

1 with one of these alternatives always
2 being no project.

3 Since our DEP and EPA has
4 found that fracking operations have
5 contaminated numerous wells, how can we
6 ever consider any circumstance where
7 watershed resources can be used to make
8 fracking possible? Please ban all
9 fracking.

10 HEARING OFFICER:

11 Thank you, ma'am. Beth
12 Kelley, and then Mark Lichty and then
13 Harriet Shugarman. Okay. Is this Ms.
14 Kelley?

15 MS. KELLEY:

16 Yes. Before I start I
17 just have to ask a question. Will the
18 clock start when I introduce myself
19 or ---?

20 HEARING OFFICER:

21 The clock will start as
22 soon as you say your name and you need
23 to start by saying your name.

24 MS. KELLEY:

25 I'm not going to

1 introduce myself or state what my ---

2 HEARING OFFICER:

3 Okay. We'll start right
4 now. Go.

5 MS. KELLEY:

6 Okay. Hi. My name is
7 Beth Kelley and I live in New York
8 City. I have been following the
9 fracking industry for about eight
10 years. Ever since the de facto
11 moratorium went into place, every time
12 I read about fracking related incidents
13 such as gas explosions, chemical
14 spills, contaminated water, destroyed
15 ecosystems and so and so forth I assume
16 that the Commission is seeing the same
17 things and that, of course, it knows
18 that only a permanent ban will protect
19 the Delaware River from the gas
20 industry.

21 When the DRB Governors
22 made a big announcement last year that
23 they were going to ban permanently
24 fracking, I thought, yes, finally.
25 Then the draft regulations were

1 released and it became obvious that
2 celebrating was premature. As the
3 Sierra Club's Jeff Tittel said so
4 aptly, these proposed regulations are a
5 dirty water deal hidden behind the
6 fracking ban. So here we are.

7 Seventeen (17) million
8 people rely upon the Delaware River
9 basin for safe drinking water. Over
10 eight million of them live in New York
11 City, but DRBC must not want to hear
12 what many of these 17 million people
13 think about these regulations since
14 there are no hearings in New York City,
15 no hearings in New Jersey, no hearings
16 in Delaware.

17 A lot of people have to
18 travel hours to get to the hearing.
19 This says a lot about the so-called
20 public input process of the DRBC.

21 So my friends and I are
22 here to lend our voices to eight
23 million New York City residents who are
24 incredibly fortunate to have such great
25 tasting, safe drinking water from the

1 upper Delaware Catskill watersheds.
2 The water is so clean, so protected
3 that the city doesn't have to filter
4 it.

5 If it did have to filter
6 it, it would cost billions of dollars
7 and this would be on top of the
8 billions that the city already needs to
9 maintain its aging infrastructure such
10 as the current \$1 billion repair of the
11 Delaware aqueduct tunnel.

12 It is unconscionable that
13 the fracking industry doesn't have to
14 disclose all the chemicals it uses.
15 Nobody knows exactly what is in
16 fracking fluid and in fracking waste.
17 How can DRBC regulate what it doesn't
18 know?

19 We don't know the effects
20 of water withdrawals and so many
21 fracking activities because the
22 industry doesn't have to provide the
23 data that scientists need.

24 The unprecedented
25 exemptions given to this industry have

1 proven very convenient to them. And by
2 the way, anyone that thinks that this
3 industry could be discouraged is
4 certainly misguided.

5 Because of all the known
6 and unknown risks that fracking
7 presents, DRBC must evoke the
8 precautionary principle and ask how
9 much harm is avoidable, instead of how
10 much harm is acceptable? In order to
11 carry on its mandate to protect the
12 quality and quantity of the water,
13 DRBC must prohibit fracking and all
14 fracking related activities.

15 HEARING OFFICER:

16 I'm going to have to stop
17 you at this point.

18 MS. KELLEY:

19 This informed decision
20 will affect generations to come.

21 HEARING OFFICER:

22 Ma'am, you have to stop.

23 MS. KELLEY:

24 Do not fail them.

25 HEARING OFFICER:

1 Okay.

2 MS. KELLEY:

3 I read it a little slower
4 than I practiced. Thank you.

5 HEARING OFFICER:

6 Okay. Next, will be Mark
7 Lichty, and then Harriet Shugarman and
8 then Bill Shaughnessy.

9 MR. LICHTY:

10 Hi. My name is Mark
11 Lichty and I'm here as business person
12 and as a manufacturer. I want to make
13 the comment about the API testimony.
14 We know from five years ago that the
15 gas companies told us that there was no
16 leakage from wells. We know that they
17 claimed five years ago that it was
18 safe. We know the DEP five years ago
19 said that there was no leakage from
20 wells from fracking.

21 Well, indeed, today we
22 know differently, that there has been
23 leakage from wells. There's leakage
24 from fracking in wells, and so I
25 question the credibility of those