

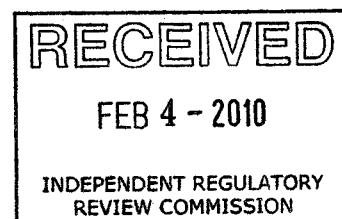
Recommended Actions and Proposed Rule Making Recommendations that should be included in Chapter 95

- The DEP's proposed Chapter 95 regulations need to be in place no later than 12/31/2010 to protect aquatic life and drinking water sources. DEP should stop issuing more drilling permits, which increase existing wastewater loads in our streams, until Chapter 95 revisions are in place. DEP should also stop allowing existing or proposed wastewater plants to discharge TDS at levels above the standards established in these Chapter 95 revisions.
- The frackwater must be monitored via a chain of responsibility of signed paperwork documenting the origin, use, flowback, transportation, treatment and disposal of all frackwater fluids.
- Our streams cannot be dumping grounds for frackwater; we must have a standard for Total Dissolved Solids (TDS) allowed in our water.
- The standard for TDS should be stated as a daily maximum, not a monthly average and there should be a minimum requirement that all discharges not cause background in-stream concentrations of TDS to rise above 133% of background levels (the Delaware River Basin Commission standard).
- All large TDS sources should be covered by the standard. New sources and new discharges at existing sources should be covered immediately.
- The DEP has not proposed standards for a number of contaminants that are frequently found in Marcellus wastewater. DEP should add discharge standards for bromides, arsenic, benzene, radium, magnesium and Volatile Organic Compounds.
- The DEP needs to ensure that all aspects of the generation of Marcellus wastewater are regulated. Currently there is little oversight over the reuse of Marcellus wastewater and whether in fact this is a waste disposal method as opposed to closed loop water recycling
- The DEP should inspect each permitted well during the phases of sitting, drilling, casing, cementing, completing, altering and stimulating.
- The testing of water quality before, during and after drilling, should be mandatory not voluntary.

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From: Jim Nelson [jwnelson39@verizon.net]
Sent: Tuesday, January 26, 2010 4:21 PM
To: EP, RegComments
Subject: Proposed rule Making Chapter 95
Attachments: Proposed Rule Making Recommendations that should be included in Chapter 95 -#2.doc

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