

REVISED AGENDA

FIFTH MEETING WV/PA MONONGAHELA AREA WATERSHEDS COMPACT

WEDNESDAY, JANUARY 5, 2011, 1 PM, MORGANTOWN AIRPORT ANNEX

1. Welcome, Introductions, & Objectives Barry Pallay, Co-Chair
2. "Tasting Drinking Water With Known TDS Levels"... Barry Pallay, Co-Chair
3. "TDS and Water Quality in the Monongahela River" Paul Ziemkiewicz, Director, WVU Water Research Institute.
4. **"Update on Water, Land and Air Impacts in PA"**... Martin Niverth, UMRA (Greene County, PA).
5. "Update for 2011 Session of WV Legislature", Barbara Fleischauer, Mike Mannypenny, et al., with Don Garvin (West Virginia Environmental Council).
6. "Watersheds Compact Legislative Committee Report"... LeRoy Stanley, Save The Tygart.
7. **"Let's Do It Right, With Local Workers" ... Vince Trivelli, ACT/WV State Building Trades**
8. "Update on Marcellus Shale Gas Development in Wetzel County – Air, Land and Water Impacts"... Bill Hughes, Wetzel County Action Group.
9. "Water Quality Impacts of Coal Ash Disposal"... Jim Kotcon, WV Sierra Club.
10. "Initial Watershed Assessment of the Monongahela River Basin"...Ashley Petraglia, Army Corps of Engineers, Pittsburgh.
11. "Summary and Plans For The Future" ... Duane Nichols, Co-Chair

MINUTES

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**WEDNESDAY, JANUARY 5, 2011, 1 PM, MORGANTOWN
AIRPORT ANNEX**

1 – Barry Pallay opened the meeting and welcomed everyone. Everyone introduced themselves.

2 - Barry Pallay spoke about the taste of drinking water with known TDS levels. He said it was important for the WV Legislature to pass legislation to protect the river's drinking water for the people. He said that minimum water quality standards must be established to protect the water, people and for industrial uses. He told "a tale of two cities (states)"; referring to New York's development of regulations before it allows Marcellus Shale Gas drilling, whereas West Virginia allows Marcellus Shale Gas to be drilled before adequate regulations protecting the water and the people are developed.

Pallay said there were 57,000 active wells in WV and only 17 inspectors. WV needs more inspectors, he said.

Pallay reminded the assembled folks that regulation legislation died in the Senate last year because there was a lack of a quorum.

3 – In Paul Ziemkiewicz' absence, Rose Riley spoke about TDS in the Monongalia River, its water quality, and specifically about a real time monitoring site at Turtorsville, MD, mile 17 of the Youghiogheny River. She said the level of TDS has increased in the river over the years and Marcellus Shale Gas drilling is pushing

it higher. She also said that with water withdrawal, there was not enough water to dilute the TDS, thus the water quality decreased.

4 - Martin Niverth spoke of concerns that Marcellus Shale Gas drilling is now the dominant drilling in Greene County, PA. He said currently most waste comes from coal mines and not gas wells. He is concerned about the fracking solutions that stay in the ground and also comes out of the ground because of Marcellus Shale Gas drilling. He suggested that used Frac water was being dumped into coal mines.

5 – A joint “Update for 2011 Session of WV Legislature” was presented by Delegates Barbara Fleischauer, Mike Mannypenny, et al., with Don Garvin assisting.

Don Garvin said the state rule of 500 ppm TDS in streams to protect humans is stronger than the PA rule. The WV E-Council recommends 250 ppm of TDS, which is the EPA standard, he said.

Garvin said two legislative bills were introduced by the WV DEP and the Joint Judiciary Committee. It is the Tim Manchin bill and it covers water use, protection and withdrawal. He said the bill will not come out of committee. It will die there because of industry opposition. There is no mention of air quality in the bill. There is more concern regarding drilling in the northern counties than the southern counties, because there is more Marcellus Shale Gas and drilling in the northern coal fields, than in counties southern.

Deb Fulton sent a letter to the Acting Governor asking for a meeting and one will be scheduled. She encouraged folks to contact Senate Judiciary Committee members. She also discussed an Action Plan calling on folks to 1) sign a circulated petition, 2) contact Legislators by mail, email and phone calls, and 3) send letters to news editors.

Don Garvin said that Wednesdays were E-Council Lobby Days.

Don Spencer, Morgantown City Councilman said the City of Morgantown will support either legislative water bill.

6 – Vince Trivelli, speaking for the ACT/WV State Building Trade said jobs created by the Marcellus Shale Gas Drilling industry should go to workers who are local, speaks the language, and are trained in drilling, transport and other aspects of the industry.

Barry Pallay shared environmental concerns regarding disposal of fraq water, building in wetlands and putting roads in streams.

7 - Bill Hughes, of the Wetzel County Action Group, spoke of concerns regarding air quality. He said he lives in Chesapeake's Gas Field. Methane is released everywhere, he said. There are no regulations regarding air quality in the state regulations. Hughes also mentioned problems with burning diesel fuels in trucks, emissions from tanks, trucks, and other equipment.

Deb Fulton asked, how do we fix it?

8 – Jim Kotson spoke of and showed slides of coal ash disposal.

9 - Ashley Petraglia, of the Army Corps of Engineers showed slides and discussed, "Initial Watershed Assessment of the Monongahela River Basin."

10 – Barry Pallay and Duane Nichols presented four (4) resolutions which were discussed and approved, with #3 amended.