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## **Delaware Riverkeeper Network Urges Strong Enforcement by DRBC Against Gas Drilling Wastewater Dump Into Neshaminy Creek**

*Bristol, PA* – In a strongly worded letter sent to the Delaware River Basin Commission today, January 4, 2011, the Delaware Riverkeeper Network urged strong enforcement against Cabot Oil & Gas for gas drilling wastewater discharged into the Neshaminy Creek.

The letter relied upon recent AP press reports which discovered and reported that Cabot Oil & Gas had trucked and disposed of over 44,000 barrels of Marcellus Shale gas drilling wastewater to a treatment facility in Hatfield Township, PA without DRBC review or approval.

“The DRBC has an obligation to protect our River for the benefit of all who rely upon it. Their recent efforts to fast track regulations that will open the door to drilling despite a lack of needed science to inform the regulations was seen by many as a betrayal of the DRBC obligation to protect the River for the many rather than an industry few. Taking swift and strong action that exercises their legal authority to the fullest extent against the violation by Cabot is a significant step back in the right direction that sends a strong message to the gas industry seeking to drill here in the future” said Maya van Rossum, the Delaware Riverkeeper.

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Tracy Carluccio, Deputy Director for the Delaware Riverkeeper Network says, “No streams in Pennsylvania are safe from these illegal discharges until PADEP puts a reliable treatment program in place. Millions of gallons of toxic wastewater are produced every day by the gas industry in this state far in excess of what permitted facilities can process and the result is illegal discharges such as this one in the Delaware River Watershed hundreds of miles away from where the waste was produced. Until the state and the DRBC get a handle on this mess there should be a full moratorium on gas waste production everywhere.”

van Rossum adds, “the level of environmental harm that can result to a stream such as the Neshaminy because of its size and other pollution inputs is significant. The Neshaminy is well used and visited by the community and so to allow pollution inputs of this kind without approval, oversight, knowledge or warning is a threat to the creek and the community that cannot be tolerated. Gas drilling is a major threat to our River, streams, communities and region – it’s time the DRBC and the PA DEP start to recognize it as such and take the control they need to protect us, i.e. to do their job.”

Text of the letter follows.



January 4, 2011

Carol Collier, Executive Director  
Delaware River Basin Commission  
West Trenton, New Jersey

Dear Director Collier,

As has been widely reported in the press in recent days, Cabot Oil & Gas trucked and disposed of over 44,000 barrels of Marcellus Shale gas drilling wastewater to a treatment facility in Hatfield Township, PA. Neither the company nor the Hatfield Municipal Treatment Facility received special reviews or approvals for this discharge into the West Branch Neshaminy Creek, a tributary to Neshaminy Creek which flows to the Delaware River. The discharge began in 2009 and continued into 2010, as late as June 2010.

By application of the Rules of Practice and Procedure, Article 3, section 2.3.5(B)(6), the DRBC Water Code section 3.40 and the Executive Director Determination of May 19, 2009 which states, in part, "...The Executive Director has considered and has now determined that as a result of water withdrawals, wastewater disposal and other activities, natural gas extraction projects in these shale formations may individually or cumulatively affect the water quality of Special Protection Waters by altering their physical, biological, chemical or hydrological characteristics..." and therefore need specific DRBC review, Cabot Oil & Gas and the facilities involved did not have legal authority to engage in this practice of drilling wastewater disposal.

Because of this blatant violation of DRBC's rules and regulations, and the precedent that gets set for the future, it is important that the DRBC exercise all due enforcement authority for this violation. A failure by the DRBC to take swift and

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strong enforcement action to the fullest extent allowed it by law would send a strong message of weakness to the oil and gas industry and the communities that depend upon the Commission for their protection.

Therefore, the Delaware Riverkeeper Network respectfully requests and urges that the DRBC impose the full weight of its enforcement authority upon Cabot Oil & Gas and any other responsible entity for its violations.

Respectfully,



Maya K. van Rossum  
Delaware Riverkeeper

*Tracy Carluccio*

Tracy Carluccio  
Deputy Director