**Corresponding Contract's Information: C/O Omega R. Wilson**
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April 3, 2012

**Official Administrative Complaint(s) and Public Comment(s)**

**Regarding: DRAFT of North Carolina Oil and Gas Study under Session Law 2011-276** (Prepared by the N.C. Department of Environment and Natural Resources, North Carolina Department of Justice, North Carolina Department of Commerce, and Rural Advancement Foundation International-USA). The 444 page report was prepared for consideration and approval by the North Carolina General Assembly by June 2012. The report has received overwhelming opposition in three public hearings attended by hundreds of citizens and land owners. Access the document on line at:
(http://portal.ncdenr.org/c/document_library/get_file?p_l_id=1169848&folderId=4241819&name=DLFE-49466.pdf).

Major Concerns: The preparers of the **DRAFT of North Carolina Oil and Gas Study under Session Law 2011-276** states: ***"DENR recognizes that questions remain about health impacts." "Study Limitations: To our knowledge, no comprehensive studies are currently available on the long--term impacts to health from hydraulic fracturing for natural gas, and DENR is not qualified to conduct such a study. ...These limitations carry over into the assessment of both potential economic and environmental impacts."*** (See pages 1-2).

As related to Environmental Justice intra/interagency incorporation, review, compliance/enforcement of under Title VI of the Civil Rights Act of 1964, the National Environmental Protection Act (NEPA), and related Federal laws, statutes, and treaties, this statement of limitations of knowledge raises urgent and valid questions about the ability of DENR and other preparers of the DRAFT to present a credible Final document to the N.C. General Assembly. State agencies should encourage the efficient **development of adequate capacity and infrastructure** for the management of hydraulic fracturing fluids, including the transportation, recycling, treatment and disposal of source water and hydraulic fracturing wastes under the following EPA and interagency public health statutes that do apply: Clean Air Act; Clean Water Act; Safe Drinking Water Act; Toxic Substance Control Act; Solid Waste and Emergency Response Programs; Resource Conservation and Recovery Act; Emergency Planning and Community Right-to-Know Act; Federal Insecticide, Fungicide, and Rodenticide Act; Federal Food, Drug, and Cosmetic Act; Freedom of Information Act; and Tribal Programs.

**The three state agencies (and one non-profit) who were directed by the legislature to prepare this 444-page document are addressed here:**

Dee Freeman, Secretary (Failed to address laws that protect environmental health)
N.C. Department of Environment and Natural Resources
1601 Mail Service Center
Raleigh, NC 27699-1601

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J. Keith Crisco, Secretary (Failed to address laws that protect consumer rights)
North Carolina Department of Commerce
4324 Mail Service Center
Raleigh, NC 27699-4324

Attorney General Roy Cooper (Failure to address laws that civil/human minority rights)
North Carolina Department of Justice
9001 Mail Service Center
Raleigh, NC 27699-9001

Scott Marlow, Executive Director (Failed to address laws that protect rural/agriculture resources)
Rural Advancement Foundation International - USA
PO Box 640
Pittsboro, NC 27312

**Official Administrative Complaint(s):** The Federal and State Agencies addressed here are directly involved in the outcome of the North Carolina General Assembly legal and constitutional obligation to protection the citizens, taxpayers, voters, and their Environmental and public health and sustainable quality of life. The is submitted in order all of these agencies promptly exercise their constitutional obligation to incorporation and inclusion of Environmental Justice, Title VI of the Civil Right Act of 1964, the National Environmental Protection Act (NEPA), and related federal statutes that protection vulnerable populations in the State of North Carolina against immediate and long-term consequences of Oil and Gas Hydraulic Fracturing.

