

DRBC MEETING HIGHLIGHTS

December 8, 2011 1:30

By Betty Tatham

Lt. Col. Phillip M. Seacrist, the Alternate Commissioner for Col. Larsen who represents the federal agencies on the Commission and who is the current Commission Chair opened the meeting by saying, "I will make a brief announcement. At this time the Commissioners are talking through the issues and we will inform you when the next special meeting will be held."

Amy Shallcross gave the Hydrologic Report which she ended on a humorous note telling us that while people in New York State and the upper Delaware Basin have a 50% chance of a White Christmas, in the State of Delaware section it is only 5%. She also said, "See you in March!" This indicated when the next DRBC meeting will likely take place, though the Commissioners have at times changed the schedule.

Kenneth Warren, General Counsel for the DRBC reported that there are three lawsuits regarding drilling for natural gas in which the DRBC has been named as defendant. One is by New York State Attorney General Schneiderman saying that the DRBC is out of compliance with federal law that requires that an environmental impact study be done before gas drilling could occur. The DRBC Counsel is filing a motion next Wednesday asking for dismissal of that case.

Alternate Commissioner Angus Eaton of NY State offered a resolution which was seconded by Alternate Commissioner Plonski of NJ that will not allow water withdrawals for hydrofracking in New York State until New York State's assessment of the safety of hydrofracking has been completed. This will supersede the May 10, 2011 resolution allowing water withdrawals for hydraulic fracturing in the Delaware Basin. The motion passed. It was later clarified by Carol Collier that this only applies to New York State.

However, under current regulations large new water withdrawals need a permit that has to be on a docket for vote at a public meeting. When EXTO, a division of EXXON tried to get permission to withdraw water in preparation for gas drilling last summer while the moratorium was in force, there was such a public outcry that the DRBC held a public hearing in Deposit, NY (at which many of us testified) and the permit was denied. So while this only applies to NY State, I don't believe they'll try it again while the current moratorium is still in effect. A lot depends on what happens in NY and also what the legislature of NJ will do. NJ has a current bill pending to disallow any wastewater or pipe tailings to be imported into the State.

Public Comments

A speaker covered the dangers of high levels of radon in the Marcellus Shale where she said radiation levels are 2 to 15 times greater than in the Barnett and other shale formations. She stated that radiation exposure is the 2nd leading cause of lung cancer and that children are at highest risk. She explained that some leaks of radiation occur during transportation through pipelines. Others happen in the home when gas is burned and some of the gas escapes and drifts toward the ground. Children who are shorter (they also have smaller body size) are

affected more than adults. I hope to do some research by contacting James Winslow Hamilton College (Clinton, NY) where she said a study has been done on this subject.

League of Women Voters of DE, NJ, NY and PA statement was read by Betty Tatham, member of the Bucks County League, who represented the 4 State Leagues. (Attached)

NYH2O President spoke about Economic Benefits. He stated that 94% of the gas wells drilled in the Barnett Shale did not produce any long term jobs and 94% of water wells tested in the Fort Worth area had some carcinogenic chemicals. Regarding Energy Independence, he pointed out that while our natural gas price is currently \$4.00 (per million cubic feet) in Asia it is \$15.00. He predicted that much of our natural gas will be going out of the country and we'll be competing for this gas, with high prices coming.

Delaware Riverkeeper Network - Deputy Director Tracy Carluccio urged the Commissioners to move ahead with a comprehensive, cumulative environmental impact study. She also asked the DRBC to include all states in the water withdrawal resolution that was passed today, not just NY.

Mary Handler, a minister said that this year the Delaware River was chosen "the most beautiful river in America." She spoke emotionally about the devastating effects of gas drilling on people's lives. Ms. Handler knows one person who died because of it. She also said that children in Dimock are getting sick from taking showers and bathing in their homes. She went up to Dimock last week and asked everyone to help deliver clean water. She said how sad it is that we can't trust our own country to protect us.

Sierra Club of NJ - Terry Steimesel (I think), Exec. Committee member and Chair of the Natural Gas Monitoring Committee for NJ Sierra Club asked that the DRBC wait for the EPA Study that will be completed in 2014. She said NJ legislators are working on rules to ban the importation of any wastewater or pipe tailing from natural gas drilling into NJ. She pointed out that NJ may not have Marcellus Shale, but drilling can be done there in the Utica Shale as it is already happening in Ohio. She asked the DRBC to protect the Delaware River Basin.

Coalition to Protect Fisheries – Richard Schneider represented the Coalition and he asked the DRBC to stop "open loop cooling systems" – which allows water to enter the river at such warm temperatures that it kills the fish. Closed loop systems can prevent some of the harm from nuclear power plants to the river. He also spoke against fracking and the dangers it poses to fish.

Organic Farmer, Cornelius Fitzgerald talked about environmental damage, economic damage when you can't sell your produce, loss in property values, extra cost for insurance and the inability of people to sell their land.

Mary Ellen Noonan who serves on the DRBC Water Management Advisory Committee pointed out that cement casings on gas wells are expected to fail in 10 or less decades and the DRBC

needs to look ahead in protecting the water for future generations. There are currently 300,000 abandoned wells in PA and something needs to be done about them. She asked how much surface destruction in special protection waters the DRBC is willing to allow and added that Dimock is getting a bad deal.

There were only 12 speakers in total and none spoke in support of fracking.