

1 of their lands. Those sitting ---.

2 HEARING OFFICER:

3 Sir, I'm going to stop  
4 you at this point, Mr. Peckham. Thank  
5 you very much.

6 Next, can I have Barbara  
7 Arindell as the next speaker? And  
8 then let's see, can you say your name  
9 for me, sir?

10 DAVID JONES:

11 David Jones.

12 HEARING OFFICER:

13 David Jones? You'll be  
14 after her. And then also we have Doug  
15 O'Malley on deck. All right.

16 Is this Barbara  
17 Arindell?

18 MS. ARINDELL:

19 Yes.

20 HEARING OFFICER:

21 Please?

22 MS. ARINDELL:

23 Yes. My name is Barbara  
24 Arindell. I'm the Director of  
25 Damascus Citizens for Sustainability

1 and my family owns property in  
2 Pennsylvania.

3 The DRBC is so correct  
4 to propose a protected ban on fracking  
5 in the Delaware River Basin. It is  
6 wrong, though, to propose allowing  
7 drilling waste into the basin or  
8 export of our precious water. The oil  
9 and gas industry has received  
10 unprecedented exemptions from our  
11 nation's most important environmental  
12 and public health laws including the  
13 Safe Drinking Water Act, the Clean Air  
14 Act, and the Clean Water Act. The  
15 industry has known for decades about  
16 their inability to prevent damages  
17 from drilling and from their liquid  
18 and solid waste, leading to their need  
19 to avoid liability for the damages  
20 they knew they would cause.

21 Their solution was  
22 exemptions. First, by making the  
23 waste special by an advancing  
24 amendment to the Rigby (phonetic) law  
25 of 1980, so the waste from oil and gas

1        exploration and production are not  
2        trapped or manifested and needn't be  
3        disposed of as the toxic materials  
4        they actually are.

5                        Then after about 25  
6        years of trying, the industry got  
7        exemptions to major provisions of  
8        settled protected environmental laws  
9        in the 2005 Energy Policy Act. The  
10       more I learned about the contents of  
11       the potential impacts from the waste,  
12       the more alarmed I've become.

13                      DCS is actively involved  
14       with people and communities where  
15       drilling wastes are transported and  
16       then disposed of. Truck accidents,  
17       spills, damaging legal and illegal  
18       dumping, all occur. These people will  
19       verify that these are literally killer  
20       practices. They should not be  
21       inflicted on any community and  
22       certainly not within the DRB.

23                      Property records do not  
24       include the right to pollute and  
25       contaminate. And regulatory

1 constraints on property usage is not a  
2 taking, but rather the obligation of  
3 government. If the DRBC was to allow  
4 imported waste, the DRBC should also  
5 eliminate the exemptions boosting that  
6 waste usage in the Delaware Basin and  
7 restore the liability to the companies  
8 disposing of that damaging waste.

9 The DRBC --- the  
10 Delaware River Basin is not for sale  
11 to the highest bidder or as a favor to  
12 a business associate. It's not a bank  
13 account. It is our home and it is the  
14 DRBC's mandate to protect and preserve  
15 the basin and its resources for  
16 current and future residents, human  
17 and otherwise. Thank you.

18 HEARING OFFICER:

19 Greg Swartz will be on  
20 deck and then the next speaker would  
21 be David Jones.

22 MR. JONES:

23 My name is David Jones,  
24 born and raised in the Delaware River  
25 Basin. Landowner. I don't think