

To my Doddridge County Community:

On August 24th, 2009, my oldest son and I were at our family home on Buckeye Creek near Smithburg, stopping over on our way to Oberlin College in Ohio. As it got dark, he headed down to the creek to fish, something he has happily done for years. To his shock, he discovered that our creek was covered with inches of orange/red gel, bank to bank and extending back around the bend. Early the next morning at dawn I headed down to the creek to take pictures, the smell in the air was very acrid and caused a burning sensation to the eyes. I called the WVDEP spill hotline and also the phone # for the local oil and gas inspector. After taking my son to college, cutting short the time I planned to spend with him, I happened to meet up with two WVDEP oil and gas inspectors on the banks of our property. They said that this affected a 3 mile stretch going back upstream to a gas drilling pit near Morgan's Run. I was informed that this was 'frack fluid and water'. Though most of the orange gel had been sucked back up by the drilling company, a film of oil and scum still covered the water, bank to bank. My nephew and I had been looking for migratory birds and waterfowl that had been affected. I am a licensed wildlife rehabilitator in the state of Colorado and hold a federal permit for migratory birds, so I am acutely alert to anything out of kilter in an ecosystem. We had been trying to catch a duck floundering in the oil covered water, unable to fly. One of the two inspectors wasted no time in delivering a lecture to us regarding his opinion that "there are boys dying overseas because of our dependence on foreign oil" and "we've got to have gas for our cars don't we?" as we stood there stunned on the banks of our wrecked watershed while the first doomed duck slipped away into the weeds. I asked the inspectors if perhaps the nearby town of West Union should be notified because this certainly went down stream before we found this. They declined and I brought this back up later while speaking with James Martin, oil and gas chief of the WVDEP, and he stated that the inspectors did not feel it went much further than my family property. I mentioned to him that I had just paid a water testing company to conduct an independent water study and as we examined the creek and banks, it was evident that the orange gel had sat there quite awhile, showing that this spill didn't just happen. There was orange gel imbedded in the sand going up several inches above the current water level, and I sent the pictures to the DEP. I also asked the inspectors and James Martin, if it was really OK for the drilling company employees to be in the creek with the contaminant all over their bare skin which we had seen and documented, and they said that *they* wouldn't want to be taking a bath in it, that they should have had waders and protective gear on.

Previously knowing very little about shale gas fracturing and the Marcellus formation, I set about to learn more about this. I began doing research online and immediately found numerous articles related to this type of controversial drilling. Fracking fluids contain known carcinogens and endocrine disruptors. Many of these agents need only be present in minute concentrations to provide an effect on the endocrine system. Water testing will not detect these unless the testing process is looking for them specifically.

In 2005 a bill was pushed through regarding the safe drinking water act, exempting the oil & gas drilling industry from making public the exact ingredients in their drilling fluids. This was inserted at the request of (then) Vice President Dick Cheney, a former chief executive of Halliburton and this became known as the "Halliburton Loophole". News articles were popping up – of note was the fact that the Clarksburg water treatment plant was no longer taking gas drilling brine water for processing, because they didn't know what exactly was in the water and they found they cannot remove the Total Dissolved Solids without specialized processing. Another article mentioned the concerns of people living in the country near Quiet Dell, observing 'dozens of tanker trucks' lining up to suck the water out of streams and leaving them virtually dry. Also, an entire community in Dimock Pennsylvania is suing a gas drilling company because of the contamination of their drinking water, wells, surface spills, and the devaluation of their property. Yet another article mentioned that the state of Pennsylvania was asking the federal EPA to step in and *make* West Virginia stop sending polluted brine water down the Monongahela River, which was fouling up their water treatment plants. I also found a news article in the Clarksburg Exponent Telegram stating that, of the number of citations against oil & gas industry firms, records showed that Doddridge County led the state over the past 5 years in the number of violations.

After this first week, I sat down and gathered my thoughts and composed a letter to Gov. Joe Manchin, which was published in the West Virginia Highlands Conservancy Sept. 4th. This can be viewed online, http://wvhighlands.org/wv_voice/?s=Doddridge. I had previously admired his "Come Home to West Virginia" campaign and wanted him to know what I found when I went "home" to my homeplace there in

The WV Surface Owners Rights Organization was extremely helpful in acquiring further information. You can find many articles, including news related to Buckeye creek in Doddridge County on their site, www.wvsoro.org. Then, in early September, I received word about Dunkard Creek, previously teeming with more than 160 species of fish, mussels, salamanders and crayfish. A massive fish kill eliminated nearly every living thing in this creek, which winds 38 miles back and forth across the West Virginia and Pennsylvania border. The kill is related to high TDS levels and brine water, which created favorable conditions for an invasive species of golden algae to bloom and suffocate nearly every living thing in the water. It is 'under investigation' as to how this algae got transferred into this creek. The WVDEP does indeed have their hands full.

