REPORT OF THE PROCEEDINGS of the Department of Natural Resources Public Hearing taken at Southern Illinois University, Student Center, Carbondale, Illinois, on the 19th day of December, 2013.

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MR. WELCH: Okay. We're ready to start.

Good evening. My name is Bob Welch. I'm a hearing officer for the Department of Natural Resources and I'm going to be the moderator of our hearing this evening.

The reason we're here, as you know, is for a series of public comment periods we are holding across the state. We are meeting tonight in regards to the proposed administrative rules relating to the Hydraulic Fracturing Regulatory Act.

Before we get started, I'm going to introduce you to the individuals who are up here. They are here to listen to your comments. To my immediate right is Mr. Cohen, who is the Director of the Office of Oil and Gas Resource Management for IDNR. Next to him is Robert Mool. He is an attorney with IDNR's Office of Legal Counsel. Next to him is Nick San Diego. He is also an attorney with IDNR's Office of Legal Counsel. Next is Kathy Weiss, who is with Oil and Gas Resource Management with IDNR and Alan Whitler who is a well inspector for the Office of Oil and Gas Resource Management, IDNR. That's who we are.

Now, why are we here. As you're

aware this summer the General Assembly passed and the Governor signed a new Hydraulic Fracturing Regulatory Act. This act applies to all wells where only high volume horizontal hydraulic fracturing operations will occur in this state.

The act gave to IDNR the primary authority to administer and enforce the provisions of this act. The act further requires that the department adopt rules, as necessary, to accomplish the purposes of the act.

Now, the rule making process or procedure is designed to allow interested parties the opportunity to actively participate in the rule making process through public comments. This public hearing in which many, many diverse opinions will be heard are strongly supported by IDNR in the spirit of openness and transparency.

The purpose of this public hearing, and this the last of five we've done throughout the state, is to allow members of the public to express their views and comments related to the proposed hydraulic fracturing administrative rules which have been drafted in response to the dictates of the act. So, in other words, the act told IDNR you draw up the rules and then we're going

to have these hearings. So IDNR has proposed these rules. It's a draft. It's not the final copy and we're going to hear from people across the state and then they'll come up with a final draft.

Now, I know many of you are probably opposed to the idea of hydraulic fracturing and like at the last hearing you would like to express your opinions in regard to hydraulic fracturing, but actually this is not the place to do that. You're welcome to do that, if you want, but we're not here to discuss the merits or lack of merits of hydraulic fracturing. That's something you probably should take up with your state senator, your state representative. We're here as far as the rules are concerned. So we're here to hear your comments and suggestions in regard to the proposed administrative rules. Your input will assist IDNR in adopting rules to insure that the process is done in a manner that is environmentally sound and consistent with the law.

Now, these gentlemen here are here to listen to your comments and make note of them. They are not here -- they are here because they are interested in hearing from you and due to the time limitations will not be responding to any of

your comments. They'll take them into account in reviewing all the public comments for the proposed rules. As you know, also, there's a website where public comments can also be made.

Throughout the public comment period IDNR will accept and upon consideration make changes to proposed rules before filing for a second notice. IDNR fully anticipates and expects changes to be made as part of the process. So, remember, these are proposed rules and not the final draft that we're dealing with right now.

Now, as far as the format is concerned, each of you filled out -- or most of you did, I guess, if not everybody, filled out cards with your names on it if you want to talk. And Ms. Weiss here has shuffled them and because -- we'll get to that, but I'm going to draw names and that's how we'll get you up here. Because of the number of people here and the fact that we want to give as many of you as possible the chance to speak, your comments are limited to four minutes. I'm asking you to be respectful of this time limit, because every extra second or minute that you use is taking that time from the next speaker or any speaker.

After making your statement, if

you have a written statement, we would appreciate it if you would put it in that box right there.

The intention is to have two people on each side. What we try to do is I call -- at the beginning I'll call out two names for each microphone and so we'll always have somebody in the hole. So after somebody talks, I'll call another person and have them lined up and there's no wait. That way we can get more speakers through here. So we'll always have -- always have, hopefully, four people up here at one time.

So when it's your turn to speak, please introduce yourself, spell your last name, because the court reporter is taking everything down here. We want to get your names right. Tell us what city you're from and, if you want, if you're from an organization, you can tell us that, too, if you wish to do so. If your comment relates to a specific rule or section of the proposed rules and you know the rule or section number, it would be helpful to the staff here to let them know what you're referring to. Otherwise, go ahead and make your comment. If you want to read your comment, you're welcome to do so. We don't want to rush you, but we want to stick to the four minutes so everybody -- more people will get

a chance.

Kathy will hold up the one minute sign. And after that, another 30 seconds, I'll make some kind of a verbal or this or something to tell you that you're running out of time.

Two things now. At the very end, when we're done with everybody talking, giving their comments, if you're interested in staying a few minutes after the public comments are finished, the panel will -- they are going to review their notes and summaries and summarize the concerns of the public that we've received today. In other words, they are going to put together a little summary and then let you know what they've come up with as far as tonight in regard to the rules.

Now, please remember that the sole purpose of the hearing is to hear comments and suggestions from the public in regard to the proposed administrative regulations. It's not a question and answer session. And please address your statements or comments to the rules or proposed rules, actually. We'll start with Tabitha Tripp.

MS. TRIPP: Okay. I live 45 minutes south of here. When I took the time to drive all the way to Springfield last spring, to talk to

legislators (who were always too busy to make time to talk,) and it was a long trip and I am dedicated to protecting our communities.

I have been in this campaign to stop fracking for 22 months working with SAFE, IPA, Heartwood Forest Council, Vineyard Indian Settlement, RACE and the Shawnee Chapter of the Illinois Sierra Club.

You have seen me at each one of the hearings. Why? Because it is that important to us down here. It's not enough to get a news report. We want to know exactly what happened.

Activist Don West says, "The abuse of the land has always gone hand in hand with the abuse of the people. It's easy to take and frack or mine someone's land if we have convinced the world, through news, that its inhabitants are disposable, poor white trash or in essence a bunch of hillbillies."

I am a native of Southern Illinois. I am a graduate of S.I.U. I am a mother and a poet and we live on a 5th generation family farm with a deep well for water. I live in the boonies and often I don't even have internet. But that does not make us expendable to the oil and gas

industry. I might be a hillbilly, but I am proud of it.

It does not make us any less significant. This department and the state have done exactly that, deemed us disposable.

Sacrifice zones have been determined throughout Southern Illinois as economically depressed and in need of stimulation via fracked wells and hydrocarbon extraction. Leaving us with ruined water, worthless land and health effects as far as we can see into the future, we will be no better off than when we started extraction technology 200 plus years ago. Not the stimulation my children were hoping for.

Officials and agencies entrusted to protect public health and the environment have gutted laws and created industry loopholes. You've sold us out, just like our legislators did.

These rules do nothing to uphold the already lax safety guarantees set forth in Public Act 98-0022. That law states Section 1-75.2, all phases of HVHF shall be conducted in a manner that shall not pose a significant risk to public health, life, property, aquatic life or wildlife. There is no part of regulation that will successfully

allow safe fracking.

At the very least, if I am going to be reading the rules again, comparing them to the law passed in May and then substantiating my comments to prove the incompetency of these rules during this joyous holiday season, then the least I could do is bring you a partial list of scientific research as my gift to you.

This compilation of papers includes: Radioactivity in shale deposits. USGS maps 100 year flood plain and liquefaction maps due to earthquakes. Several research papers on fracking induced seismicity. OSHA regulations on exposure of silica dust and toxic chemicals. American Journal of Nursing Research on fracking and public health. Research on waterless fracking. Peer reviewed publication research on air quality near fracking operations. FWW: The New Global Water Crisis and water demands and climate change scenarios. NRDC's research on disposal of radioactive liquified oilfield waste.

By light of the yule log, I will be reading the ACLU's Guide to Civil Liberties to my children, because I am pretty sure at this point the only way to maintain our right to a healthy

environment, Article XI of the Illinois Constitution, will be to defend those rights by force against our government and the corporations who have hijacked our democracy.

Quoting Don West, "In a hungry world the struggle between oppressor and oppressed is unending. The inevitable question, which side are you on? To be content with things as they are, to be neutral is to take side with the oppressor who wants to keep status quo. To challenge the power of the oppression is the poet's responsibility. Such action will preserve and build faith and hope in humanity.

MR. WELCH: Thank you. Ms. Daugherty.

MS. DAUGHERTY: Yes, sir. I am from here in Carbondale. I don't have a prepared statement so I guess I'm here to talk --

MR. WELCH: Could you spell your last name, please?

MS. DAUGHERTY: D-A-U-G-H-E-R-T-Y. That's Irish, sir.

So, I am here to tell you that I have lived most of my life here in Southern Illinois and I'm here to share some passion with you about that. The reason that I've lived here for most of my

life is because I love Southern Illinois. The beauty of Illinois only begins once you get south of Carbondale.

I have spent the last many years passing that passion and love for this environment on to my grandchildren. We've spent a lot of time hiking in the woods here and I've taught them to carry on that legacy of loving and revering the nature of the -- of the beauty of the natural world around us. So the other part of the legacy that I want to pass onto my grandkids is when the system that is supposed to protect us and our well-being and our health does exactly the opposite and comes here and threatens us, then my message to you is this land is my land and that dog don't hunt here.

MS. FRALEY: Karen Fraley. And I would like to defer my time to Jessica Bradshaw.

MS. BRADSHAW: Thank you. My name is Jessica Bradshaw. I am a member of the city council here in Carbondale. I want to make clear that I'm speaking for myself here, though, not the city or the council.

First, I must say that from the very beginning of reading the proposed rules for hydraulic fracturing I had an issue with item number

11, the statement of state-wide policy objective. This simply says that, "This rule making does not affect units of local government." I think that fracking would very much affect units of local government. Even if fracking does not happen anywhere near Carbondale, we will be affected if, for example, an injection well causes an earthquake, as we are in a major fault zone. In fact, we are between two fault zones here. It could affect every local government in Southern Illinois and in the state, if there was a big earthquake.