President Barack Obama
The White House
1600 Pennsylvania Avenue NW
Washington, DC 20500

Eric Holder, U.S. Attorney General
U.S. Department of Justice
P.O. Box 7611
Ben Franklin Station
Washington, DC 20044-7611

Governor Beverly Perdue
Office of the Governor
116 West Jones Street
Raleigh, North Carolina 27603

Lisa P. Jackson, Administrator
U.S. Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

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Gwendolyn Keyes Fleming, Regional Administrator
U.S. Environmental Protection Agency – Region 4
61 Forsyth Street, S.W.
Atlanta, GA 30303-8960

Nancy Sutley, Chair
White House Council on Environmental Quality
The White House
1600 Pennsylvania Avenue NW
Washington, DC 20500

Tom Vilsack, Secretary
U.S. Department of Agriculture
1400 Independence Avenue, SW
Washington, D.C. 20250-9430

Secretary Kenneth L. Salazar
U.S. Department of the Interior
1849 C Street NW
Washington, DC 20240

Secretary John E. Bryson
U.S. Department of Commerce
1401 Constitution Ave., NW
Washington, D.C. 20230

Secretary Hilda L. Solis
U.S. Department of Labor
Frances Perkins Building
200 Constitution Ave NW
Washington DC 20210

Secretary Kathleen Sebelius
U.S. Department of Health & Human Services
200 Independence Avenue, S.W.
Washington, D.C. 20201

Secretary Shaun L.S. Donovan
U.S. Department of Housing and Urban Development
451 7th Street S.W.
Washington, DC 20410

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Secretary Ray LaHood
U.S. Department of Transportation
1200 New Jersey Avenue, SE
Washington, DC 20590

Secretary Steven Chu
Department of Energy
1000 Independence Ave. SW
Washington DC 20585

Secretary Arne Duncan
Department of Education
Department of Education Building
400 Maryland Ave, SW
Washington, DC 20202

**Regarding Public Comment: DRAFT of North Carolina Oil and Gas Study under Session Law 2011-276** (Prepared by the N.C. Department of Environment and Natural Resources, North Carolina Department of Justice, North Carolina Department of Commerce, and Rural Advancement Foundation International-USA)
**These comments and formal request to all of the above federal and state agencies is written and submitted in support of the citizens and taxpayers of North Carolina by: Omega R. Wilson and Elaine Chiosso, Co-Chairs of the North Carolina Research Triangle Environmental Collaborative's Environmental Inequities/Environmental Justice Workgroup (EI/EJWG).**

**#1. Action(s) Requested**: The N.C. Department of Environmental and Natural Resources (DENR), North Carolina Department of Justice, and North Carolina Department of Commerce fully incorporate the National Environmental Protection Action (NEPA), Title VI of the Civil Right Act of 1964, and Federal Environmental Justice Strategies of 18 branches of Federal government into the proposed DRAFT **North Carolina Oil and Gas Study under Session Law 2011-276** prior to its submission to the North Carolina State Legislature for review and voting in June 2012. This would also include Federal and state interagency coordination guidelines and operating procedures with funding appropriations identified, per the necessary collaboration and involvement of federal, state, district/regional, county, and local government level with the responsibilities of protecting and serving the environmental health, public health, and welfare of North Carolina citizens, schools, institutions, faith based organizations, businesses, and tourists/visiting guests. This full incorporation must include the "*DENR 2009-2013 Strategic Plan (July 31, 2009)*", that was approved under the signature of Governor Beverly Purdue, without Title VI of the Civil Right Act of 1964, and Federal Environmental Justice Strategies of 18 branches of Federal government. DENR senior staff has been involved in workshop, training, and developmental discussions with Federal agencies on environmental justice and Title VI of the Civil Rights Act of 1964 and existing Federal laws, statutes, and treaties. This blatant disregard, lack of concerns for, and/or

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compliance and enforcement of federal laws, statutes, and treaties at the state, district/region, county, and local governments places the rights and welfare of North Carolina residents, property owners, taxpayers, and voters at undue environmental health, public health, and economic risks. (Access the "*DENR 2009-2013 Strategic Plan (July 31, 2009)*" online at: (http://portal.ncdenr.org/c/document_library/get_file?p_l_id=1169848&folderId=68499&name=DLFE-17762.pdf)

**Environmental Justice Strategies,** under Title VI of the Civil Rights Act of 1964, NEPA, and other constitutional law and statutes, specifically address the fair treatment and meaningful involvement of all people regardless of race, color, national origin, tribal populations, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies. (http://www.epa.gov/environmentaljustice).

