

September 11, 2019 DRBC meeting  
COMMENT from B. Arrindell  
Director, Damascus Citizens for Sustainability

Waste from oil and gas mining was re-named 'special' by the Bentsen amendment to the Resource Conservation and Recovery Act (or RCRA) in 1980 so that these wastes would not be regulated as the toxic materials that they are. RCRA takes a "cradle to grave" approach to ensure wastes are handled properly from the point of creation to transport to disposal. As 'special' wastes, drilling fluids, produced water, hydraulic fracturing fluids are unregulated toxic substances. Additionally, that change isolated the gas and oil companies from the liability they would have if this waste was regulated as toxic under RCRA. Because it is labeled 'special' does not mean that it is not toxic - it is toxic and very harmful. The liquid wastes contain carcinogens, endocrine disrupting chemicals, heavy metals, poisonous hydrocarbons, radioactivity and extremely high salt content. Included in the mix are the toxic BETX materials, benzene, ethylbenzene, toluene and zylenes. With the other volatiles in these mixtures, when they are "treated," which is usually a dilution process, they are released into the surroundings as poisonous, smog producing air pollution. Delaware basin residents don't need harmful emissions and water contaminating chemicals like these impacting their health.

That the DRBC would consider allowing these wastes into the Delaware Basin in order to "regulate" them is short-sighted and a false economy of effort. It is always better to prevent pollution rather than attempt to clean up after. Because of the unregulated nature of these materials, how would the DRBC know what and how much wastes are coming into the Basin in order to 'regulate' their transport and disposal. The DRBC is asking for the illegal dumping and trucking accidents that happen regularly in areas near drilling. We depend on the DRBC to keep the Delaware Basin healthy - the wastes should not be allowed into the Basin and should be banned with the high volume fracking already proposed. Please revise the proposed rules to include banning the wastes and export of water for fracking and CALL THE VOTE to pass these regs.

AND I'd like to give you [this report on the wastes](#) and a [paper on the exemptions](#).  
Thank you.