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## Congress of the United States

Chair  
Select Intelligence Oversight Panel  
Committee on Appropriations

Committee on Education  
and Labor

Permanent Select Committee  
on Intelligence

Committee on Natural Resources

April 9, 2010

Ms. Carol Collier  
Executive Director  
Delaware River Basin Commission  
PO Box 7360  
Trenton, New Jersey 08628-0360

Dear Ms. Collier:

I am writing respectfully to comment on Stone Energy Corporation's proposals to use hydraulic fracturing to support natural gas exploration and development activities on the West Branch of the Lackawaxen River in Mount Pleasant Township, Pennsylvania and in Clinton Township, Pennsylvania (Docket No. D-2009-13-1 and Docket No. D-2009-18-1). I strongly urge the Delaware River Basin Commission to defer consideration of these proposals until the cumulative impacts of oil and gas drilling on the Delaware River Basin is assessed.

The two permits for which Stone Energy Corporation is seeking approval would allow for the Corporation to hydraulically fracture (also known as fracking) its existing vertically oriented natural gas well and to withdraw 700,000 gallons of water per day from the West Branch of the Lackawaxen River. Both projects are located in Wayne County, Pennsylvania, within the drainage area of a portion of the main stem of the Delaware River that the Delaware River Basin Commission (DRBC) has classified as Special Protection Waters.

Hydraulic fracturing requires large amounts of fresh water to fracture rock to release natural gas. A significant amount of water used in the extraction process is recovered, yet this "frac water" includes natural gas and chemicals added to facilitate the extraction process, as well as brine and other contaminants released from the formation. According to the Environmental Protection Agency (EPA), as much as one-third of these injected fluids remains in the ground after drilling and are likely to be transported by groundwater.<sup>1</sup> In other places where fracking is used, communities have expressed concerns that chemicals from the "frac water" have leached into the watershed.<sup>2</sup> Hundreds of cases of contamination have been documented by courts and state and local governments in various states including Colorado,<sup>3</sup> New Mexico,<sup>4</sup> Ohio<sup>5</sup> and Pennsylvania.<sup>6</sup> A recent report commissioned by the EPA confirms that 12 recent reports of drinking water contamination may be linked to hydraulic fracturing and should be studied further.<sup>7</sup>

The EPA has identified that some of the chemicals used in fracking can cause kidney, liver, heart, blood, and brain damage through prolonged or repeated exposure,<sup>8</sup> and studies of communities near hydraulic fracturing sites found significant health problems among residents.<sup>9</sup> Despite these risks, Congress exempted hydraulic fracturing from regulation under the Clean Water Act in the Energy Policy Act of 2005. I have concerns that neither the DRBC nor the state of Pennsylvania have established standards for the regulation of gas drilling wastewater contaminants nor have they provided construction and safety standards for natural gas wells. Until these regulations are in place, I oppose moving forward with hydraulic fracturing in the Delaware River Basin.

The EPA has expressed concerns that hydraulic fracturing may affect ground water and surface water quality in ways that threaten human health and the environment. On March 18, the EPA announced that it will conduct a comprehensive research study to investigate the potential adverse impacts of hydraulic fracturing. This study will provide the information that is needed for the DRBC to make a scientifically accurate decision on whether to approve Stone Energy Corporation's application for natural gas exploration and development. I urge the DRBC not to proceed in permitting the use of hydraulic fracturing in the Delaware River Basin until the EPA completes this important study.

Hydraulic fracturing poses a possible health and environmental threat to 7.7 million people who make their home in the Delaware River watershed, and the almost 10 percent of the nation's population who rely on these waters for drinking, recreational and industrial use.<sup>10</sup> Because of the importance of the Delaware River to our communities three-fourths of the river has been designated as Special Protection Waters and Congress has designated both the upper and lower Delaware as a Wild and Scenic River. We should not put this invaluable resource at risk.

Again, I urge the DRBC to reject Stone Energy Corporation's applications or any future application for permitting oil and gas drilling in the Delaware River Basin until the EPA completes its study and there are appropriate regulations in place to protect the health of people using the water of the Delaware River. I appreciate the opportunity to comment and I look forward to working with you on this important issue.

Sincerely,



RUSH HOLT  
Member of Congress

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<sup>1</sup> Environmental Protection Agency, "Evaluation of Impacts of Underground Sources of Drinking Water by Hydraulic Fracturing of Coalbed Methane Reservoirs" (June 2004) (EPA 816-R-04-003)

<sup>2</sup> Eg. ProPublica, "With Natural Gas Drilling Boom, Pennsylvania Faces and Onslaught of Wastewater" (Oct 4, 2009), Arkansas Democrat-Gazette, "Dirty Well Water Raises Stink Near Drilling Sits; Residence Cite Gas Firm for Poor Quality" (July 5, 2009), Associated Press, "Debate Shows Merits, Dangers of Drilling Techniques" (Dec. 23, 2008), Christian Science Monitor, "Controversial Path to Possible Glut of Natural Gas" (Sept. 18, 2008)

<sup>3</sup> Eg. Geoffrey Thyne "Review of Phase II Hydrogeologic Study Prepared for Garfield County" (Dec. 20, 2008)

<sup>4</sup> Eg. Steven T. Finch, Jr., CPG "Evaluation of Potential Water-resource Impacts from BLM Proposed Resource Management Plan Amendment for Federal fluid Minerals Leasing and Development in the Salt Basin, New Mexico" (Feb. 6, 2004).

<sup>5</sup> Eg. Ohio Department of Natural Resources Division of Mineral Resources Management "Report on the Investigation of the Natural Gas Invasion of Aquifers in Bainbridge Township of Geauga County, Ohio" (Sept. 1, 2008)

<sup>6</sup> Eg. Reuters "Pennsylvania residents sue over gas drilling" (Nov. 20, 2009)

<sup>7</sup> Cadmus Group, "Hydraulic Fracturing: Preliminary Analysis of Recently Reported Contamination" (Sept. 2009).

<sup>8</sup> Environmental Protection Agency, "Evaluation of Impacts of Underground Sources of Drinking Water by Hydraulic Fracturing of Coalbed Methane Reservoirs" (June 2004) (EPA 816-R-04-003)

<sup>9</sup> Eg. Written testimony of Theo Colborn, PhD, President of TEDX before the House of Representatives Committee on Oversight and Government Reform, hearing on The Applicability of Federal Requirements to Protect Public Health and the Environment from Oil and Gas Development (Oct. 31, 2007)

<sup>10</sup> Environmental Protection Agency Region 2, Comments on the September 9, 2009 draft Supplemental Generic Environmental Impact Statement by the New York State Department of Environmental Conservation on hydraulic fracturing regulations in the New York Delaware Watershed (Dec. 30, 2009).