Second, we will be affected if the area runs out of fresh water. This is the issue that concerns me the most, because we only have so much usable water and regionally we have already seen some severe droughts. In fact, last summer, coal plants near Sparta had to halt operations. If we don't have enough water to keep already existing operations running, then how in the world are we going to cope with the increased demand that hydraulic fracturing would bring?

I am also concerned about the effect that water shortage and pollution may have upon our regional tourism industries. Southern Illinois is home to a burgeoning wine industry and

lately breweries, too. That's not to even mention all the natural beauty we have. I would hate to see fracking destroy that.

Third, I'd like to speak about local control, specifically, about control for those who do not live in a city with zoning or other code enforcements. The proposed rules, in Section 245.10, allow for municipalities to have some say over drilling, but not counties. I am glad that this provision is in there, but we have a lot of areas where there are no cities or municipalities. Counties control their own roads, water, and taxes; they should also have some say in whether fracking is allowed in their jurisdiction, with home-rule municipalities being able to decide, too, obviously. I would prefer it if the state would just pass a moratorium, but in absence of that, I think it's important that we let all levels of local government have control, and I commend IDNR for including this provision. I just think it needs to be stronger.

Another major concern I have is with the chemical disclosure rules under Section 245.210. Companies must disclose what chemicals they're going to use, so that local doctors and nurses have access to that information in order

to treat their patients. It's that simple.

In addition, under Section 245.270, on public hearings, the rules first say that "any person having an interest that is or may be adversely affected by a fracking permit, can petition the department for participation in a hearing." But then Subsection 245.270(a(6) goes against that, saying that the request for hearing must be served upon the hearing officer, the department and the applicant. This makes it harder for the public to participate, which is inconsistent with the intent of the law.

Finally, I have an issue with the timing of this comment period. Not only is it the holiday season, but it is also the time of year when many municipalities have to deal with property tax changes. I think that the comment period should be extended, at least a few weeks, to allow county and municipal authorities time to review it.

Thank you for your time and consideration. And I hope you enjoy your visit to Southern Illinois and Carbondale and have an opportunity to explore our beautiful region.

MR. WELCH: Gibson. Mr. Conley, are

you here?

MR. CONLEY: Conley. Yes.

MR. WELCH: Mr. Gibson.

MR. GIBSON: Yes. My name is William Gibson. I am a citizen of Galatia, Illinois. I'm also a graduate here of S.I.U., love living in the area and I'm also a teacher here in Southern Illinois and when I heard about this meeting and the issue of fracking, it just concerns me, as a private citizen, especially living in the area of Galatia, all of the area that is undermined and my concern is with the possibility of earthquakes and being triggered -- triggered in an area like that. Within the past year, since fracking has become such a hot topic, on my drive to school I have noticed a lot more trucks, strange trucks and work in the area around the mines and away from the mines all around Galatia. And, like I say, I am concerned with possibility of earthquakes and also the problem of the wastewater and the contamination. Possibly it could come from fracking. Not only, you know, from our -- our water system, but, you know, any of that get into the mines and cause problems there. And I just -- you know, I am strongly against fracking and that's all I need to say. Thank you.

MR. WELCH: Thank you. Okay. If you two stand up, please, Mr. Conley and Ms. Sweet will have those chairs. The people I call now come up and have a seat in these front four chairs, please. Alease Agne, is that right? Aaron Palmer. Okay. Russell Heinrichs. Russell. Russell Heinrichs. Last, but not least, John Wallace. Okay. Lady will go first.

MS. SWEET: Thank you. Audrey Sweet. Graduate student here at Southern Illinois, water sciences group.

I've read through the majority of the regulatory act and can tell that a lot of thought went into this. I do still have some concerns and would like to comment on a few things that caught my attention.

I did not see anything regarding water rights in this act. To ensure there is enough fresh, uncontaminated drinking water for the citizens, for the crops and the environment. I would like to see that all the current stream and consumptive uses already in place get their allocation of water before the fracking companies do, especially in a drought year.

Section 245.830 covers

reserve pits, which are to be used for temporary storage when there is a lack of capacity for tank storage. This is not acceptable and fracking companies should be required to have extra storage tanks on hand beyond their initial estimates for such situations. What does temporary mean? One day? One week? One year? One decade? This must be defined.

245.850 flowback storage, disposal, recycling. Contaminated water is to be removed from well site within 60 days after the completion of fracking operations. It goes on to state that within 7 days of completion the contaminated water stored in the temporary pits should be moved to above-ground tanks.

Now, how is completion defined? I wouldn't be surprised if well sites can remain active even if they haven't been used for 10, 50, 100 years if they intend to return and frack more.

I feel that the initial permitting process should include a time period in which the fracking companies can access the land. This time frame should be a reasonable amount of time for the companies to extract their projected amount of natural gas, while also respecting the landowner's

right to solace, and the environment's right to recover. The completion of the project should then be defined as no later than the permitted time allocated to the project.

245.940 disposal and recycling. D, contaminated water can be treated and reused in future fracking projects. If this can be done, it would be mandatory. Companies should not be permitted to take more fresh water if they can reuse the water they already have.

Which leads me to question the fate of this toxic brine. Will our children and our grandchildren be stuck cleaning up this fracking mess? Will these well sites and temporary contaminant pits be the superfund sites of tomorrow? Will these fracking companies bow out after they've filled their pockets or declared bankruptcy after the cost of cleanups have exceeded their acceptable profit to loss ratio?

To prevent this I would like the state of Illinois to require fracking companies to take full responsibility for returning the contaminated water they use to a condition equal to or better than it was when they received it.

This is no small task, as

most of you know. It takes a lot of energy to transform even saltwater back to what it was. This makes no sense.

The wars of the future will be over water, not oil or gas. By allowing fracking into our state, Illinois is pre-emptively declaring war on itself by compromising its most valuable non-renewable resource.

I hope that the IDNR and the state of Illinois have the foresight to protect its citizens and natural resources for future generations. Thank you.

MS. CONNOLLY: I'm Dennis Connolly, C-O-N-N-O-L-L-Y. This is in regards to Section 245.200, registration procedures, Illinois Register, notice of proposed rule (C) proof of insurance to cover injuries, damages or loss related to pollution in the amount of at least $5 million per occurrence. This is wholly inadequate. This needs to change to $500 million per occurrence. Considering earthquakes in this seismic sensitive area between two major historical earthquake fault lines, a single residence can cost $5 million, when you think about it. There's lots that go for $500,000 in certain areas.

Now, factor in the cost of

the inevitable permanent groundwater contamination of documented cases in Pennsylvania, North Dakota, Colorado and Texas. Proof of insurance now needs to be raised to 5 billion dollars and be retroactive through the next seven generation. Consider the property values become next to worthless in this contaminated, industrial danger zone. Consider the future generations and their health, plus lack of livelihood.

Okay. This is Subpart F, water quality, Section 245.600. Water quality monitoring. I see no plan baseline water testing north, south, east or west of each fractured well. Also no 30-day follow up of water testing to adjacent wells. I suggest an independent agency overseen by a volunteer group. This testing is to be paid for by the company fracking. Any contamination needs an immediate court order to halt all fracking activity.

I consider these regulations to be an assault on democracy.

Hydraulic fracturing is an energy negative extractive technology and that means it uses more energy than it produces. Please consider biogas technology instead. Biogas methane is powering a pottery kiln locally at present. I

also have a biogas pit at my home and I will be more than happy to share information with the state of Illinois. I researched this with the Chinese Biogas Manual.

This is also an area of a major species migration habitat. And the IDNR has not considered a flock landing in a fracking pond.

And one final note, we've got to consider the Halliburton loophole, which basically was written by Dick Cheney, who is also potentially illegal representative and I -- I ask you to research Peg McDonald Brislin, a former state representative, retired appellate court judge from the south county where I come from who has told me personally that we should be in the streets, because she monitored that election in Ohio. I ask you to have a hearing and ask her about this. Cheney was illegal and so is Bush. They stole the election. We're losing our democracy.

MR. SMALIGO: My name is Nick Smaligo, S-M-A-L-I-G-O. I've been to three of these meetings so far. They are ridiculous. It's a farce. We repeat things you already know as if the number of times we say them makes them more true. It doesn't make sense. If there are problems that we don't

repeat so often, that doesn't make them any less dangerous. A tally is not an adequate way to evaluate these concerns.

Pretty much everything's been said. You've got the dirty dozen list. You know about earthquakes, radiation, V.O.C.'s, methane, water overuse and contamination, healthcare concerns over chemical disclosure, the sexual abuse statistics that these pillaging mercenaries leave in their wake. It's all been said, or it is all easily available. What's the point of us getting up here, one person after another, to keep giving the same complaints?

If you were serious about researching this, all you would have to do is stop listening to the people who stand to make money from it and start listening to the people who are either suffering from it or really studying it; stop listening to the PR agencies and these fake good 'ol boys on their payroll. These guys who sit here at these meetings smirking, mocking people who are afraid for their health and livelihood. They come up here telling us they're mom and pop gas drillers against regulation. It's bullshit. We all know these corporations are only interested in profits, and they'll say anything to get them. They don't

care about this area, its people or its future.

At the start of each hearing you say the DNR's job is make fracking environmentally sound. It simply cannot be made environmentally sound. Even if you could draw up rules that make fracking safe, protecting the well casings from earthquakes and rust for years, decades, centuries to come, which I want to emphasize you cannot do, but if you could draw up these fantasy regulations, guess what, we all know you don't have the resources to monitor and enforce them.

So these proceedings are ridiculous. They are pantomimes of a democratic process, put on to make us feel like our voices were heard. But you've already decided that fracking is inevitable. That ship has sailed, you've said.