## UNDERGROUND INJECTION CONTROL (UIC) PROGRAM

*Under the Underground Injection Control (UIC) program, there may be opportunities to protect drinking water for minority, low-income, and indigenous populations through permit conditions, scrutiny of aquifer exemptions, and revisions to rules and guidance.*

*Under the UIC program, the Administrator must establish requirements for state UIC programs that will prevent the endangerment of drinking water sources by underground injection. EPA has promulgated a series of such requirements beginning in 1980. The SDWA also provides that states and eligible tribes may apply to EPA for primary enforcement responsibility ("primacy") to administer the UIC program. EPA must establish a UIC program in states that do not seek this responsibility or fail to meet the minimum requirements established by EPA. EPA also generally implements the program in Indian country since only two tribes currently have primacy for the program.*

A. ***Permitting:*** *Underground injection must be authorized by permit or rule. Where EPA issues a permit, it may include conditions to protect drinking water for minority, low-income, and indigenous populations. The SDWA provides that EPA can deny permits or establish permit limits where such injection may "endanger" public health. "Endangerment" is defined to include any injection that may result in the presence of a contaminant in a drinking water supply that "may . . . adversely affect the health of persons."*[105] *As a result, in those states, territories, and federal lands where EPA issues UIC permits, EPA may establish any necessary permit requirements under 40 C.F.R. § 144.52 when EPA finds that injection activity may result in drinking water supply contamination that may adversely affect the health of persons, including minority, lowincome, and indigenous populations. Based on its analysis of the effect of Executive Order 12898, the Environmental Appeals Board (EAB) has considered the scope of EPA's authority to address environmental justice in the UIC permitting program.*[106] *Notably, in the Envotech, L.P. decision, the EAB recognized that under the UIC permitting program EPA may expand public participation and exercise its discretion under the SDWA to "impose on a case-by-case basis, permit conditions 'necessary to prevent the migration of*

*fluids into underground sources of drinking water'" in order to protect underground sources of drinking water "upon which the minority or low-income community may rely."*

*EPA may impose permit conditions on a case-by-case basis to ensure that proposed injection wells do not threaten the drinking water of minority, low-income, and indigenous populations. EPA's authority applies in all cases, "regardless of the composition of the community surrounding the proposed injection site."*[108] *Nevertheless, in response to an environmental justice concern, the EAB has stated EPA may and "should, as a matter of policy, exercise its discretion under 40 C.F.R. § 144.52(a)(9) to include within its assessment of the proposed well an analysis focusing particularly on the minority or low-income community whose drinking water is alleged to be threatened."* See online EPA Plan EJ 2014: Legal Tools Pages 41-42 at (http://www.epa.gov/compliance/ej/resources/policy/plan-ej-2014-ej-legal-tools.pdf)

This includes **Vulnerable Populations** – the uninsured, the poor, the elderly, children, those living with mental or physical disabilities, racial and ethnic minorities, and the terminally ill. The vulnerability that these groups experience usually can be attributed to one or some combination of three factors: economic status or geographic location; health, functional, or developmental status; or ability to communicate. *President's Advisory Commission on Consumer Protection and Quality in the Health Care Industry Quality First: Better Health Care for All Americans Report (2008)* (http://www.hcqualitycommission.gov/).

