

THE BOARD OF GARRETT COUNTY COMMISSIONERS

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March 27, 2015

Jeffrey Fretwell, Coordinator
Maryland Department of the Environment
Montgomery Park Business Center
1800 Washington Boulevard
Baltimore, Maryland 21230

Dear Mr. Fretwell:

This correspondence is in follow up to our January 20, 2015 letter regarding the draft regulations proposed as a result of the Safe Drilling Initiative. In that letter the Board expressed concern that the proposed regulations may be too restrictive and asked that the Maryland Department of the Environment (“MDE”) explore alternative regulations. Unfortunately, certain interested persons interpreted this letter to imply that the Board opposes strong regulations and controls over the development of the Marcellus Shale natural gas deposits in Garrett County.

Obviously, this was not our intent. Rather, the Board intended to suggest that MDE examine the proposed regulations to determine if there might be opportunities to make exceptions to the regulations in certain circumstances and to add an appeal process. For example, if two adjoining property owners were to agree, would it be possible to make an exception to the proposed property boundary setback requirement? In addition if a property owner is willing to accept the risk, would it be possible to reduce the proposed setback from his privately owned well? These are just two examples of where it might be acceptable to consider an appeal and perhaps grant a variance to the proposed regulations and it is reasonable to assume that there may be others.

The Board has appointed a consultative group of Garrett County residents to advise the Board on matters related to the development of the Marcellus Shale. One of the undertakings of this group will be to assist the Board and County Staff to identify challenges and put controls and protective measures in place to minimize potential for harm to the County residents and our environment. We strongly believe that the County’s advisory group could add value with the development of final MDE environmental and regulatory compliance guidelines.

The Board would also like to take this opportunity to go on record as supporting the requirement that any entity engaging in “fracking” in Garrett County would be required to identify and list any/all chemicals and substances used in the process as a mandated condition prior to the onset of actual drilling.

While the Board of County Commissioners supports the safe and responsible development of the Marcellus Shale, we do not propose or support changes to the proposed regulations that would put residents at risk or increase risk of environmental damage. In fact, the Board looks forward to working closely with MDE Staff to

develop and put in place regulations, controls, and protective measures that will insure that, if development of the Marcellus Shale is permitted, it is done in a safe and responsible manner.

In closing, the Board would like to express our appreciation for your diligent work and concerted effort on this issue.

Respectfully,



Paul C. Edwards, Chairman



James C. Hinebaugh, Jr.



S. Larry Tichnell

cc: Governor Larry J. Hogan, Jr.
Senator George C. Edwards
Delegate Wendell R. Beitzel