You are just doing your jobs. But there is contradiction in your job. On the one hand, your job is to make sure the environment of Illinois is protected from dangerous toxins and preventable disasters for present and future generations. On the other hand, your job is to make sure fracking starts in Illinois as soon as possible. It's one or the other. If you do the second job, the job that's been bought and paid for

by the industry, then you aren't doing your first job, protecting the people and resources of Illinois.

But you can do your first job. You can go to Springfield and say we need more research, we recommend a two-year moratorium to really investigate this process. Better, you can say we have become convinced that this process is fundamentally unsafe and cannot be regulated in a way that protects the people and ecology of Illinois. You can say as people who have been invested with power and responsibility for the safety of others, we cannot, in good conscience, allow Illinois to be fracked. You can say those things.

Little survey. If you're convinced we need either a moratorium or an outright ban on fracking, and you want to see these gentlemen return to Springfield and say so, please stand up.

You say take it up with your representatives. A number of dedicated people in this audience worked themselves to frustration and tears doing just that. They don't listen to us. Maybe they'll listen to you.

You say it's going to happen. It's just a matter of how. We say, it can't happen safely and we won't let you invite this danger

into this region.

You say the decision has been made. We say the decision is illegitimate because it was made by excluding the people who stand to suffer its consequences.

You say the ship has sailed. We say it's sailing in the wrong direction. It's sailing toward storms and we need you to help turn it around.

You say fracking is inevitable. We say fracking is impossible. As long as that is the divide between us, then it's hard to see what we have left to say to one another.

So I'm going to turn around. Let's make this meeting ours. At all these hearings people have been getting up and speaking to these guys. But they seem to have already made up their minds. Maybe they'll surprise us. But we can't assume they will.

We don't want this regulated. We want it prevented. And as you all know, it's going to take us organizing ourselves to stop it.

A lot of people have come with a lot of important things to say. I'm

suggesting that when you come to speak, consider speaking to all of us. If you have problems with the rules, then say them. But if you object to the very idea that this can be safely regulated, then say that too. If you think they should go back to Springfield and tell them that we need a moratorium for more research or an outright ban, then show them your backs. They'll still record it. They'll still listen. But let's make this meeting ours. Let's show them that we refuse to accept that this is inevitable, that we've resolved to make it impossible.

MR. WELCH: Okay.

AUDIENCE MEMBER: What's wrong with you people up there?

MR. WELCH: You don't even know us.

AUDIENCE MEMBER: You don't know us, but you will.

MR. WELCH: Now, what's your name?

MS. PALMER: My name is Ann Palmer. That's P-A-L-M-E-R. I am a resident of Carbondale. I've lived here for 20 years and I'm a transplant from southern California, the other earthquake place. I have several concerns and suggestions I would like to make for things for you to consider putting --

including in your rules.

One, with the aboveground storage pits. I think there needs to be more -- something written in where the water shed that potentially will fill in these pits either if we have a rain event, like what we may be expecting this weekend, 2 to 4 inches on Saturday -- you know, a pit may be able to hold a certain amount of liquid, but what if we have sequential rain events. I know -- I think it was a couple of years ago at the end of April Jonesboro had the record for rainfall in the state of Illinois, which was 22 inches. Most of those 22 inches happened in a two-week period. I believe that was the point in time when they blew the Bird's Point Levee to alleviate the stress on the Ohio.

So it's like are we thinking about these types of events and these types of water events that are unique, perhaps, to Southern Illinois? They may happen differently in Pennsylvania or in Texas or in the west. We have flooding from waterfall that comes north of us and comes down the Ohio and Mississippi and then we have over the land flooding due to torrential rain events that sometimes are sequential in events.

And, you know, so is anybody looking at the height of -- you know, elevation of these pits? It's like if they are really low or what the water shed is that's going to flow into them. How is that being considered because, if they flood, they are going to do a lot of damage?

We have -- in addition to the concerns of health and landowner welfare, we have a lot of tourism from fishing; hunting, deer, duck, you know, waterfowl and these over the land floodings, those of us who live there and you see it, it spreads ubiquitously to many, many places. I think looking at the fine levels that the regulations outlined saying, okay, rather than thinking oh, well, probably nothing will happen, but what if some of these worse case scenarios do happen? Are the fines appropriate to restore property value?

I also have this concern with regard to earthquakes. I have earthquake insurance on my house, but I don't have mine subsidence. If a fracking well causes an earthquake, it's been suggested to me by my insurance agent that perhaps my insurance would not cover it because it's not -- it's not a natural earthquake. But I can't

carry insurance for a mine accident because I'm not in that zone. So I'm very concerned about how you write the regulations so that I can obtain insurance and that I am not at risk for that. Thank you.

MR. WELCH: Thank you, ma'am. Okay. Got two names here, Russell Heinrichs. You can stand there, Russell, please. And Mr. Walls. I'll call four more names. Beth, is it Koehler, K-O-E-H-L-E-R. Come up and have a seat, please, ma'am. Last name Beck. A-M-O-N-E-R-T-A looks like. Okay. And then Corina Long or Lang, I guess it's Lang. Corina Lang. Okay. William Joy. All right. Mr. -- let's see, who has been up here longest?

MR. HEINRICHS: Thank you. I am Russell Heinrichs. That's R-U-S-S-E-L-L and H-E-I-N-R-I-C-H-S. And I just wanted to basically say that the reason that I support these regulations is I believe that fracking is going to be done so I believe that regulations are better than nothing. The only one I know about is the diesel one from the Energy Act of 2005, which basically says that if there's diesel fuel in your fracking fluid, you have to say there is diesel fuel in your fracking fluid. And that's the only one I know about. I did really like the full disclosure thing and the one thing that

I did notice that I was the most concerned with was the open pit provision. I don't really like the idea of open pits because open pits allow -- if flowback is allowed into open pits, it can actually cause more GHG emissions than a closed system. And as the woman said earlier, rain events and that sort of thing could push that out. I would prefer closed tank systems. It also increases the yield of GHG emission or methane captured, rather than it go into the air and cause more problems. So I would like it to be a little more efficient on that level. So also if they could possibly try to come up with recycling programs for water, especially ones that can be done on site.

One of the reasons that I like the disclosure program is because one of the reasons that the water is going into these injection wells is they don't know what's in it and if they don't know what's in it, they can't treat it. And knowing what's in it, they can possibly come up with on site recycling programs, which I wholeheartedly support, because that will cut down on the traffic and many other things. So those are the two things that I would really like to stress. Maybe making open pit -- open pits closed systems and then more emphasis on having recycling programs for water.

MR. WELCH: Thank you, Mr. Heinrichs. Would you leave that in the box?

MR. HEINRICHS: It's just scribblings. Sure.

MR. WALLACE: My name is John Wallace, W-A-L-L-A-C-E. I am a lifelong resident of the state of Illinois. A conservationist, a fisherman, hunter, bird watcher, wilderness lover. You name it. And I love this part of the state. And I have been very concerned about the threats that fracking present to our natural world here. I'm -- I don't relish you in your position. Apparently these meetings have been going on and this is -- this is my first meeting that I've attended, but apparently they've been rather strongly in opposition to -- to this method of oil and gas extraction. I must admit I am on the learning curve. I'm still learning about this method of -- of drilling for oil and gas. But I have worked extensively with the Department of Natural Resources on recreation issues, on natural areas and whatnot and what is so overwhelming to me is the fact of funding and incapability of really dealing with protecting our environment that IDNR is -- is -- is responsible for. And now we're entering a new type of horizontal high volume fracking drilling that I

worry that this Department is not going to be able to effectively regulate, effectively monitor and control and effectively protect our natural resources, because that's really -- I see all of these oil and gas names up here. I don't see any biologists. I don't see any -- I don't see any zoologists. One of the big things, and I know biology much more than I know mining, and water has this amazing ability to carry toxins into the natural environment and they get out there whether it's oil, whether it's a horrible thing like dioxin. You know, water carries that to places that we can't control. We can't restrain it. And I really stress to all of you here and to everyone else in the Department of Natural Resources that you have got to make sure this is safe. You have -- it's your responsibility.

The people -- obviously there's a lot of people here that aren't convinced that's going to, in fact, occur and I certainly have my doubts. You know, I worry about groundwater contamination. Some of the herpetological species that breathe through their skin and live in water in nature are so susceptible to pollutants and toxins. And I really think you need -- you need to take that home with you and make sure that our critters here,

here in the prairie state, which, by the way, I think we have 1/10th of 1 percent of the prairie -- original prairie remaining.

MR. WELCH: Fifteen seconds.

MR. WALLACE: And so we've compromised a lot of this state as far as natural conditions. We do -- please don't compromise it any more.

MR. WELCH: Thank you.

MS. LANG: I'm going to be reading a statement -- I'm Korina Lang, K-O-R-I-N-A, L-A-N-G. And I'm going to be reading a prepared statement by David E. Christensen. He's a local elder resident and published author. Since he couldn't be here tonight, I'm going to be reading his statement.

My name is David E. Christensen. I'm a retired geography professor at S.I.U. Carbondale. I received my master's and Ph.D. degrees from the University of Chicago. I taught geography at universities in the United Kingdom and China and for summers in Canada and Malaysia. For your information, professional geographers are concerned with the human use and misuse of the surface of the earth and that concern includes thousands of feet below the surface and the atmosphere. That concern includes activities that relate to the well-being and

survival of humans and other living things with which we share this planet and on which we depend. For two centuries the amount of the CO2 in the atmosphere has suddenly increased to the point of endangering living things, including humans. Climatic change is real and we're at an unknown tipping point. That knowledge is based in part on the chemistry of the air going back 800,000 years and arctic ice course.

My concern with hydraulic fracturing or fracking is long-term. After our two centuries of creaming off the easy to mine and drill fossil fuels, coal and oil, we have entered into more and more expensive modes. The latest being horizontal fracking. Yes, there have been fracking in bore holes for decades, but the major change came only about a dozen years ago at the turn of the century when horizontal fracturing over 2 miles from the bore hole and the rising cost of prospecting and production and renewed prospects for generous profits opened the huge reservoir of oil and gas and shales thousands of feet below the earth's surface.