NOTE: President Barack Obama's "*Memorandum of Understanding on Environmental Justice and Executive Order 12898 (August 2011)*" (See attachment). The following are quotes from the Federal MOU:

> ***WHEREAS**, Executive Order 12898 requires each covered agency to "make achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations," Reports and other efforts, each Federal agency will identify and address, as appropriate, any disproportionately high and adverse human health or environmental effects of its programs, policies and activities on minority populations and low-income populations, including, but not limited to, as appropriate for its mission, in the following areas: (1) implementation of the National Environmental Policy Act; (2) implementation of Title VI of the Civil Rights Act of 1964, as amended; (3) impacts from climate change; and (4) impacts from commercial transportation and supporting infrastructure ("goods movement"). These efforts will include interagency collaboration. At least every three (3) years, the Interagency Working Group will, based in part on public recommendations identified in Annual Implementation Progress Reports, identify important areas for Federal agencies to consider and address, as appropriate, in environmental justice strategies, annual implementation progress reports and other effort.*

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***WHEREAS**, Executive Order 12898 applies to the following agencies: the Department of Agriculture, Department of Commerce, Department of Defense, Department of Energy, Department of Health and Human Services(HHS), Department of Housing and Urban Development, Department of the Interior, Department of Justice, Department of Labor, Department of Transportation, and the Environmental Protection Agency. The Order applies to the following offices in the Executive Office of the President: Office of Management and Budget, Office of Science and Technology Policy, Office of the Deputy Assistant to the President for Environmental Policy, Office of the Assistant to the President for Domestic Policy, National Economic Council, and Council of Economic Advisers. The Order also applies to other agencies and offices as the President may designate, Executive Order 12898, sec. 1-102, 6-604 (Feb. 11, 1994). The agencies and offices that are listed in section 1-102 or designated by the President under section 6-604 of the Order are referred to herein as "covered agencies" and "covered offices," respectively, and...*

(NOTE: A complete list of the 18 federal agencies signing this "*Memorandum of Understanding on Environmental Justice and Executive Order 12898 (August 2011)* are listed on this attached document. Each Federal agency has its legal counterpart in North Carolina, approved and staffed by the North Carolina State Legislature, and funded with federal and state tax resources. Example of course: U.S. Environmental Protection Agency and counterpart N.C. Department of Environmental and Natural Resources (DENR); U.S. Department of Justice (DOJ) and counterpart North Carolina Department of Justice; U.S. Department of Commerce and counterpart North Carolina Department of Commerce; U.S. Department of Transportation and counterpart N.C. Department of Transportation; U.S. Health and Human Services (HHS) and counterpart North Carolina Department of Health, etc. The DOJ is a lead agency in writing the "*Memorandum of Understanding on Environmental Justice and Executive Order 12898 (August 2011)* with interagency coordination, review, and annual reporting. See an online report of the U.S. Department of Justice's Environmental Justice Strategy (February 2012) (http://www.epa.gov/fedrgstr/eo/eo12898.pdf)

**#2. Actions Requested:** This formal administrative complaint(s) to several Federal agencies to insure that **#1. Action(s) Requested** is carried out according to constitutional laws, statutes, and treaties: The U.S. Department Justice (under federal laws and statutes), U.S. Environmental Protection Agency (under public health statutes), U.S. Department of Transportation (under intra and interstate "goods movement" on local road, highway corridor, and air, marine, and rail ports), U.S. Department of Energy (under federal statutes for environmental and human safely in mining, refining, labeling, transporting, storing, waste disposal, and wholesale/retail/international sale energy/fuels), U.S. Department of Agriculture (under federal laws and statutes that protect North Carolina agricultural resources includes air, water, soil and human capital), U.S. Department of the Interior (under laws and statutes that protects North Carolina's natural resources and heritage, honors our cultures and tribal communities, and supplies the energy to power our

future), and U.S. Department of Labor (under statutes that insure up-to-code workplaces, environmental safety, and employee health insurance, and liability for emergency, chronic, and catastrophic injuries and sick to non-employee health), and the U.S. Department of Health and Human Services (under statutes that insure up-to-code medical facilities to treat employees with health insurance, and liability for emergency, chronic, and catastrophic injuries and sickness to under-insured, and non-employees, and Native American populations). See Glossary Terms taken from the U.S. Department of Health and Human Services' Environmental Justice Strategy (February 2012) (http://www.hhs.gov/environmentaljustice/strategy.pdf) pages 64-72.

