energy companies who were offering increasingly
2 large amounts of money for us to drill --- to allow
3 drilling on our property.

4 And when we started investigating, we
5 were appalled at the lack of regulation and
6 proprietary information that we were not allowed to
7 have access to. And I am discouraged by the current
8 climate in Pennsylvania. And I see this body as being
9 a safeguard or some sort of sanity between the
10 interests that would endanger our water tables and the
11 people who depend upon it. So I thank you for holding
12 these hearings and I hope that you will continue to
13 take a slow and rational approach to this issue.

14 HEARING OFFICER:

15 Thank you.

16 MR. PLATT:

17 Hi. My name's Rodney Platt from Delaware
18 County. I was honored to be the last in the last
19 session, and I didn't quite finish. I had 20 seconds.
20 Thank you again for what you're doing.

21 I wanted to say that the genie is out of
22 the bottle at this point. Please keep the benzene and
23 the methane in, or we'll be forever drinking out of
24 our water bottle. Cheap gas or cheap water. Carol,
25 cheap gas or cheap water. The wars of tomorrow will

1 be over water, not gas. Keep that in mind. And
2 that's a very expensive --- there is no alternative to
3 water. Thank you.

4 HEARING OFFICER:

5 Thank you.

6 MS. CHRISTY:

7 Hi. My name is Liz Christy. I currently
8 live in Center City, Philadelphia. I just graduated
9 with an environmental studies degree, so this is all
10 pretty new to me. I recently started working for a
11 clinic in the Poconos region, and I've known about
12 fracking for a while but I didn't think that it would
13 have such immediate health effects on the people in
14 northwestern Pennsylvania.

15 And I've been working with a family who
16 has a two-year-old son named Wylie. And he started
17 experiencing severe osteoporosis in his arms and legs
18 and in his teeth. And his teeth and bones started
19 breaking. His teeth were peeling. And it was really
20 weird and nobody knew what was going on. He doesn't
21 have actual osteoporosis. It just looked like it.
22 And then they got their water tested and they found
23 that there was ether in their well, and that's really
24 scary. And he's so little. And there is not really
25 anything they can do about it except for move and

1 start treating him and see if maybe it gets better.

2 But I really don't want that to happen in
3 the Philadelphia region, and I love Philly. And I've
4 only been living there two years, and I really don't
5 want to move. And I'm afraid if fracking happens in,
6 you know, northern and southern Pennsylvania, that I
7 will end up having to move. And that really sucks.
8 So thank you for your time.

9 MS. BRAAM:

10 Thank you. My name is Audrey Braam. I
11 live right across the river in Bucks County. I was
12 moved to add my voice to all of the opinions that I've
13 heard tonight.

14 Thank you for the job that you've done in
15 protecting the river and the Delaware River Basin thus
16 far. I enjoy fishing, swimming, canoeing in the
17 Delaware. I would like to continue to do so. My
18 water comes from the Delaware. I live right on the
19 Pennsylvania Canal. Water is paramount to me, and I
20 don't think that natural gas is an inexpensive way to
21 solve our energy problems. I just don't think that it
22 is possible to assure me that those chemicals are safe
23 in any way, shape or form. And I would just like to
24 say that there is no such thing as cheap gas. It's
25 just not worth the cost. Thank you.

1 HEARING OFFICER:

2 One more speaker.

3 MR. SIGSTEDT:

4 My name is Val Sigstedt. I've been
5 before --- in these hearings before. There was an
6 issue in this region that they called it Dump the
7 Pump. We were stopping it and we did not do it, but
8 we sued everybody in the attempt to stop the pumping
9 --- Point Pleasant pumping station. As a result of
10 losing, the State of Pennsylvania changed its laws
11 regarding how they handle water. Now you can take
12 water from a river or any place, any industrial water
13 you want, and run it down one of Pennsylvania's
14 streams. And it's my contention that that turns
15 Pennsylvania streams into industrial ditches.

16 I just watched the Neshaminy Creek turn
17 into an industrial ditch, and I feel terribly
18 responsible because we didn't win the pumping station
19 and stop that from happening. They poured millions of
20 gallons of fracking fluid down the Neshaminy Creek.
21 When it gets to the bottom of the Neshaminy Creek, it
22 turns to the right, and the first town it goes past is
23 named Torresdale, and that's where the intakes of
24 Philadelphia's municipal water supplies are.

25 I just hope very much that, first of all,

1 you'll take it in your hearts to slow this process
2 down before we all get overrun by a bunch of crazy
3 Texans and the Halliburtons and the nuts of this world
4 who are trying desperately to make more money than
5 there is, and then leave us. The price of oil, the
6 price of gas is going down and down and down. And
7 there's a real good reason for thinking that they're
8 not going to be buying gas anymore.

9 HEARING OFFICER:

10 Thank you very much.

11 MR. SIGSTEDT:

12 Thank you very much.

13 HEARING OFFICER:

14 If there are no more speakers, one thing
15 you could do if you're interested is we could close
16 the hearing now, and then we could just have a
17 dialogue with Bill and I coming down there. And I
18 have to say that, you know, we're here because of the
19 huge crowds that we were expecting, and there are very
20 few places that have this size seating. It's not
21 really our desire to be at a different elevation than
22 you all. As you know, our regular meetings, we try
23 and find places that we're all on the same plane. So
24 this is an unusual setting for those who know us. But
25 if you want, are you interested in that? We can just

1 talk.

2 APPLAUSE

3 HEARING OFFICER:

4 So with that, I'd like to close the final
5 and sixth session of the DRBC hearings.

6 * * * * *

7 HEARING CONCLUDED AT 7:50 P.M.

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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.

Maria Amato