I need not review with you details about the many controversial aspects of fracking. You know them well.

The use and contamination

of vast amounts of limited fresh water resources. The problem of disposal of toxic, contaminated water that rises with released oil and gas through the bore hole. The contamination of groundwater resources as remaining toxic fluids, oil and gas rise randomly to the surface for miles around the bore hole.

The record of increasing low and mid-level earthquakes causing damage to infrastructure and on or near the surface, jeopardizing and disrupting the health and lives of humans at the surface.

The use of natural gas from fracking over the next decades or century would only exacerbate our already precarious situation in regard to CO2 in the atmosphere and climate change.

Just because the fracking technology has been invented and can increase the production of oil and gas that provides jobs and profits for a while does not justify its use if it puts the health, well-being and survival of the human species and our accumulated civilization at risk. Humans also invented nuclear bombs, but must not use them for similar reasons.

We should not be playing games with fracking rules. More rules and nickel and

dime fines for environmental damages are part of the game. We should not even be considering a moratorium. Fracking technology very simply should not be used.

We should be intensively researching and developing alternative energy sources and dealing realistically with the earth's overpopulation.

And I also want to add we should not have to prove this process safe at all cost to us. The industry should have to prove it is safe to us first.

MR. WELCH: Ms. Koehler.

MS. KOEHLER: Yes. My name is Beth Koehler. I am a registered nurse. I also have a degree from S.I.U. in outdoor recreation.

MR. WELCH: How do you spell your last name?

MS. KOEHLER: K-O-E-H-L-E-R. I would like to thank you all for sitting through these public comment periods. I know they are tedious and you're taking the brunt of a lot of people's anger, but it is understandable here. I am also grateful for the opportunity to speak for myself and many people in the room and many, many people who are not

here.

I can't think of anything more important than to ensure that the water we drink, the air we breathe, the soil here in Southern Illinois is protected. This is the proposed job of the DNR in Illinois. The proposed regulations of fracking that have been submitted fall miles short of that, of protecting our resources, as I have sat down and thought over them several times. The loopholes that serve the oil and gas industry are numerous. Too many to even count. And we know that as these regulations stand that there will be accidents, there will be leaks, poisoned water and families negatively impacted. And as we've seen in Pennsylvania and Colorado and North Dakota the oil and gas industry will not be held accountable.

I'll focus on a few points of the regulations that demonstrate this lack of accountability, lack of protection to our resources. In Section 245.6 for water quality monitoring the industry is allowed to select a third party engineer or geologist to conduct sampling and testing of water sources. This allows the fracking company to have two -- to select an individual whose methods are not reviewed and the testing may serve the industry when

they are allowed to do this. And shouldn't the DNR or the people of Southern Illinois be the ones selecting who is going to do the water testing for them?

Also, landowners have the right to reject water quality testing if they want and the fracking companies do not have to provide sampling in this case to the DNR. Water that flows through property does not stop at the boundary. Water testing should be the law and individuals should not have the right to refuse. Water is a shared resource.

Also, in the same section individual landowners may sign a nondisclosure agreement with the fracking companies where they do not have to submit water quality testing results to the DNR unless they find contamination.

Again, we have proposed regulations allowing industry to regulate its own water testing. No one from the outside or the DNR is stepping in to make sure the water is strictly monitored and you can bet that these landowners who have signed contracts have probably already signed nondisclosure agreements built right into their contract and they don't even know it because no one

reads the fine print.

The fracking companies only are required to keep their water quality test results for one year following completion of testing. Then what? Are they allowed to destroy the records when someone comes forth to hold them accountable when a water source is contaminated?

MR. WELCH: Ten seconds, ma'am.

MS. KOEHLER: Okay. I, as a nurse, have seen many -- half my patients are miners and I've seen what these industries have done to protect in the past people who have gotten sick and I don't think these regulations will protect us. And I hope that the DNR does its job and either reforms these regulations or, better yet, proposes a moratorium until more conclusive research is available.

MR. WELCH: Mr. Beck, correct? Where is Mr. Joy? Who are you?

MS. TRIPP: Kosie Tripp.

MR. WELCH: I'm sorry?

MS. TRIPP: Kosie Tripp.

MR. WELCH: What are you doing up here?

AUDIENCE MEMBER: She's a citizen of Southern Illinois.

MR. WELCH: Is somebody deferring to you? Is that it? Oh, okay. This poor little girl is standing up here. Tell us your name. Don't be scared.

UNIDENTIFIED SPEAKER: I'm deferring to Kosie Tripp.

MS. TRIPP: My name is Kosie Tripp. It's spelled K-O-S-I-E T-R-I-P-P.

We live off well water Don't frack our water or it will be gone forever and we won't have any left.

I am only eight. I want to have clean water when I am old and I don't want cancer from the toxic chemicals they are putting in the water and ground.

I want clean air to breath, too.

Fracking causes bad earthquakes. I don't want to be part of that either. Those are scary.

I saw Santa and he said the rules are naughty.

For Christmas I asked for renewable clean energy, like solar and wind.

I am wishing for a frack

free happy new year. Thank you.

MR. WELCH: Call a few more names. Ed Willis. Ed Willis. Take your time, Mr. Willis. We'll have somebody else take the microphone. Taylor Sprehe. Why don't you come up to this first microphone. Paula Bradshaw. Did you already talk?

MS. BRADSHAW: No. My daughter did. It's a mother daughter duo.

MR. WELCH: Jessica Bradshaw. How many Bradshaws do we have here? Nick Smiligo, S-M-I-L-I-G-O. Allison Smith. Name I can pronounce. Allison Smith. Allison Smith. Going once. Treesong. Okay. Let's see, Mr. Joy, you've been up here the longest.

MR. JOY: I'm William Joy. That's J-O-Y. I am up here not to talk about the science and other contamination problems that everybody else has been talking about, but more along the lines of community awareness and social aspects of it.

As a student at SIU-C studying forestry we learned about community resource management. I realize this is not a community based resource management plan, but the IDNR should take steps to involve the community in a deeper way. My concern regards Section 245.270 addressing how to

make residents aware of both the bill and the process. During my education I have learned the importance of community outreach and as a potential future employee in the field of resource management I am very displeased with the IDNR's process of communication. This process seems to neglect the vast majority of those affected by the proposed bill.

These traditional meet and greet sessions are just one step that should be taken, along with a list of others. Hearings such as this one are great for those who are already aware of the proposed bill, but those who are unaware remain nameless and clueless to the dangers of fracking. In order to fully ensure residents are aware of how fracking permits and operations will affect them the IDNR needs to immerse themselves in a more holistic fashion through reach out and communication.

There was a case study that looked at community involvement in a Cache River restoration project that can shed light on this situation. Although these two cases are very different in resource management goals there are many similarities. Once action has been taken many residents will realize they have been left out of decisions made that greatly affect their lives. In

the case of the Cache River study, many residents formed a strong distrust and resentment towards the IDNR for a lack of communication. All members of the community had different ideas of what should happen and very few were looked at. This case was for a restoration project, the proposed bill in front of us is the exact opposite, a destruction project, so that fallout from IDNR's limited public input will leave the residents of Illinois with a bad taste in their mouth and not just from their poisoned water.

MR. WILLIS: My name is Ed Willis. I am a retired schoolteacher and I'll be very brief. In 1810 and '11 the New Madrid Fault caused a monstrous earthquake and a lot of smart people say that it could happen again and that fracking could cause it to happen again. If it does, thousands of people will die and a lot of horrible things will happen. I just want to ask you advocates of fracking what you will say, how you will feel if and when it happens again. Thank you.

MR. WELCH: Okay. Mr. Sprehe.

MR. SPREHE: My name is Taylor Sprehe, S-P-R-E-H-E. I am an undergraduate from here at S.I.U. and I'm currently a first year law student so I'm going to try to keep the response on a statutory

level.

Ambiguous, prone to circumvention and irresponsible draftsmanship. These are the words that come to mind when reading these proposed rules. Section 245.1120, Subsection C, fines to companies in violation of rules range from 50 to $500. These fines are ridiculously low and have absolutely zero punitive value to major corporations. For an analogy, the average net income per household in Carbondale is roughly $27,000. The fine for not maintaining your law in the city of Carbondale is also 50 to $500. Halliburton and Exon are major players in the fracking industry that net nearly one billion dollars each year, yet are subject to the same fines that we citizens are for not maintaining our lawn.

AUDIENCE MEMBER: And they never paid it.

MR. SPREHE: Section 245.210 Subsection (a)11, the section does not include requirements to ensure that storage tank capacity is accurately calculated. This has a serious potential to lead to unnecessary use of these emergency open air overflow pits that the act explicitly says should be for temporary use as reserves. Moreover the act

says the overflow should be removed in seven days. However, the drafters of these rules interpreted it to mean within seven days after completion of the fracking operation. Fracking operation can last for over a month and if the reserves are allowed to be kept on the site for the entire duration of the operation the storage of the overflow is by definition no longer temporary, which the act clearly mandates.

Section 245.730 regarding trade secret disclosure to healthcare professionals, the Department "may provide information to health professionals who need them in case of emergencies. However, the act, which you should be acting under, uses the term shall in section 1-77 Subsection L to describe the duties owed to the department from the Department of Conservation to health professionals. Moreover health professionals may call the Department "during normal business hours," if the rule is promulgated as currently written and apology is owed to all of those who have emergency needs outside the Department of Natural Resources normal business hours.

One more point on this specific section is that there is no time limit for

response by the department whenever these -- whenever this information is requested. In this case the department cannot and will not respond with information needed by a health professional, again, this is an emergency situation, the health professional is directed to contact the trade secret holder. However, within this draft of the rules there is no way for the health professional to know how the trade secret holder is. Read them.

MR. WELCH: Twenty seconds.