**#3. Actions Requested:** Request that U.S. Environment Protection Agency Headquarters (Washington, DC) and U.S. Environment Protection Agency Region 4 (Atlanta, GA) not renew the North Carolina Memorandum of Agreement on primacy for the Underground Injection Control (UIC) Program for all classes of injection wells. Renewal would take place only after **#1, #2, and #3 Action(s) Requested** are addressed, reviewed by parties submitting these "administrative complaints", with legal counsel, written legal clarity for public release, and before actions by the North Carolina General Assembly. The **DRAFT of North Carolina Oil and Gas Study under Session Law 2011-276** document stated that the U.S. Environment Protection Agency has yet to sign, authorize, and released a current North Carolina **"primacy"** or "states' rights" MOU for Underground Injection Control (UIC) that is necessary for gas and oil hydraulic fracturing in/on land and water ways under the domain of North Carolina state laws. Until the MOU is signed and released to North Carolina, it is understood that UIC necessary for gas and oil hydraulic fracturing remains under the authority and control of the U.S. Environment Protection Agency with interagency review and coordination with 17 other branches of the Federal government. See page 47 of the **DRAFT of North Carolina Oil and Gas Study under Session Law 2011-276: "*UIC: The 1984 Memorandum of Agreement between EPA and North Carolina for the UIC Program is attached. The state applied for renewal of its UIC primacy in 2002, but EPA is still reviewing the application. The 2002 Memorandum of Agreement is also attached, but has not been signed by EPA.*"**

**#4. Actions Requested:** U.S. Department of Health and Human Services in coordination with the N.C. Department of Health, under Environmental Justice, Title VI of the Civil Rights Act of 1964, NEPA, and Federal/state interagency coordination/review/reporting address the following areas as they relate to the **DRAFT of North Carolina Oil and Gas Study under Session Law 2011-276** and related to: **Community Health Assessment, Cumulative Impacts, Cumulative Environmental Exposure, Multiple Environmental Exposure, Environmental Hazard, Disproportionately high and adverse environmental effects, Disproportionately high and adverse human health effects, Environmental Assessment, Environmental Impact Statement (EIS/FEIS/ROD), Environmental Stressors, Health Disparities, Health Impact Assessment (HIA), Public Health Assessment, HHS Action Plan to Reduce Racial and Ethnic Health Disparities, HHS Strategic Sustainability Performance Plan (SSPP), National Health Security Strategy (NHSS), National Prevention Strategy, Occupational Safety and**

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**Health, and Freedom of Information Act, with Fair Treatment and Meaningful Involvement** with impacted and at risk low-income, minority, and tribal populations. See the HHS Glossary of Term at the end of these Public Comment(s)/Administrative Complaint(s). See the online U.S. Department of Health and Human Services' Environmental Justice Strategy (February 2012) in entirety (http://www.hhs.gov/environmentaljustice/strategy.pdf).

**#5. Actions Requested:** That **#1, #2, #3, and #4 Action(s) Requested** incorporation EPA's National Environmental Justice Advisory Council's (NEJAC) Recommendations of Goods Movements adopted July 2010: *"Reducing Air Emissions Associated With Goods Movement: Working Towards Environmental Justice"*. In additional to the environmental health hazard, public health risks/exposures, the costly and unbudgeted expenses (for local, county, district/regional, and state government agencies) documented in states with existing gas and oil hydraulic fracturing and underground injection, these industries use heavy "goods movement" equipment that destroys roads, highways, bridges, and impedes safety access to homes, schools, churches, mail delivery, police and ambulance response, and general damages to personal, business, and recreational vehicles. The EPA Goods Movement Recommendations address the environmental standards of vehicles used for intra/interstate movement and shipping of raw and refined gas and oil products on local road, highway corridor, and air, marine, and rail ports as well and intermodal vehicular employment. See EPA Goods Movement Recommendation online at (www.epa.gov/environmentaljustice/resources/publications/nejac/2009-goods-movement.pdf)

**#6. Actions Requested**: Establish a bi-partisan "transparency and accountability" panel in order to determine current elected officials and those running for local, county, state, and federal positions representing citizens, taxpayers, and voters of North Carolina who have received campaign contributions from gas and oil industry agencies. This is necessary in order to comply with existing Federal and state open/public records, "sunshine", and election laws and statutes.

