

For Immediate Release

September 10, 2020

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### ***From the Organizations Working for the Complete Fracking Ban***

## **Lessons from the Grand Jury: Why We Need a Complete Frack Ban**

*Groups Explain How Findings of Pennsylvania's Grand Jury Report Provides Undeniable Evidence for a Delaware River Basin Frack Ban*

West Trenton, NJ - Representatives of organizations that are working for a COMPLETE ban on fracking for gas, frack wastewater imports, and water exports for fracking throughout the Delaware River Watershed will present to the DRBC Commissioners a recording of the virtual forum held in August that examined the findings of a recent report released by PA Attorney General Josh Shapiro that documents the damage that has been done by fracking in the Commonwealth.

The forum features different presenters who explain how the Investigating Grand Jury gathered from numerous testimonies on-the-ground evidence that fracking pollutes water and air and has caused devastating health impacts. A flash drive with the video was submitted at the meeting to each of the Governors of the four states in the Watershed and the Army Corps of Engineers, as they consider whether to fully ban fracking when they vote on the draft natural gas regulations pending before the Delaware River Basin Commission (DRBC).

“DRBC can learn an important lesson from the Pennsylvania Investigating Grand Jury Report on fracking’s impacts on the environment and the people who live and work where fracking has occurred in the state. Fracking has ruined water, air, and people’s health – the stories are documented by this seminal investigation and the conclusions are shocking and shameful. This report teaches us that to prevent its indelible effects fracking can never be allowed to start. That means adopting a COMPLETE ban on fracking, on the processing and discharge of its toxic wastewater, and on withdrawals of our water for fracking through a vote by the DRBC NOW,” **said Tracy Carluccio, Deputy Director, Delaware Riverkeeper Network.**

“The Grand Jury’s evidence clearly shows that the Pennsylvania DEP did not enforce the law or look the other way when it came to violations of hydraulic fracking. There have been serious health and environment consequences because of this oversight. We cannot trust the PADEP when it comes to enforcement which is why the DRBC needs a full fracking ban,” **said Jeff Tittel, Director of the New Jersey Sierra Club.**

In June, Pennsylvania’s 43<sup>rd</sup> Statewide Investigating Grand Jury Report #1 on the unconventional oil and gas industry was publicly released by the Attorney General. The report documents the unprecedented damage to the environment and human health that the “fracking boom” brought to communities where fracking occurred throughout the last decade. The coalition of organizations fighting for a full ban examined the Grand Jury Report and found the documentation confirmed facts submitted to the DRBC by the public calling for a full fracking ban.

"One very clear conclusion of the Grand Jury report is that there has been a steep price paid by communities in terms of public health and the welfare of families for the fracking that has occurred and the wastewater that has resulted," **said Eric Benson, Clean Water Action Campaign Director.** "The DRBC has been warned that allowing the expansion of fracking into the Delaware River Basin will burden the same heavy costs on communities here. It is imperative that the Commissioners adopt a full ban on fracking, on frack wastewater, and on the removal of water from the Delaware for fracking outside the basin."

“Here we go again - more evidence why there should be a total fracking ban in the Delaware River Basin. This time from Pennsylvania’s Attorney General and their criminal investigations into the gas industry. Results? They found that fracking and fracking facilities pollute our drinking water, our air, our land and our politics. Enough already! It is time to ban fracking, water withdrawal for fracking and fracking waste from the Delaware River watershed!” **said Wes Gillingham, Associate Director, Catskill Mountainkeeper.**

“The Grand Jury exposed one of the industry’s worst secrets: lack of disclosure of the dangerous chemicals used in fracking and contained in fracking waste and wastewater. This special exemption, granted by federal law, is a special gift to only the fossil fuel industry. It’s further evidence that we need a complete ban on fracking in the Delaware River Basin to protect our water, communities, and environment,” **said Eric Weltman, a New York-based senior organizer with Food & Water Action.**

The harm caused by fracking that was documented in the Grand Jury Report was shown to have come from fracking, frack wastewater, and the degradation of the environment caused by resource depletion and related fracking operations. To avoid these environmental and public health injuries, the groups explained at the forum that

the DRBC must adopt a full ban on fracking, prohibiting fracking, frack wastewater processing, storage and discharges and the export of water from the river to fuel fracking outside of the basin.

“Radioactive materials present in solid wastes or wastewater from fracking will poison aquatic and avian life in the Delaware Estuary and Bay. Radionuclides like radium are adsorbed onto silt as they enter our watershed. Once they arrive in the bay, they can remain there for centuries to come, accumulating to toxic levels in our seafood, sport fishes and marine birds,” **said Coralie Pryde, League of Women Voters of Delaware.**

"The Grand Jury report should be the final nail in the coffin for the gas industry's attempts to creep into the Delaware River watershed. The report clearly outlines how toxic fracking fluids are and the risk they pose. There is no way that DRBC will be able to safely dispose of frack wastewater and fracking without putting at risk the future water supply for 17 million people," **said Doug O'Malley, director of Environment New Jersey.** "This report reiterates the critical need for the DRBC proposed rule to be strengthened to be a complete ban on all fracking activities in the watershed. It's been more than a year and a half since Governor Murphy called for a complete ban on fracking activities in the watershed -- it is time to fulfill that commitment and vote to adopt the full ban."

The link to the virtual forum recording “Lessons from the PA Grand Jury: *Why the DRBC must fully ban fracking NOW*”: [https://youtu.be/ve\\_eDb3rJWo](https://youtu.be/ve_eDb3rJWo)

The Grand Jury Report can be found here: <https://www.attorneygeneral.gov/wp-content/uploads/2020/06/FINAL-fracking-report-w.responses-with-page-number-V2.pdf>

#### Background:

The Governors of the four states that flow to the Delaware River – New York, New Jersey, Pennsylvania, and Delaware – voted in September 2017 to draft gas regulations that would ban fracking throughout the watershed lands in all four states. However, the draft gas regulations issued in November 2017 would ban fracking, which is essential, but would allow frack wastewater to be brought into the basin and stored, treated and discharged here and would allow water to be withdrawn for fracking elsewhere. Tens of thousands of people wrote to DRBC during the public comment period and testified at hearings on the draft natural gas regulations for a full ban on fracking that would prohibit fracking, frack wastewater discharges and the export of water from the river for fracking. Expressed repeatedly was that it is simply not logical to ban fracking but allow the pollution and water resource depletion caused by fracking to occur anyway. The public comment period closed on March 31, 2018. No public action has been taken by DRBC since then.

Three years this month have passed since the Commissioners adopted a resolution for a ban but, incomprehensibly, no final action has been taken. Over 100,000 petitions were delivered to the Governors, in their role as DRBC Commissioners, in 2018 calling for a complete and permanent frack ban. The public and organization representatives have spoken at every DRBC public comment session since the close of the public comment period, to present and discuss hundreds of scientific reports, environmental and health research papers, and the growing body of evidence regarding fracking and its unavoidable and devastating impacts. The Commissioners continue to be petitioned to vote for a COMPLETE ban to protect the irreplaceable water supply for 17 million people, the environment, the health of Delaware River Watershed communities – human and nonhuman - and the future of the generations to come.

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