MR. SPREHE: Thank you. Quick hypothetical situation. A truck carrying fracking wastewater is traveling down Highway 51 swerves to miss a deer, crashes and spills its contents onto the road. A motorcycle comes around a curve, slides out on the wastewater, contacting numerous unknown chemicals. This person has no way to know what chemicals they've just come in contact with. The doctor calls the department, however it's not during their regular business hours. The only other person left to find out if this substance is contaminated for the motorist, the ambulance and the hospital is the trade secret holder. However, there is no way for the doctor to know who that is.

MS. SMITH: My name is Allison Smith.

I would like to defer to the Jackson County Department Administrator, Mary Lind Mullison.

MS. MULLISON: My name is Mary Lind Mullison. M-U-L-L-I-S-O-N. I am the director for the Jackson County Health Department and I am speaking on behalf of my agency and also on behalf of the Illinois Public Health Association.

As the director of the local health department it is my responsibility to oversee programming directed to protect the groundwater, quality water supplies and regulation of construction of wells in the potable -- for potable water in my county. It's a big task. We consider in local health -- we consider ourselves to be the local guardians of groundwater resources.

I've been sitting here tonight and I'm thinking it's a very awesome task in light of what could be happening and I am asking that the rules do everything that they can possibly do to strengthen the regulations and the capacity of the local health departments to conduct their function to be guardians of that water. I suggest that we be included in the information that is being given to the IDNR. That local Health Departments have access -- full access to all of that information,

including testing and information about contamination and spillage.

And I am going to give you a long list of things that we would like to have access to. We want to have the tools at the local level to protect the groundwater of our citizens. We need your cooperation to help us have those tools. Part of those tools are information. Part of those tools would be to increase the amount of testing that occurs and to make sure that we're not just testing at the beginning and the end of a process, but we're testing on a regular basis the groundwater surrounding those wells. Best -- you know, the best medicine is always prevention and if there are going to be spills and, you know, it seems very likely there will be and likely there will be contamination, we would want to know that. Everybody would want to know that as soon as possible. So we're recommending that a testing occur -- be occurring on a 30-day regular occurrence, all through any kind of a well drill operation.

The other thing that I wanted to mention, the other tool that we would need at the local level is I anticipate this is going to increase the workload of local health departments.

We're not specifically mentioned in the law and in the rules, but I believe the citizens of my county are going to come to my health department when they have issues. That's where they come now when they have issues on private water. So we're also asking to increase -- for rules to the maximum capacity increase and enhance local control. Not just municipal control, county control and that you also provide permit fees to local jurisdictions so they have the manpower to do some of the monitoring. Again, local health departments can be your partners in monitoring and protecting the health of the citizens in our communities, but we need access to the information and we need some financial support for the work that we would do. Thank you.

MR. WELCH: Thank you, ma'am. Ms. Bradshaw. Mr. Treesong, if you come up here, I'm going to fill the seats.

MS. BRADSHAW: I'm Paula Bradshaw --

MR. WELCH: Just a minute. Mr. Treesong, come up here. I'm going to fill the seats. Mr. Treesong. Cosie Tripp? Cosie Tripp? Oh, that was the little girl. Casey Fuson, F-U-S-O-N. Okay. All right. June Fehr, F-E-H-R. All right. Jan Thomas. Jan. Finally Wendell Lambert I think it is.

MR. LAMBERT: I'm going to pass. I'm going to pass.

MR. WELCH: Brent Ritzel. R-I-T-Z-E-L looks like. Ms. Bradshaw, why don't you go ahead.

MS. BRADSHAW: Hello. My name is Paula Bradshaw. I am a member of the Green Party and I live right here in Carbondale. Over much opposition we all know that the Democrats and the Republicans passed the fracking bill last -- this year and we know that the oil and gas companies have -- buy and sell our elected representatives. So we're kind of expecting this by now. But I don't understand why IDNR, which is an Illinois department that is tasked with protecting our natural resources and our environment, why they would come up with rules which are actually less restrictive than the actual law. Who wrote these rules? Who wrote the rules? You say, "I don't know who you are." I don't know who you are. And I want to know who was involved in writing these rules which are so ridiculous, the $50 fines, which I could pay, for Pete's sake, and leaving out entire sections of the bill. And I -- and I hope that that will come out later. I know this is a not question and answer, but I really do think we need the answers who wrote the

bill -- not the bill, the regulations?

As an ER nurse, and I work swing shift and I work every other weekend, therefor I'm not there during IDNR business hours most of the time, I'm appalled that frackers are not compelled to disclose chemicals that they use. This is in violation of established HAZMAT rules. I have been through HAZMAT training and we learn that every single chemical is supposed to be listed. You're supposed to have a material safety data sheet. You're supposed to have the symbols that you see on the tanker cars. They tell you if it's respiratory damage. They'll tell you explosive damage. Why is it that they don't -- that they are allowed to slip through the HAZMAT laws? And a Herrin firefighter went to a company, you know, these fracking corporations, said to them don't you worry about it, we're going to take care of any fires. You don't have to be involved. But I'm an ER nurse and I'm going to be involved when they drag those victims from the explosions or the fires or the spills to my ER. I want to know what I'm exposed to. I want to know what they are exposed to. And it looks like your rules don't make it possible for us to know, unless it's normal business hours. The train that

exploded in Canada, we were told it was crude oil, but I was told by a train safety expert that it was actually fracking chemicals. And we saw what kind of fireball, how much damage that train did -- those chemicals did and the fires that caused all the casualties. That's what is coming around here, people, and we don't even know what exact chemicals they are using.

I am really appalled by this entire idea that for profit corporation can come in and do what ordinary people can't do. They can come in and poison my well and take a jack hammer and destroy the foundation of my house. Would I really be expected to say, hey, that's okay, that's no problem, because, you know, jobs. This is ridiculous and I think you people should take your job serious. Your job is to protect the environment and the people of Illinois. I don't know if you're taking bribes or just taking bad advice or what. I don't know what is going on here, but there is something very fishy about these rules and regulations. Thank you.

MR. WELCH: All right. Mr. Treesong.

MR. TREESONG: T-R-E-E-S-O-N-G. And that is my full legal name. I would like to thank the panel and especially the audience for attending

tonight.

The IDNR has been given an impossible task. The task of making fracking safe. Many of us in this room are also facing what seems like an impossible task, the task of convincing the IDNR that the proposed rules are broken.

As representatives of the IDNR you have been tasked with promoting public safety for present and future generations. Fracking poses an imminent threat to the health and safety of people I know personally right here in Southern Illinois. It also poses a threat to many of our livelihoods that are derived from agricultural and recreational uses of the natural riches and wonders of Southern Illinois. Your proposed rules are woefully inadequate to protect my friends and neighbors from poisoned wells, poisoned farms, poisoned air, and the many other environmental and social hazards associated with fracking.

I've submitted numerous comments about the details of these administrative rules. The take home message, however, is this. Fracking is not safe and cannot be made safe by a haphazard set of rules with no real budget or plan for enforcement. A certain percentage of these

fracking wells will fail. Once that contamination has been unleashed, there's no taking it back. Present and future generations will suffer for it.

The proposed administrative rules place the people of Illinois, my beloved friends and neighbors, in grave danger. As public servants dedicated to the stated mission of the IDNR, I urge you to take whatever actions necessary to ensure that fracking does not come to Southern Illinois. That may involve declaring that there is not current technology for safe fracking in Illinois, publically calling for a ban, or resigning your posts in protest of the impossible tasks you've been given. Whatever it takes, I urge you to do everything in your power to stop this dangerous industry from coming to Southern Illinois.

Having said that, I must admit that I am also realist and know that you will probably not do any of those things. If you do not heed our comments, then it is we, the people of Illinois, who must take up the mission you have abandoned. In the end, it is we, the people, who must protect ourselves, our communities, and our land from the menace of fracking. And so I urge my fellow Illinoisans to join me in resisting fracking in

Southern Illinois. Resist with your comments, resist with your letters, resist with your voices. And if fracking does come to our region, resist with your bodies in acts of nonviolent civil disobedience. If the IDNR does not do its duty to protect the public, it is up to us to do so. I hope and pray that it doesn't come to that, but if it does, I will be there, and I ask you to join me. Thank you.

MR. WELCH: Thank you, Mr. Treesong. Okay, ma'am, go ahead.

MS. CASEY: My name is Casey Fuson and I'm deferring to Georgia.

MS. DELZGARZA: Good evening. I want to thank you for taking the time --

MR. WELCH: Your name, please.

MS. DELZGARZA: Georgia Delagarza, D-E-L-A-G-A-R-Z-A. I want to thank you for taking the time from your families, as we are here taking time from ours during the season when we should be spending time with our family and friends. Or, like me, wishing I was home supporting my son who is studying for his finals today and my daughter home from college. They wish they could be here standing up here for their future, their Constitutional right of well-being, but insisted I am here representing

all children and their future fighting for our soil, our air and our water.

I stand before you again drawing from my ancestors who were forced from their homes in Georgia and forced to ride the Trail of Tears. Someone who died on this land and lay on top of this frozen ground too hard for bury. I draw from my father's spirit, who raised me on this land fishing from these waters, raising me on this land, growing vegetables from the soil, running hills as a child, breathing this air. This Irish shalaylee was given to my father from Old Man Daily who said my father was the greatest outdoorsman in the Midwest. My father gave it to my late husband, who, as a journalist wrote vehemently about clear-cutting, stopping the oil and gas industry 20 years ago, exposing dioxins in Crab Orchard, working with Paul Simon against acid rain. He wasn't from here. He was a Texas boy, but he fell in love with this land. That's where his ashes are rejuvenating the earth right now. He passed the shalaylee to our son. Before he passed he told him what my father told him. This root is made into a world stick to remind our families where we came from and to remind us we came after the root to steward the earth.