The testing I had done for Buckeye creek showed that TDS levels were high at 914. Levels over 500 is cause for concern. The specific conductivity was 1386 umhos. The WVDEP has now listed several streams on their site with specific conductivity at levels of 1600 and above as being the 'perfect storm' for conditions which could cause biological failure. By the way, manganese showed an increase over prior data by a factor of 30. Many other levels were elevated.

I had until this point restrained myself, out of respect for many of my friends who are employed by the oil & gas industry and hoping that indeed the cause of this spill would be immediately revealed. I had somewhat rebuffed efforts to publicize what was going on, at least until the water testing reports came in. Fortunately a study had just been concluded by the WVDEP water assessment division in June of 2009 on Middle Island Creek, Buckeye creek and tributaries. This report gave Downstream Strategies the data to do a comparison with the current results. The investigation by the WVDEP as to what happened is 'ongoing'. Now all this comes down to the fact that thousands of gallons of drilling waste disappeared from the gas well site that was drilled upstream and ended up throughout our watershed. How could no one from that site notice that over 2500 gallons of toxic waste (not including the actual water used) was missing? How can it be that there is no explanation as to how this happened? In early October, the first news article regarding this contamination appeared in the Charleston Gazette, written by Ken Ward under the Sustained Outrage section, asking for answers. Through November until recent rains and snow, the creek languished at an extremely low level, unseen by anyone in my family before. Where was the water that belongs in that creek keeping it healthy and flowing?

Previously when I had been asking questions about the Marcellus shale gas drilling going on locally, I was responded to with a smile and a wink that the WVDEP is always keeping an eye on the oil & gas industry – and they work very closely together – no need to worry! Plus the gas drilling industry is providing jobs! I certainly know that jobs' providing a paycheck is a good thing but jobs that provide a paycheck, medical, dental insurance and a profit sharing plan is an even finer thing. Greater still, gas drilling and energy companies that provide all of the above and walk their talk with respecting the land, water resources, and the health and safety of the people would even receive our respect in return. Honesty, open communication and acknowledgement when a problem has occurred would be an extra bonus.

There is no royalty check, no job, no industry that takes priority over the accessibility of clean drinking water, clean bathing water, and a healthy, diverse biological population in our streams. Apathy and indifference will never play a role in my life as there is no sight more beautiful than a little boy pulling a big fish out of the water, hearing laughter full of joy at the discovery of a turtle or the hushed silence while lying in the tall grass, watching a muskrat swimming with her young ones. These things are greatly diminished now on our property on Buckeye Creek and I have made it clear to the WVDEP that when we are home again shortly, I expect my children to be able to throw their fishing line in the water and pull out big bass and Muskie just like before. No industry has the right to plunder and alter my children's heritage. I have always taught my children to acknowledge a mistake and apologize for it, whether intentional or unintentional and especially if it hurts someone else. If they fail to do so, the problem will only fester and grow. This is quite the example for them to see. It is unacceptable to have no explanation of the cause of this contamination as without such, there is no assurance it won't happen again. The WVDEP knows that I expect full disclosure of what happened plus an apology and restoration from the offending party. Much more shale gas drilling is anticipated here in Doddridge County according to the WVDEP website showing permits issued. What we have seen so far is only the tip of the iceberg. There is much more to come. It is always easier to turn away and claim ignorance when we find ourselves in controversial situations. Please

help by keeping an eye on our streams, no matter how small. When you see trucks along the water with hoses, make a note of it. If you see anything odd or out of the ordinary, take pictures of that, ask questions, and notify your neighbors. It will take constant and continued vigilance and awareness by everyone in this community to make sure there is accountability when drilling is being conducted. A recent documentary, "Split Estate" is highly informative and highlights important questions regarding the safety of hydraulic fracturing near communities. www.splitestate.com. Also, contact lawmakers. Many thanks to Duane Reynolds and George Buechner for their persistence in seeing that our state actually does have a notification system in place now when there are hazardous spills. Please contact the West Virginia Surface Owners Rights Organization if you have any issues related to drilling on your property, or have any information regarding this spill to share. E-mail:info@wvso.org or Phone 304-346-5891
Thanks, Louanne McConnell Fatora