



## State of New Jersey

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PHILIP D. MURPHY  
Governor

January 28, 2019

Steven J. Tambini, Executive Director  
Delaware River Basin Commission  
25 Cosey Road  
West Trenton, New Jersey 08628

**RE: Delaware River Basin Commission Proposed Rules on High Volume Hydraulic Fracturing**

Dear Mr. Tambini:

I write to you to express New Jersey's position on the Delaware River Basin Commission's ("DRBC") proposed rules on high volume hydraulic fracturing ("fracking"). As DRBC Chair, I would like to seize this opportunity and provide the fullest protection to the Delaware River watershed and the 13.3 million people who rely upon it for pure drinking water. To achieve this, I believe the proposed rules should be amended to include a ban of all fracking-related activities.

During the first year of my administration, I have had the chance to consider the rules proposed in September 2017, prior to my taking office. As they currently stand, the rules ban fracking, but still would permit produced wastewater to be imported into the Basin for treatment and discharge under limited circumstances. Recognizing the Commission's underlying concerns with fracking and the thousands of comments to DRBC on this issue, I support an expansion of the proposed ban. This includes a ban on the import, treatment and discharge of fracking wastewater in the Basin, thereby eliminating any associated risks with this practice.

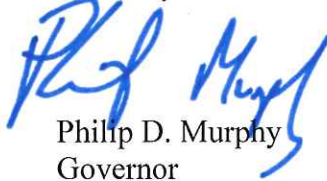
In proposing the rules, the Commission passed a resolution stating that high volume hydraulic fracturing presents risks, vulnerabilities and impacts to surface and ground water resources of the Delaware River Basin. In addition, fracking wastewater can contain a wide suite of chemicals injected as part of the fracking process, in addition to naturally-occurring hazardous substances that are released. As noted by the Environmental Protection Agency in its 2016 report on the impact of fracking on water resources, the ability of regulatory agencies to assess the full impacts of fracking wastes on public health and the environment is hampered by the prevalence of confidentiality claims that prevent disclosure of the chemical constituents of fracking fluids.

Further, several recent comprehensive studies have reported multiple instances of damage to water resources associated with all stages of the natural gas development process while emphasizing uncertainty regarding potential future impacts. The Basin's exceptionally high scenic, recreational, ecological, and water supply values also are recognized by the Commission in this context. Therefore, prohibiting all fracking activity in the Basin is vital to avoid injury and preserve the waters of the Basin and protect public health.

For these reasons, New Jersey supports a full ban on high volume hydraulic fracturing the Delaware River Basin and the importation, storage, treatment, disposal and/or discharge of fracking wastewater. I look forward to working with you and the Commissioners from the other Basin states and the federal government to ensure that the Commission's final rules provide a complete ban on all fracking activities.

Thank you for your time and consideration.

Sincerely,



Philip D. Murphy  
Governor  
Chair, Delaware River Basin Commission

cc: The Honorable Andrew M. Cuomo  
The Honorable John C. Carney  
The Honorable Tom Wolf  
Major General Jeffrey L. Milhorn