This is the responsibility of the job you accepted, to steward this land, this air, this water and this soil and I'm hoping and wishing and sending you all of the good energy that you can leave this last hearing, maybe consider more hearings, more time for more people to express what they have inside of their spirit and you can reconsider and forget about the regulatory act and just join us in solidarity on a ban on fracking. Thank you.

MR. WELCH: Okay. Thank you, Georgia. Jeannie?

MS. FEHR: Jeannie Fehr, F-E-H-R.

MR. WELCH: And you're going to sing for us?

MS. FEHR: Yes. That's a good guess. I'm not very good at speeches.

MR. WELCH: I saw that guitar and I figured it out.

MS. FEHR: I'm not very good at speeches, sir. I'm very good with words so that's why my speech is a song. Please pay attention. You all look very tired today. Try to make it through.

(The following words were set to music.)

As I was hiking and they were drilling and the sun

was shining while the corn was wilting, I made a promise we're all fulfilling, take back this land for you and me. This land is your land, this land is my land, from the Shawnee Forest to southern wetlands, from the Wabash River to the Mississippi, this land belongs to you and me. In the depths they fracture the shale formations and claim the bedrock of our proud nation, but up above them, they don't own nothing, this whole land belongs to you and me. This land is your land, this land is my land, from the Shawnee Forest to the northern tar sands, from the Hudson Valley to the Texas prairie, this land belongs to you and me. In the forest bottoms, a deer was drinking as an uncapped well-head was slowly leaking and the poisoned waters set me to thinking, wasn't this land made for you and me? Stop fracking on your land, stop fracking on my land, from California to New York islands, from the redwood forests to the Gulfstream waters, take back this land for you and me. I said take back this land for you and me. Thank you. Before I get -- sorry, I almost said before I get off stage. This isn't a stage. The man who wrote these lyrics, his name is Rich Fabec. I've never met the man, but these are beautiful lyrics and I know there are a lot of regulatory acts and I'm new

to fracking, but these lyrics are pretty straightforward, so please consider them. Thank you and happy holidays.

MR. WELCH: This land is your land and this land is my land takes me back. I was president of the Young Democrats here at S.I.U. and the -- we campaigned for Bobby Kennedy and that was his theme song. We -- we took Young Democrats to Evansville, Indiana, to the primary. We took them to Omaha, Nebraska. We went door to door.

AUDIENCE MEMBER: Listen to it.

MR. WELCH: That was his song.

AUDIENCE MEMBER: So you can make your own rules, can't you, sir?

MR. WELCH: I don't know what she said. Anyway, it was this man is your man, this man is our man. Anyway, kind of takes you back. What's your name, ma'am?

MS. THOMAS: I'm Jan Thomas.

MR. WELCH: Then we have Brent. I'm going to call four more names. All right. Barney Bush. Barney Bush. You've got a following. All right. Barney. Cheyenne Adams. Cheyenne. Okay. Chris Malory -- Miller -- Milroy. Chris -- and Jim Todd. Are you all here? Okay. Ms. Thomas, you go

ahead.

MS. THOMAS: My name is Jan Thomas, T-H-O-M-A-S. I live in Murphysboro where my husband and I are the proprietors of the Douglass School Art Place. "The Doug" was Murphysboro's segregated elementary school from 1897 to 1966. And it's a home place and a valued place by many generation of black students in Murphysboro and it's for the last 20 years we have had it as an art place. We call it "The Doug" for short. It's a valuable resource for many people in the artist community particularly. But, let's face it, it's a big pile of bricks and we live between the New Madrid earthquake zone and the Wabash earthquake zone and one of my concerns, among many, which have been voiced here, is the deep injection well induced fracking -- induced earthquakes, which seem likely to happen. We've known about this since the 60's. They did a deep injection well in Colorado, the Army did it in order to get rid of some of their toxic chemicals and earthquakes started happening and it was determined that they were, in fact, caused by this well, which they closed. But earthquakes did continue for quite sometime. So we've known about this possibility for 50 years and we also know that any number of three,

four and even five Richter scales have been triggered by earthquakes. There are hundreds, literally hundreds of examples of this happening all over the country in places where there never were earthquakes. Oklahoma and Ohio, for instance. And seems like these rules don't really address this question. 4.9 doesn't seem like much, but we really don't know if in active earthquake zones like we live between two of, whether a major quake could happen. The one that somebody referred to earlier was actually three. There were three major earthquakes in the early 19th century, 1811 through '12. They -- they rated as high as 8.7 on the Richter scale and people actually reported that the ground rolled like water and the Mississippi River ran backwards. Bells were rung in Boston and Washington D.C. So this is a big one, people, and here we are right on it. And it would break my heart if my beautiful old pile of bricks, which means something to so very many people, fell into rubble because of it.

Apparently the IDNR was supposed to consult with the Illinois geological survey to determine seismic rules for this -- for these issues and whether that was actually done or not, it doesn't seem to have been, but there's a

Sanford University Professor Mark Zoback who is a proponent of fracking, actually, thinks it will help us out, and most of us here don't think so, but even he says that this is a serious peril and there should be at least these minimum precautions. Injection wells should not be placed in active earthquake zones and in brittle rock.

MR. WELCH: Fifteen seconds, ma'am.

MS. THOMAS: The formations for injections should be very carefully selected where they will -- the high pressures and the volume of water will hopefully not affect them and seismic monitoring equipment should certainly be required for each well, because this is the only way we're going to find out if the wells do cause the earthquakes or not. And certainly there should also be protocols and the rules say what should happen if, in fact, seismic activity occurs and require that the wells be shut down, if they do.

MR. WELCH: Thank you, Ms. Thomas.

MS. THOMAS: The fine, which amounts to a fast-food dinner --

MR. WELCH: We've heard that.

MS. THOMAS: -- is ludicrous.

MR. WELCH: Okay. Thank you very

much.

MR. RITZEL: Brent Ritzel, R-I-T-Z-E-L. And I would like to thank you very much for your time and I really don't envy the job that you have, especially as a public administration master's student. I'm going to get to some of those reasons kind of what we're having to deal with as a community that makes this very difficult for us. But you guys have been basically given the impossible task of regulating a technology that has already been exempted from seven different major essential federal environmental health protections. The Clean Water Act, Safe Drinking Water Act, the Resource Conservation Recovery Act, the Comprehensive Environmental Response Compensation Liability Act, the National Environmental Policy Act, the Emergency Planning and Community Rights and the Superfund Law. Obviously fracking was never supposed to be regulated. That's the whole plan with it. But it does seem to me that if you were tasked with such a project, the very first step would be to put all of those protections back in the regulations that the Halliburton loophole removed. It's not a loophole. It's an abyss. And we need that business filled in.

A couple weeks ago I did a

study entitled Fracking Industrialization and Induced Earthquakes, which looked at fracking and more than 50 years of studies regarding the known connection between disposal of waste water and deep injection wells and earthquakes. Here is a copy of the paper for each of you. It's fully sourced. And I did it under supervision of the chair of S.I.U.'s geology department.

And what really propelled me in research and writing this piece was my attendance at the July 18, 2013, fracking conference at Rend Lake College, which was sponsored by the Illinois DCEO and I witnessed presentations by Robert Bauer of the Illinois State Geological Survey. For the event presentation had the straightforward title "Hydraulic Fracturing, Horizontal Wells and Unconventional Oil/Gas Resources." However, in its YouTube treatment it was given the title "Are Environmentalistis's (sic) Concerns Over Fracking Valid". So really this was the whole spin, the whole angle that was played with that.

Now instead of addressing the real and substantive concern of damaging wastewater induced earthquakes as large as magnitude 5.7, Bauer tells the audience that the fracking

process does not induce felt earthquakes. In fact, he kind of dealt with it in a little of a mocking way. He shows the range from hydraulic fracking in the negative four to negative two range on the Richter scale. Because it's a long Richter scale we can go negative. You know, quite literally mocking people who would even suggest or say there might be earthquakes related to fracking be on that range. What he failed to mention is the fact that wastewater deep hole injections, which he does understand part of the process is the deep water injections throughout the presentation, so he does understand part of the process, but yet he still ended up denying that there's anything earthquakes that we need to be concerned about.

Now, in my classes I learned sort of a thing is called capture. Capture --

MR. WELCH: Thirty seconds.

MR. RITZEL: -- capture of governmental agency. That's when we are completely compromised and their mission is no longer the mission of the people, but is the mission of industry. What are we supposed to do about that? Because Paula, to answer your question, who is

writing -- who is writing the regulations regarding seismology? It's Mr. Rob Bauer of the Illinois Geological Survey, who, I don't know, there's bad doctors, there's bad lawyers and I guess there's really bad geologists out there, too.

MR. WELCH: Chris. You're up. Spell your last name, please.

MR. MALROY: Malroy, M-A-L-R-O-Y. Yeah. I want to like do this. I want to turn my back --

MR. WELCH: Excuse me, sir. There is a court reporter trying to take down what you say.

MR. MALROY: Okay. All right. Well, so I wanted to like do it -- like this one guy said, how many people so who all opposes fracking? Wow.

Well, what we have here is a failure to communicate. Some men you just can't reach. So what would you say your most valuable resource is? You like have all of these rivers and lakes and water, I guess, you know.

All right. So what's this meeting for? Is it for gas or is it for water?

AUDIENCE MEMBER: Water. We say water.

MR. MALROY: So that one thing that we

were talking about radiation, yeah, that causes droughts, doesn't it? Does it cause droughts? If it comes from Fukushima and it caused a drought and they are saying they are going to have another Fukushima meltdown here pretty soon. What are we going to do with our water?

So I was like checking this stuff out. I've been doing a lot of research on this for a while. I was like, man, how do I tell these rocks apart? I looked it up. Googled it. It said hydrochloric acid, that's what you use to tell the different rocks apart. So I'm like is the Illinois Department of Natural Resources like on an acid trip? I mean that is what you use in fracking, right? Put it in pressure. Hit me up. Anyway, so like you take and put the acid in the ground and you mix it in with chemicals and it comes back and it's bad. Then they put it in another well. Wow. It's a lot of wells, man. And then it heats up the soil, like more than the first well. The injection wells eat the soil. They actually erode it and then it falls in causing an earthquake. So let's say Fukushima melts down, we have another drought, you guys are fracking it up, you know, they are using all of our water for that shit -- excuse me. Sorry. And we're out of water.

