

CITY OF PHILADELPHIA  
DEPARTMENT OF PUBLIC HEALTH  
MEETING OF THE BOARD OF HEALTH

Thursday, May 26, 2011

A meeting of the Philadelphia Board of Health was held on Thursday, May 26, 2011, in the Municipal Services Building, 1401 J.F.K. Boulevard, Room 1450

Board Members Present: Jose A. Benitez, MSW; Marla J. Gold, MD; Susan Schewel, CRNP, PhD; Donald F. Schwarz, MD, MPH; Robert G. Sharrar, MD, MSc; Yolanda A Slaughter, DDS, MPH

Attendees: Bianca Frisby, Nan Feyler; Giridhar Mallya, MD, MSHP; Jeff Moran; Don Sapatkin; Kevin Vaughan

**Review of Minutes**

Board President Donald F. Schwarz, Health Commissioner, called the meeting to order at 5:40 PM. He asked for additions or corrections to the minutes of the meeting of March 10, 2011. It was moved that the minutes be approved as submitted. The motion was seconded. Motion passed.

**Welcome and Introductions**

Dr. Schwarz welcomed the Commissioner of the Philadelphia Water Department Harold Neukrug, his colleagues from the Water Department, health department staff, members of the Board, and guests.

Dr. Schwarz asked the members of the Board to introduce themselves for the benefit of the guests from the Water Department.

**Drilling Marcellus Shale**

Dr. Schwarz introduced Commissioner Neukrug for a discussion of the impact of drilling Marcellus Shale on Philadelphia and the greater environment. Commissioner Neukrug provided the Board with three documents:

2010 Drinking Water Quality Report (Attachment A)

February, 2011 Water Department Marcellus Shale Position Statement (Attachment B)

May 17, 2011. Letter to the Editor re: radioactivity and drinking water. (Attachment C)

He reported that next week the City is to sign a 1.2 billion consent agreement with the State that will promote green cities and clean water through management of rainwater, land, and the river. He said that a modern water department addresses the continuity of all of the sustainable connections that maintain the health of the environment and the safety of water.

Commissioner Neukurg introduced Dr. Chris Crockett, the Water Department's Deputy Commissioner for Environmental Services, and Kelly Anderson, Drinking Water Source Protection Manager, to speak about the broad issues of water source protection and the specific issues pertaining to the drilling of Marcellus Shale.

Kelly Anderson presented an overview of the Philadelphia Source Water Protection Program. Philadelphia's drinking water comes from the Delaware and Schuylkill Rivers. The City's three water plants serve 550 million gallons per day to 1.5 million people. Philadelphia is at the bottom of a geographically large watershed that extends upward through New York State and is controlled by the Delaware River Basin Commission. Philadelphia has direct control of only 1% of the area of the watershed. The Commission, comprising representatives of New York, New Jersey, Pennsylvania, and Delaware, as well as representatives of the Federal government, is currently preparing draft regulations to determine how water will be managed as a result of natural gas drilling.

Among the many concerns for source water protection are the impact of wastewater treatment plants up-stream, flooding, abandoned mine drainage, deforestation, trash and debris, cryptosporidium, radioactivity, pharmaceuticals, animal management, and the impacts of agricultural practices.

Dr. Crockett addressed the specific concerns related to the drilling of Marcellus Shale. Approximately 50% of the watershed rests above the Marcellus Shale formation, including most of the large reservoirs. The Delaware River Basin Commission currently has a moratorium on drilling in the watershed, until the regulations are completed and approved.

Comments on the regulation submitted to the Commission by the Water Department are available on the department's website. The department contributes to the regulatory process by attending meetings in Harrisburg, meetings of the Commission, and other related meetings. It contacts participants to promote Philadelphia's objectives, tracks scientific developments in the field, monitors local data, and maintains affiliations with national groups focused on the issues.

Because it involves both the production of oil and natural gas the drilling of Marcellus Shale does not fit into existing regulatory structures. The regulatory issue of paramount concern to Philadelphia water quality is the potential discharge of contaminants, such as radioactive contaminants and bromides, affecting intake ducts. The department wants to ensure that sufficient monitoring is in place to detect a problem before it becomes a cause for concern, that waste products are disposed of safely, and that lands are reforested.

The Delaware Valley Early Warning System is the most technologically sophisticated in the world in its combined use of the internet, telephone, GIS, and other communications systems. The department plans to further expand its detection system in the advent of Marcellus Shale drilling. It has also initiated a baseline study to serve as a basis for comparison in the future.

Dr. Crockett said that causes for uncertainty and concern stems from the fact that the scope, scale and speed at which the drilling will occur in the Delaware Valley is unprecedented. We need to avoid the environmental mistakes made in the era of coal mining. The new regulations will require ongoing evaluation to gauge long—term impacts.

Commissioner Nuekrug said that he hoped that the current public interest in Marcellus Shale would translate into ongoing public interest in source water protection in the Delaware Valley.

Dr. Slaughter asked if the patchwork of regulating agencies involved would be able to manage the situation over such a vast area. Kelly Anderson discussed the progress being made at regional levels and noted that different requirements have been established for different zones. Water Department representatives agreed that the process is complex. Dr. Slaughter also asked about the role played by the State's Conservation Districts. Dr. Crockett said that these groups play a limited role and are poorly funded. Kelly Anderson said that the groups have been able to provide significant information and work in partnership with the City on some issues, including pursuit of funding to implement best management practices in counties outside Philadelphia.

In response to a question from Dr. Sharrar, Dr. Crockett provided a detail description of the process of hydraulic fracturing.

Dr. Schwarz asked what happens to the fluid returned in the drilling process. Kelly Anderson said that waste management plans depend on what is agreed upon in the final regulations. Schwarz suggested that Philadelphia consider regulating the discharge.

Dr. Schwarz asked what authority those monitoring water quality had to stop activity. The Water Department reported that they currently work with a number of agencies to curtail hazardous activities, usually in under a week's time.

Commissioner Nuekrug said that his department's energy is focused on not having any treatment facility upstream of the City's drinking water. Dr. Schwarz asked if the City, and perhaps neighboring counties, should be considering the development of a treatment facility in Philadelphia. Commissioner Nuekrug said that he would be happy to examine the issue.

Dr. Schwarz thanked the Commissioner and representatives of the Water Department.

Dr. Schwarz announced that the State budget has removed substantial funding from the Medicaid program. He said that the impact at present is unclear; however, the City will continue to monitor the situation.

Dr. Schewel inquired about the progress of the STD Condom Distribution Program. Dr. Schwarz said that the Board will receive a report. He said that the effort is going well with good activity on the website and a positive response from the School District.

Dr. Schwarz thanked the Board. He adjourned the meeting at 7:00 PM.