

From: noreply@smartcomment.com
Subject: Proposed Draft Regulations Addressing Hydraulic Fracturing and Additional Clarifying Amendments comment
Date: January 27, 2018 at 4:59:19 PM EST
To: Director@DamascusCitizens.org

Thank you for your comments on the Proposed Draft Regulations Addressing Hydraulic Fracturing and Additional Clarifying Amendments. Your comments have been received.

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Submitted By: Damascus Citizens for Sustainability
Proposed Draft Regulations Addressing Hydraulic Fracturing and Additional Clarifying Amendments

B. Arrindell - Director, Damascus Citizens for Sustainability. And my family owns property in Pennsylvania. The DRBC is so correct to propose a protective ban on fracking in the Delaware Basin. It is wrong to propose allowing drilling wastes into the Basin or export of our precious water. The oil and gas industry has received unprecedented exemptions from our nation's most important environmental and public health laws, including the Safe Drinking Water Act, Clean Air Act, and the Clean Water Act. The industry has known for decades about their inability to prevent damages from the drilling and from their liquid and solid wastes— leading to their need to avoid liability for the damages they knew they would cause. Their solution was exemptions, first by making the wastes, 'special' via the Bentsen Amendment to the RCRA law in 1980 so that the wastes from oil and gas exploration and production are not tracked or manifested and needn't be disposed of as the toxic materials they actually are. Then after about 25 years of trying the industry got exemptions to major provisions of 7 protective environmental laws in the 2005 Energy Policy Act. The more I learned about the contents of and the potential impacts from these wastes the more alarmed I have become.

DCS is actively involved with people and communities where drilling wastes

are transported, and then disposed of, truck accidents, spills, damaging legal and illegal dumping all occur - they will verify that these are literally killer practices. They should not be inflicted on any community and certainly not in the DRB. If the DRBC was to allow the import of drilling wastes, then tge DRBC should eliminate the exemptions boosting that waste in the Delaware Basin and restore the liability due the companies doing the damaging dumping. ^[L]_{SEP} Property rights do not include the right to pollute and contaminate - and regulatory constraints on property usage are not takings, but rather the obligation of government to protect health and safety. The DRB is not for sale to the highest bidder or as a favor to a business associate - it is our home and it is the DRBC's mandate to protect and preserve the Basin and its resources for current and future residents, human and otherwise. ^[L]_{SEP} ATTACHED is a two page summary of the exemptions held by the oil and gas industry.

Attachment(s):

Exemptions-Earthworks-FS_LoopHolesForPo.pdf