You know, I started doing all of this research and studying how all of this works and along the way I met like all of these great people right here. You'll never find people like this. I don't care where you go, you'll never find people like this. I fell in love with the people and I fell in love with mother earth. Do you love your mother?

MR. WELCH: You've got 30 seconds.

MR. MALROY: Do you love your mother?

MR. WELCH: Barney Bush, where are you?

MR. BUSH: I actually don't know what that's all about. My name is the Barney Bush. I'm the chairman of Vineyard Indiana Settlement near Herod, Illinois. We are descendants Chief Sagomi's (ph) band of Shawnees who were in resistance to the colonial occupation of our homeland. And in 1809 or 1810, depending upon which of the histories that you read, we crossed the Wabash or the Ohio River, whichever history is accurate, and settled into the hills of Hardin County in order to be -- to avoid being moved into -- into territory, which is now called Oklahoma, of course. And a number of our people got sent there anyway. And I grew up here. I

was born here. I was born as a citizen of the Vineyard Indian Settlement. And we're under reconstruction right now in order to obtain recognition by the state of Illinois. And, of course, speaking out against any of this kind of thing jeopardizes our application because I do know the politics of the human beings with whom we deal.

I do want to note that my father and his family were all fishers and hunters and trappers and it wasn't an occupation sport. It was a way of survival for our people. I grew up that way myself.

And I would like to read a couple of things here from -- I just got a report from a study, a scientific study out of the University of Missouri and it was just published and this was sent to me by Richard Fedder. And the authors of this identified 12 chemical additives commonly used in fracking. They studied the health impact of these 12 chemicals and found that 11 of these are endocrine disruptors. I believe they found these chemicals to cause significant increase in cancers, liver disease and so forth. The authors then tested for these chemical additives in two Colorado counties. One county which is heavily

fracked and one county which is not fracked. They also sampled the Colorado River. What they found was that the heavily fracked county was significantly and broadly contaminated with these 11 chemical additives. The unfracked county was not contaminated. And the Colorado River was moderately contaminated. You should note that this study looked at what I consider the lesser pollution problem, contamination from the chemical additives. The larger problem is the chemicals which are brought up from the shale through the fracking process. The VOC's, heavy metal, methane itself and radium. These were not part of the University of Missouri study.

The next is a scary set of studies which are indirectly related to fracking. To try to say it simply, we all have an outmoded understanding of genetics. We think that only DNA can be passed from parents to children. And that only mutations, a relatively rare event, can change that inheritance. The pinnacle of this thinking is beautifully expressed by Richard Dawkins in his book The Selfish Gene. Thesis, we are all just conduits for the gene to reproduce itself.

MR. WELCH: 30 seconds, sir.

MR. BUSH: I would like to say that we

do know that there's a word in English that relates to how people feel about the land and about profits and about what's going on here in our homeland. And I'm real proud to be here among these people that love my ancestorial homeland, but there's a word called sociopath and it's defined as someone who does not have a conscious. And for someone to come in and to involve themselves in potentially destroying our water, you cannot be of conscious in order to do that. You have to be a sociopath.

MR. WELCH: Okay. I'm going to call four more names and that's going to be it. Christopher Oliver.

MR. OLIVER: Right here. I'll get up there.

MR. WELCH: Let's see. Sarah Shelton. Chelsee Bradey. Chelsee? Last, but not least, Sarah Hubler. Okay, young lady.

MS. ADAMS: All right. My name is Cheyenne Adams. C-H-E-Y-E-N-N-E, A-D-A-M-S. I am going to try to talk as quickly as I can. I will be submitting everything word for word in writing at the end of it. All right. This is too high for me.

I'm not going to comment about anything I found in the rules. I'm going to

comment about what I didn't find. Throughout the entire document, there is not a single citation or reference to any scientific literature or publications. In fact, on the third page it explicitly states "Published studies or reports, and sources of underlying data, used to compose this rule making: None." As a student in the sciences, I find this disrespectful at best, dangerous at worst. This is simply not acceptable. The information is available, and I demand that it be referred to when making decisions that affect the health and livelihood of the public and the land.

On the first page of a search for scholarly journal articles with the search term hydraulic fracturing I found this information.

"The EPA admits that many recent reports of hydraulic fracturing suggest impacts to drinking water." Weinstein 2013. I would like the IDNR to cite this publication.

"Hydraulic fracturing poses environmental risks to drinking water supplies." Weinstein 2013. I would like IDNR to cite this publication.

"Despite the risks that hydraulic fracturing poses to water supplies the

United States chose to significantly reduce federal involvement in fracturing regulations when Congress passed the Energy Policy Act of 2005, which specifically exempted underground injections from the Safe Drinking Water Act. Weinstein 2013. I have to wonder why underground injections would need to be exempt from SDWA unless it posed a threat to the drinking water, and I would like IDNR to address this when they cite this publication.

"Hydraulic fracturing may pose a threat to groundwater resources if fracturing fluid or brine can migrate through fault zones into shallow aquifers. Diffuse methane emissions from the gas reservoir may not only contaminate shallow ground water aquifers, but also escape into the atmosphere where methane acts as a greenhouse gas." Kissinger et al. 2013. I would like IDNR to cite this publication.

"Seismic activity is a known side effect of fracking. Seismologists believe, however, that a bigger danger is posed by the injection of this wastewater back into the earth because it can reach the fault line and cause more significant earthquakes. Multiple states have recently reported substantial earthquakes, some as

high as 5.1 magnitude." Kerner 2012. According to the US Geological Survey, an earthquake at this magnitude is expected to cause damage to poorly constructed buildings, may cause damage to all other buildings, and may result in a few casualties. I would like IDNR to cite these publications.

I'll paraphrase a list of the most important gaps and shortcomings of hydraulic fracturing. Not enough reliable field data. Not enough information on the role of fault zones. Models need to be established for the migration of fracturing fluid and brine. The movement of displaced brine needs to be quantified. Not enough is known about the release mechanisms of methane from the rock phase. Capillary pressure saturation relationships and relative permeability saturation relationships need to be established for the migration of methane through the overburden. Models for the propagation and flow of fractures need to be improved. I would like IDNR to cite this publication. Kissinger et al. 2013.

Finally, from an analysis of attempted fracking regulation, "A moratorium followed by dedicated national environmental standards directed at hydraulic fracturing would be

the most appropriate and effective solution." Downing 2011. I would like to see IDNR try to cite this publication in their rules and regulations on fracking.

Although there is obviously much more information available, I don't have time to tell you everything in these four minutes. The information is clear, fracking contributes to drinking water contamination with known human carcinogens, ecological damage, greenhouse gas emissions more potent than carbon dioxide and dangerous levels of seismicity. The conclusion in the literature is that a moratorium on fracking is the most appropriate response. I encourage IDNR to try to cite these publications in their regulatory rules. Until all of these concerns can sufficiently be accounted for in the regulatory rules, which I assure you they cannot, I demand a moratorium on fracking.

I have included my references at the bottom of this document and I encourage all of you to read and cite the scientific information about hydraulic fracturing, which should have been done before the rules were drafted. I shouldn't have to do your homework for you.

MR. OLIVER: Thank you for the round of applause. Thank you board for coming. My name is Christopher Oliver, O-L-I-V-E-R. I have one quick statement and then I would like to yield my time to Janet Donoghue. The only statement I have for you is the same thing I said in Effingham, I would love for you to please release the list of chemicals to every citizen, not just health care professionals. I need to know what's going to be in my water and so does everyone else. So, please, please, consider releasing that list to everyone. It is not a trade secret. I'm yielding my time to Janet Donoghue.

MS. DONOGHUE: Janet Donoghue. D-O-N-O-G-H-U-E.

MR. WELCH: Your first name, please?

MS. DONOGHUE: J-A-N-E-T. And Donoghue is D-O-N-O-G-H-U-E. And I thank you for your time tonight. I know that you have a really -- you're in a rough spot sometimes here.

I would like for you to consider the regulation to go forward with the notion making this part of the process that there is no away. That no matter how far down you put something, no matter how far up it goes, we can't get rid of it. We live in a closed system. And it frightens me with

some of the planning language that seems that we can just get rid of stuff.

I have some specific concerns with these regulations. One that was spoken to earlier. I don't have this -- the number with me, but the proposed insurance coverage, being 5 million dollars it says per an incident. I would really like you to be very clear on what per an incident means and also to have some kind of -- some kind of measure in place to increase that amount, which should be increased anyway, but to increase that amount based on how many people are affected. So there's a town that needs to find a new water supply or something like that, that that is taken into account and the insurance -- and we get more insurance from the getgo.

Then I also would like -- I've read no provision so far -- I am a mother, I'm a believer in our youth, you know, one of our greatest natural resources of our country, of our world, and I read no provision that deals with the crime increase related to fracking. That is a known thing. Higher incident of rape and assault and other crime goes up in fracking areas. This is something that really concerns me and I would like that -- something that

speaks to that to be written in the rules and I would like to know that when extra policing is done it's not being done on any tax dollars and that the oil and gas industry is ponying up for that.

Also, I was going to mention the University of Missouri study that was recently released and it says in no uncertain terms that water can be contaminated from fracking. Please consider that as part of your study and that if harm is known as a scientific component that you will halt the process and recommend a moratorium or ban.

One more thing. I would like for you to extend the comment time. And I also thank you for including the woman on the panel tonight. I don't mean that as flippant. I mean as a woman representing more than half the population of Illinois. Mothers have to deal with their kids getting sick. Have to deal with miscarriages. Have to deal with -- are often the first ones, first species, if you will. I would like to thank you for that. And then it is an election year and can you just hold off until after the election? That will be great. Thank you.

