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## NEW JERSEY CHAPTER

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[www.SierraClub.org/NJ](http://www.SierraClub.org/NJ)

March 30, 2018

Delaware River Basin Commission  
P. O. Box 7360 West Trenton, NJ 08628

Re: Proposed Draft Regulations Addressing Hydraulic Fracturing and Additional Clarifying Amendments

Dear Commissioners:

The New Jersey Sierra Club supports a full a complete ban on fracking and all fracking activities within the Delaware River Basin. While we applaud the Commission's efforts to ban fracking, we have concerned that the proposed regulations do not go far enough to protect the Delaware Valley. This is because the proposal allows for the taking of water and dumping of frack waste, which will be detrimental to the resources of the Valley. We believe, along with Governor Murphy, that without banning the taking of water or dumping of frack waste in the region, the fracking ban will be incomplete.

Fracking involves injecting huge amounts of water and chemicals in rock formations that can pollute surrounding aquifers and waterways. This requires mixing millions of gallons of water with toxic chemicals including volatile organic chemicals like benzene, methyl benzene, formaldehyde, and others that are linked to cancer. The process also releases toxic chemicals like arsenic and mercury that are naturally trapped in the shale. The average well uses 2.5 to 4.5 million gallons of water for fracking, many wells are fracked two to three times. Drilling will also require trillions of gallons of water.

Dumping fracking wastewater is dangerous because it contains over 600 different toxic chemicals, many of them carcinogenic. The discharge of billions of gallons of fracking waste will lead to the contamination of our waterways, impacting water quality and threatening ecosystems. The process of bringing in the waste could lead to spills or accidents that create even more contamination. Without a full ban, it could also allow for facilities such as the proposed Elcon Hazardous Waste Facility to be built to dispose of frack waste while also threatening our environment and drinking water. Having a partial ban that actually allows the dumping of fracking waste still puts the drinking water and environment of the Basin at risk.

The taking of billions of gallons of water robs our water supply and disrupts water flow. We could end up with drought-like streamflows for extended periods, especially during dry weather conditions. This would impair the basin's aquatic resources as well as potentially degrade downstream potable surface water supplies. It can lead to higher pollution concentrations in the Delaware River and connected waterways. This contradicts the "no measurable change to natural water quality" in the Special Protection Waters requirement. We need a complete ban of fracking activities, including not allowing dumping fracking waste or taking water for fracking activities elsewhere.

There were proposals at one time for 30,000 wells in the Delaware Basin. It would have destroyed tens of thousands of acres of open space, polluted hundreds of billions of gallons of water and threaten wildlife habitat and community safety. In 2010 the DRBC prohibited permitting for natural gas extraction



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projects in the Delaware River Basin while they study its potential impacts on water resources, a de-facto moratorium that does not allow permits to be issued until natural gas regulations are adopted. Since 2010, the overwhelming weight of scientific evidence and on-the-ground experience where fracking has wreaked havoc prove that fracking simply isn't safe. It is a logical and important next step by the DRBC to make the moratorium on fracking permanent.

We need a full fracking ban because the Delaware River is an environmental treasure on the East Coast that supplies the clean drinking water for more than 17 million people. The River even received designation for Wild and Scenic and is classified as Special Protection Waters (SPW) due to exceptionally high water-quality and outstanding natural resources with special regulations that protect those resources and maintain the River's exceptional water quality. The entire drainage area that flows to the nontidal Delaware River, which extends from Hancock NY to Trenton NJ, is designated as SPW, and is the longest stretch of anti-degradation waters in the nation.

Banning fracking also helps prevent more pipelines and other fossil fuel projects such as the proposed Elcon frack waste incinerator from being built in the Valley. A fracking ban would protect the property rights for tens of millions who live there. Not only will fracking pollute their waterways and threaten water supply for 17 million people, but it could destroy billions of dollars of ratables owned by those in the Basin. If their land is polluted or taken by eminent domain for pipelines, it destroys their property values and interferes with their Constitutional rights. People have a right to life, liberty, and property; and fracking and pipelines destroy these inherent rights.

The majority of New Jersey citizens do in fact support banning fracking in the region. Fracking is a direct threat to the region's resources and the DRBC is acting in their power and in the interest of the people of this region by working to ban it. The New Jersey Sierra Club fully supports a permanent ban on fracking in the Delaware River Basin and the DRBC's authority to enact one. Given the change in Administrations at the federal level, it is more important than ever that we protect our resources. A complete fracking ban that includes banning taking water or dumping frack waste will help make sure that our water supplies and forests won't be destroyed by fracking.

If you have any questions or would like to discuss this matter further, please feel free to call me at (609) 558-9100.

Sincerely,

Jeff Tittel

Director, New Jersey Sierra Club