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Dear Commissioners,

Ban Fracking and frack waste in the beautiful Delaware River Basin

In a press event at COP23, Robert Howarth, the David R. Atkinson Professor of Ecology at Cornell University said, "Methane is an important greenhouse gas and is currently responsible for an amount of global warming equal to approximately 60% of that caused by carbon dioxide. Methane reductions offer one of the few available approaches to immediately slow the rate of global warming, since the climate responds more quickly to decreases in methane compared to carbon dioxide." A ban on fracking in the Delaware River Basin is an important step in limiting methane emissions, but allowing water withdrawals and the processing of fracking waste in the Basin will only enable more fracking and, therefore, more methane leaks outside of the basin.

The DRBC is considering fracking regulations it is not capable of enforcing. The Commission relies on the watershed states' environmental regulators to carry out enforcement of the rules it sets. State regulatory agencies are chronically understaffed and underfunded. It is unreasonable for the DRBC to place on state regulators the burden of enforcement of dangerous practices like fracking waste processing and extraction of water for fracking operations outside of the basin., DRBC's draft regulations do not specifically propose that injection wells that would hold frack wastewater be allowed in the Delaware River Watershed. However, they do propose to allow wastewater from fracking to be brought into the Watershed for storage, treatment and discharge so "storage" could mean long-term storage of wastewater in underground wells within the Basin. This is a practice that threatens public health and the environment. Injection of wastewater does not "treat" waste or remove contaminants, it simply moves the toxic wastewater produced by fracking from one place and time to another. It risks the migration of untreated toxic and radioactive frack wastewater to aquifers and surface water through leaks from the injection well and spills and accidental releases while being handled. Injection wells are causing earthquakes in Ohio and Oklahoma as well as other locations, as documented by USGS and other scientific institutions. Injection wells are not leak-proof and can exposing groundwater and aquifers to contamination from the toxic mix that constitutes untreated frack wastewater when seals

are broken and fractures occur as a result of seismic activity., Changes to stream water quality occur where gas drilling and related activities are located. For instance, a publication of the Proceedings of the National Academy of Sciences found streams adjacent to gas wells are negatively impacted by runoff and sedimentation (Total Suspended Solids), harming benthic life, fish and wildlife and causing streams to be eroded and destabilized. DRBC follows the state's stormwater rules where a project is located, leaving loopholes in current nonpoint source laws that allow fracking activities to escape strict oversight. This would be a recipe for disaster if fracking were to occur, which is why it must be banned in the Delaware River Watershed., DRBC regulates withdrawals from streams with the use of a "pass-by flow" or "minimum flow limit" that limits the amount of water that can be withdrawn to protect streams from being overdrawn. However, a pass-by flow that is based on using the Q7-10 (the flow which occurs for a period of seven consecutive days one time in 10 years – considered "drought flow") is not adequate to protect waterways and the life that depends on them and can be expected to cause direct harm to the habitats and water quality of the stream. Using the Q7-10 allows the stream's flow to be artificially "flattened" because the natural flow regime and seasonality will be disrupted and potentially eliminated. An ecological flow analysis of the waterway and an inventory of the species and habitats that live there is an essential protection. To set an ecological flow to govern withdrawals regulators must measure the natural variation of the waterway's flows in terms of volume, rate, temperature, stream structure, and quality to understand the needs of species and the effects of flow on habitat and water quality. Setting protections based on a waterway's ecological flow regime is necessary to give needed protection but that is not what DRBC does or is proposing to do. The withdrawal of water under the draft and current regulations will significantly damage the ecosystems and species of the streams and rivers that would be tapped., Pennsylvania's Wolf administration talks about a 100-year cycle of shale gas development. At present, there are about 10,000 wells in the ground. The industry's goal is 100,000 wells. In the past ten years, more than 300 confirmed cases of water contamination have occurred. Some of those cases involve several families. More than 9,400 complaints have been filed with the DEP. More than 4,400 of those are water-related. Most have gone unaddressed. More than 1200 peer-reviewed studies have identified wide-ranging health effects already impacting Pennsylvanians. Dead cattle and fish kills are just some of the indications that shale gas development is affecting our farm animals and wildlife. Quality of life is all but gone for many in the shale fields and the many more who now spend every available minute fighting pipeline and infrastructure projects. And all of that and much, much more is what has happened just ten years in. Any action by the DRBC that enables an industry that has done so much to harm Pennsylvanians in just ten years and exposes the basin to the particular threats fracking waste and water extraction pose is unacceptable. The DRBC must impose a full fracking ban.

On March 13, leading scientists and physicians released the Compendium of Scientific, Medical, and Media Findings Demonstrating Risks and Harms of Fracking, 5th Edition documenting fracking's harm to public health. Please read all of the study's findings. Their conclusion, and mine, is that the only way to truly protect public health is to prohibit fracking and all its associated activities (waste hauling, treatment, disposal). I urge you to ban all of these activities in your final regulations., The newly released Compendium of Scientific, Medical, and Media Findings Demonstrating Risks and Harms of Fracking, 5th Edition speaks to the simple fact that you cannot completely protect people from fracking operations.

We cannot prevent accidents from happening. As documented many times handling wastewater in the Delaware basin will cause impacts and contamination. It is not a question of if but when and where., After every spill, waste treatment mishap, or agency blunder, there is a potential health tragedy for the lives impacted. When you look at the Compendium of Scientific, Medical, and Media Findings Demonstrating Risks and Harms of Fracking, 5th edition and see the documentation, know that the numbers, and the toxins involved they are not just statistics they are real people who bear the brunt of an industry that does not care. We have an opportunity in the Delaware Basin to ban fracking and to ban water withdrawals and wastewater containment facilities and waste water treatment and release.

Sincerely,

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