MR. SHELTON: My name is Sarah Shelton, S-H-E-L-T-O-N. So I wrote a nice speech

here, I think, so I'm going to try this out.

Hello there. I first -- I first want to thank you for listening to me and all of the people here tonight who are voicing their concerns about these Illinois regulations on hydraulic fracturing.

When I started to look into regulations I began more to learn about how the process of fracking actually works. Yes, I knew that fresh water, hundreds of chemicals were being injected into the ground to produce hydraulic fracture that will create natural gas. I knew it was going to bring jobs. And that with a crippling economy that it's something that Illinois lawmakers, like yourself, are looking to pull us out of. I appreciate the gesture, but the process of safe fracking is impossible. I wanted to -- I wanted to say that I have you and the rest of IDNR to thank for bringing this to my attention. So I can go into that.

So in reading these regulations I keep seeing terms like toxic fluids and earthquakes and radioactivity, water contamination, repeatedly. And this makes me realize there cannot be a safe way to regulate fracking. Because you are

here for us to comment on specific rules I will talk about. I thought it would be nice and pick one out to talk about. So I wanted to talk about section 245.600(b)1. I think I said that right. This proposed rule provides for the testing and monitoring of water sources within 1,500 feet of the well site. But the proposed rules do not provide for testing along the horizontal line of the well bore, which I've learned can extend for up to two miles from the well site. This seems like a blatant disregard of the known risk of the underground migration of the toxic chemicals that are injected into the ground, especially when hydraulic fracturing involves the use of explosive charges and especially in areas known for the risk of higher-magnitude earthquakes.

But as I began to look more into these regulations I found that if residents near a fracking site are not provided testing and monitoring of their water, then it's up to the resident to do so. The cost of getting your water tested is close to $400. This is extremely expensive and more money than you are actually going to fine the oil companies for violations that range from $50 to $500, as stated in Section 245.1120.

Throughout my learning

process of these regulations of fracking, I've learned that there are 596 toxic chemicals that the public does not have to know about. I keep reading the word radioactivity throughout these regulations and that freaks me out. Fracking causes earthquakes and can contaminate the water. This is crazy and now I'm absolutely convinced that there cannot be safe fracking and that fracking does not need to come to Illinois.

MR. WELCH: Fifteen seconds.

MR. SHELTON: If you're tired and pissed off, let's ban together to ban fracking. If these guys won't help us, let's help ourselves.

MR. TODD: I'm Jim Todd. I'm a retired chemistry teacher. Your rules are just ridiculously lax. You need to require monthly testing of everything that comes back up, both chemicals and radiation. Especially if you're going to use something like hydraulic acid. The companies need to be made to return the water to its state that it was in when they received it or took it out of the ground or wherever they take it from. The idea that that's not happening is just ridiculous. The idea that you people don't require full disclosure of the chemicals is also ridiculous.

I've got a class A CDL in my pocket. If you drive HAZMAT, you're required to keep the material safety data sheet within easy reach of the driver in case anything happens. And you're going to prevent health care people from finding out what the chemicals were?

MS. BRADEY: My name is Chelsee Bradey, B-R-A-D-E-Y. I am going to face the crowd so I'm going to try to talk as clearly as I can.

They say that this is inevitable. That horizontal fracturing is our future, that somehow loose regulations will spare us from watching this beautiful place that we grew up in, or traveled to, turn into a toxic wasteland. They try to tell me that my family will be safe, that our wells will not be affected by the hundreds of chemicals that they plan on pumping into the ground. They say that the soil and the stream that we've built our farm around will remain as clean and usable as it is today. They also say that if they do, by chance, poison our water they will kindly give us at least $50 to make up for the damages. For those of you that have built your homes and raised your families in this area, especially those of you that do not get your water from the city, but instead have

a well on your property, please remember this.

Do not lease your land to a hydraulic fracturing company. Fifty dollars will not come close to covering the cost of having to get your water delivered to you on a truck for the rest of your lifetime, because no one will ever want to purchase your land once it has been depleted of its resources. Even with this being said, chances are you do not own your mineral rights, which means that even if you don't lease your land, according to them this doesn't matter, because they don't want your land, they want the minerals beneath it. If you don't own these rights, you can wake up one morning to find a natural gas well being built on your property even if you don't approve of this. Even more importantly, if you do get your water from a private well, I urge you to look into purchasing your water rights. This way, if their prophecy comes true, and your water becomes contaminated, you can sue the natural gas companies for everything you will be put through.

They say that their regulations will prevent us from ending up like those in Oklahoma. They say that even though they are creating mini earthquakes beneath the ground, we will

not be affected. For those of you that are not from this area, we live on a major fault line. Not that many years ago I was woken up in the middle of the night by an earthquake. It will happen again and it will be worse than the last one. You cannot be here in this room today and tell me that it is okay for me to sit back and watch all of the fresh water springs, lakes, streams and swamps that I spent every long day of my childhood playing in be destroyed. And that is economical?

New information is being leaked every day about how uneconomical hydraulic fracturing really is. The conservative business magazine Forbes argued a while back that the cost-effectiveness of fracking was a fantasy and that we can expect some staggering investment errors because what it's all about is some very stupid money chasing, an illusion that will surely end in tears. The head of Shell Oil said recently that investing $24 billion in fracking was one of the biggest regrets, as he writes down huge losses along with other operators like H.P. Billiton, Chesapeake, Encana. Some CEO's have even lost their jobs over it.

Hydraulic fracturing, like

extracting tar sands oil, is very expensive. It is also very short-lived. Production declines by as much as 50 percent or more in the first year, as much as 80 percent by the second. To keep gas coming, you have to keep fracking. The industry, even at a loss, has flooded North America and driven prices below the cost of production.

For those of you that are in support of hydraulic fracturing because America will have its own source of natural gas, used solely for the purpose of powering our country, that is also a fantasy. All of it will not stay here. There is already talk of building terminals to ship gas overseas from North America.

They say that this will be our future and that it has to happen, but it doesn't. They may have their forces, but I've met many people along the way that lose sleep at night for building the roads and foundations for these plants. We are prepared to join together and do whatever it takes to prevent this from taking place in this area. We are prepared to join together in a barricade to protect the resources and natural beauty that belong to us.

MS. BAUMGARTER: Sarah Baumgarter, B-A-U-M-G-A-R-T-E-R.

IDNR proposes to fine violators of the rules from $50 to $500 per violation. Most of the companies that will be conducting the hydraulic fracturing make tens of millions of dollars, or in many cases even more. Accidents are inevitable if the hydraulic fracturing were to take place, and the evidence behind this statement is roaring through the earth, from the mouths of every being that now has to live with the aftereffects of fracking. Such minor penalties for violation of water resources are not worth the repercussion of an inevitable accident.

The well being of the people rests in the quality of fresh water. We can't make new water and we cannot depend on melting glaciers or shipping our water in by trucks. How can these huge companies threaten our water supply and not be considered a public health threat to the nation? A man thinks whatever witty laws he creates are somehow superior to the law of Mother Nature, but the laws of nature will surely deflate the laws of man. Here in Southern Illinois many people are living off potable well water in the areas of proposed fracking sites. Some of these people are my family and friends. We are harboring the confluence

of the Mississippi and the Ohio River. If one water body, whether it be aquifer, stream or river, is polluted all water bodies will be affected by the inevitable effects of hydraulic fracturing. The confluence of the Mississippi and Ohio River are part of a major watershed that travels through many states, nurturing birds throughout their migration, feeding the bellies of fishermen and harmonizing with the Gulf of Mexico.

For those of you who are not familiar with the Cache River wetlands, it is home to Cypress and Tupelo trees that have lived many millenniums. It has experienced its own fight, and has made a phenomenal recovery. The Cache River wetlands are a gold mine of bio-diversity, and shelter a very special bird that has barely fought its way off the endangered species list. That bird is the Prothonotary Warbler. People come from all over to see this bird and they nest along the swamps of the Cache River. As do Great White Egrets, Belted Kingfishers and Barn Owls. Over 300 different birds migrate along the Mississippi and Ohio River to nest or pass through Southern Illinois. If the watersheds were contaminated not only will it affect the health of a human body, but also it will greatly affect

these birds and they will not return.

We are here to join hands in solidarity with the people of New Brunswick, Oregon, Pennsylvania, Alberta, New York, Oklahoma, United Kingdom and Romania. There are thousands of hands locking together to barricade the road that would allow such an ethically blind industry to poison the waters, air and soil. The people behind these companies need to remember, they are only human and they are part of the congruent system we call earth. Hydraulic fracturing will not happen in Southern Illinois and we will join hands until this heinous act ends throughout the world. We are strong. We came here to fight.

MR. WELCH: Okay. On that note, we want to thank you all for coming. If you want to hang around, Mr. Cohen and the others are going to get together and advise what the summary -- you know, what the main topics were tonight and that will be it.

(At which point in the proceedings a break was taken.)

MR. COHEN: Excuse me, folks. We're going to wrap this up. My name is Mitchell Cohen with the Department of Natural Resources. Just want

to give you a summary of what we heard tonight in relation to the administrative rules. Excuse me again. My name is Mitchell Cohen. I'm with the Department of Natural Resources. Here's what we heard up here for the panel in relation to the administrative rules, comments from the audience. These were sort of the main concerns we heard from the people tonight as they related to administrative rules which we were here to discuss tonight. The top four areas that we heard from the comment related to enforcement, that the fines were too small and the proposed administrative rules. People were concerned with the induced seismicity activity and the earthquakes, given the location here in Southern Illinois. Number three was chemical disclosure and trade secrets. And number four was open pits and the closed tank storage. So those are the areas we will be looking at closely as we review the proposed administrative rules.

We would like to thank everybody for coming tonight and we do appreciate all of the comments. Everyone still has time to submit any comments that you want to this evening in the box and until January 3 online at our website or by mail. Thanks everybody for coming tonight. We appreciate

it.