

# Susquehanna River Basin Commission

*a water management agency serving the Susquehanna River Watershed*



October 8, 2008

## Re: Revised Notice of Determination for Natural Gas Well Development Projects

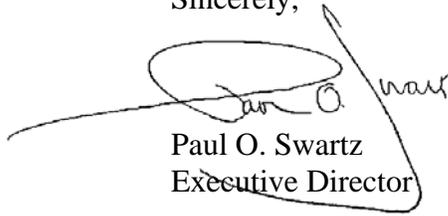
This is to notify you that the Notice of Determination for Natural Gas Well Development Projects (determination) issued on August 14, 2008, is being reissued today with certain modifications and is similarly effective as of October 15, 2008. A copy of the revised determination is attached.

Specifically, the revised determination includes the following changes:

1. The determination is more narrowly focused on the Marcellus and Utica shale formations, and the earlier reference to “other shale formations” has been removed. The extent to which the Susquehanna River Basin Commission (Commission) intends to regulate natural gas development projects targeting “other shale formations” will be addressed in the Commission’s proposed rulemaking process now underway. That process will afford an appropriate opportunity to add definitional provisions related to unconventional shales and, in so doing, add clarity to the original intent.
2. As a point of clarification, the revised determination speaks to projects targeting the Marcellus and Utica shale formations “for gas exploration or extraction,” which was the original intent.
3. The revised determination also clarifies that water withdrawn prior to October 15, 2008, below current regulatory thresholds and staged on-site may be used after that date for hydrofracture treatment in conjunction with an Approval by Rule or other approval issued by the Commission for such project.
4. The proposed rulemaking contemplated in the August 14, 2008, determination was approved by the Commission at its meeting on September 11, 2008. The revised determination references that action and provides additional details concerning the public hearings and comment period associated with that proposed rulemaking.

If you have any questions concerning the revised determination, please contact Michael G. Brownell, Chief of the Water Resources Management Division, at (717) 238-0423.

Sincerely,

A handwritten signature in black ink, appearing to read "Paul O. Swartz", is written over a printed name and title. The signature is stylized with a large loop and a long horizontal stroke extending to the left. The printed text below the signature reads "Paul O. Swartz" and "Executive Director".

Paul O. Swartz  
Executive Director

Attachment

cc: SRBC Commissioners