#1 UPPER DELAWARE RIVER

PENNSYLVANIA, NEW YORK

THREAT: NATURAL GAS EXTRACTION

Summary
The Upper Delaware River provides drinking water for 17 million people across Pennsylvania and New York. However, this clean water source is threatened by natural gas extraction activities in the Marcellus Shale, where chemicals injected into the ground create untreatable toxic wastewater. Until a thorough study of these critical impacts is completed, the Delaware River Basin Commission must not issue permits that will allow gas drilling in this watershed. In addition, Congress must pass the Fracturing Responsibility and Awareness of Chemicals Act of 2009 to help protect all rivers within the Marcellus Shale region.

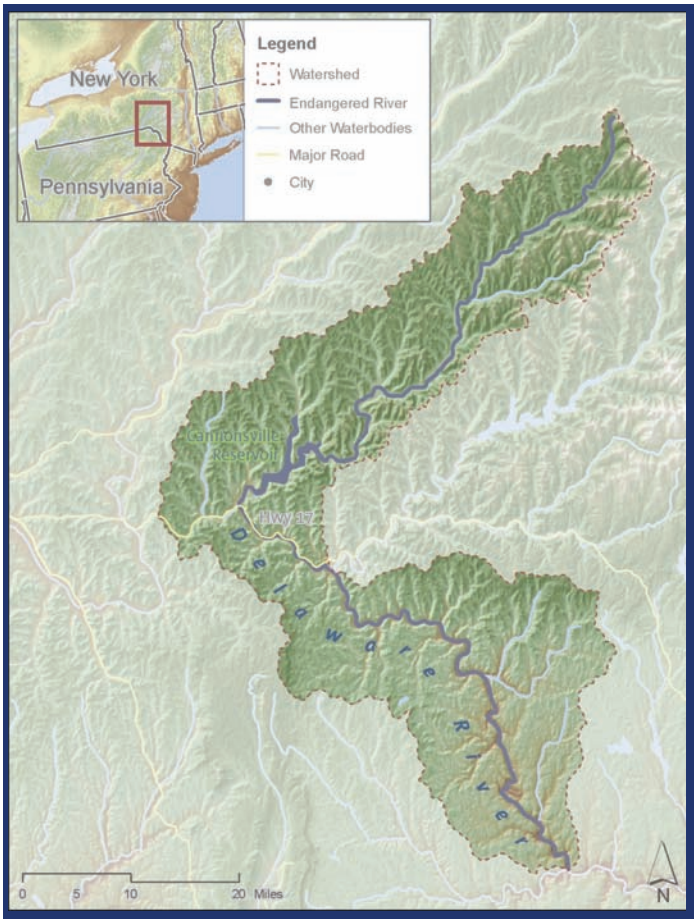
The River

The Upper Delaware provides drinking water for over 17 million people and forms the boundary between New York and Pennsylvania as it winds through deep forests and farmland, past towering cliffs and historic towns. In 1978, Congress designated roughly 73 miles of the Upper Delaware River between Hancock, NY and Mill Rift, PA as one of the original National Wild and Scenic Rivers, and made it a unit of the National Park System. The river is a popular destination for sightseeing, boating, camping, hunting, fishing, hiking, and bird watching. Additionally, several endangered, at-risk, or rare species live in the river and along its banks.

The Threat

The entire Upper Delaware River and its watershed are located over a geological formation known as the Marcellus Shale. In order to access the reserves of natural gas in the shale, multinational energy corporations have acquired drilling rights to large tracts of land in the watershed. Two companies alone, Chesapeake Appalachia and Statoil, have a stated goal of developing 13,500 to 17,000 gas wells in the region in next twenty years.

Energy companies have requested permits to take clean water from the river to mix with over 650 chemicals (some toxic, undisclosed, and proprietary), to make hydraulic fracturing fluid for injection into wells to release the gas. Each well requires between three and nine million gallons of water for fracturing. Thousands of truck trips per well are required to transport this water, contributing to greenhouse gas emissions, and possibly leading to contaminated water spills.



Extracting gas from shale results in surface and groundwater pollution, air pollution, soil contamination, habitat fragmentation, and erosion.

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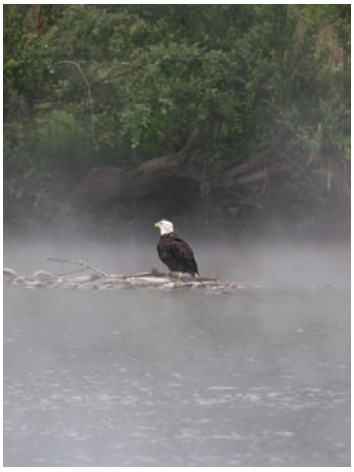


The U.S. Department of Energy notes that "produced wastewater" from gas drilling must be dealt with as toxic industrial waste. However, the industry's exemption terms this not "hazardous" but "special waste". By 2011, gas extraction is predicted to create 19 million gallons of wastewater a day in Pennsylvania. There is no effective plan in place to treat this wastewater either in New York State or Pennsylvania. However, wastewater disposal facilities have been proposed for the Upper Delaware River watershed.

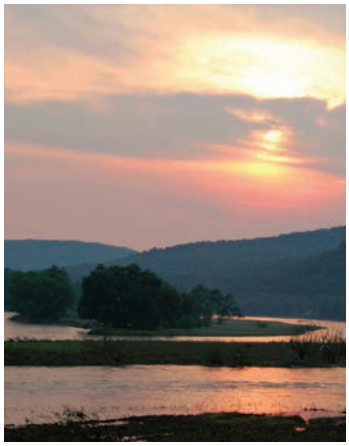
Hydraulic fracturing has caused significant environmental harm across America, including spills and contamination. In fact, the Pennsylvania Department of Environmental Protection permanently shut down Cabot Oil Company in April 2010 after a series of spills and accidents caused contamination to a 9-square mile aquifer. Issues are changing rapidly, so please visit http://www.damascuscitizens.org for current information.

What Must Be Done

On December 24, 2009, New York City's Department of Environmental Protection (DEP) released the results of a year-long study which concluded that the cumulative impact of hydraulic fracturing posed "catastrophic consequences" to the city's drinking water supply. Mayor Bloomberg and the DEP Commissioner urged the state to ban shale gas drilling in New York City's watershed, which is entirely included within the Upper Delaware River watershed. The state must issue a legislative ban within watershed regions in order to protect the water supply of the largest city in the country.

The Delaware River Basin Commission (DRBC) has designated the Delaware River Basin from its headwaters to Trenton as "special protection waters" to protect the quality and quantity of the region's water. All test wells and other gas drilling must only be done with review and permits issued by the DRBC, a regional body comprised of the governors of Pennsylvania, New York, New Jersey, and Delaware, and the Commander of the U.S. Army Corps of Engineers. DRBC has received many gas drilling permit applications, several for surface water and three for gas wells, and is currently acting on these applications. The DRBC must refuse to issue all permits to facilitate gas drilling until a thorough regional Programmatic Environmental Impact Study is completed.

At the federal level, the Fracturing Responsibility and Awareness of Chemicals (FRAC) Act of 2009 (S. 1215/H.R. 2766) was introduced by Senator Robert Casey (D-PA), Senator Charles Schumer (D-NY), Representative Diana DeGette (D-CO), Representative Maurice Hinchey (D-NY), and Representative Jared Polis (D-CO). This legislation would repeal the exemption for hydraulic fracturing in the Safe Drinking Water Act and require disclosure of the chemicals used in hydraulic fracturing fluids. The FRAC Act must be passed by Congress to improve the protection of drinking water throughout the Marcellus Shale region.



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