**#7: Actions Requested:** The U.S. Department of Justice, U.S. Environmental Protection Agency, and all 18 Federal agencies signing President Barack Obama's *"Memorandum of Understanding on Environmental Justice and Executive Order 12898 (August 2011)"* seek fully incorporate the National Environmental Protection Action (NEPA), Title VI of the Civil Right Act of 1964, and Federal Environmental Justice Strategies into written mission statements and operation guidelines of all North Carolina colleges and university as "*recipients*" of federal fund. Many of these institutions of higher education also regularly participate in federal funded research the impacts low-income, minority, and tribal areas with serious questions regarding protecting residents' confidentiality, corrective actions based upon study results, fair sharing of data with impacted communities, income from publications without shared equity of incomes/proceeds with grassroots community organizations repeated sought out to assist with numerous projects, no parity in managing research projects with impacted community organizations, lack of faculty/staff/student diversity representative of impacted communities, and general

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attitude of data collection in order to access millions of dollars in federal grants to support advancement of individual college/university faculty careers. Colleges and university in North Carolina are currently involved in research studies on policy issues raised in **DRAFT of North Carolina Oil and Gas Study under Session Law 2011-276:**

**#8: Actions Requested**: North Carolina Research Triangle Environmental Collaborative's Environmental Inequities/Environmental Justice Workgroup (EI/EJWG) organize and facilitate information and training sessions on environmental inequities and environmental justice disparities in North Carolina and related EPA, NEPA, and Title VI of the Civil Rights Act of 1964 laws for preparers of this **DRAFT of North Carolina Oil and Gas Study under Session Law 2011-276** and committee members of the North State Legislature prior to submission, action, and voting. This would include delay of any legislative votes until after the EPA final 2014 study is completed on the impacts on environmental health, public health, and economic and social stressors. EPA expects to release its preliminary finding in late 2012 and complete the study is due in 2014. EPA current budget includes $14-million to support continued research on the impact to human health and sustainable environmental quality from the chemical and built/industry of gas and oil hydraulic fracturing and underground injections wells. The short and long-impacts have real and not yet determined adverse effects on humans, ecosystems, air, water, soil, watersheds, river basins, and coastal outlets.

**Historic Context:** The Environmental Justice Movement started in Warren County, North Carolina, and is now an ever-expanding worldwide movement to protect low-income, minority, and indigenous populations and their lands, cultures, and improve their quality of life in the face of rapidly growing industries. Warren County exposure to deadly chemical pollutants was the result of county and state law makers, led by North Carolina Governor Jim Hunt, that intentionally evaded constitutional laws to adversely and disproportionately impact the environmental health and public health low-income and minority citizens, taxpayers, and voters. (See details in weblink: http://en.wikipedia.org/wiki/Warren_County_PCB_Landfill).
Nearly forty years later, those Warren County residents and their descendants and the State of North Carolina are still suffering from this historic legacy of injustice. We urge Governor Beverley Perdue to not repeat this history of Governor Jim Hunt Administration's December 20, 1978, announcement that "*public sentiment would not deter the state from burying the PCBs in Warren County,*"... Only months after Gov. Beverly Perdue vetoed a bill that would have allowed test drilling for natural gas in 12 counties she announced, after returning from a tour hosted by the gas industry in Pennsylvania, that it is her belief drilling, hydraulic fracturing, and underground injection for gas and oil "*can be done safely*" in North Carolina, and without Federal agency protections.

The writers of these public comments and administrative complaint(s) strongly believe that if correct, and proactive legal actions are not promptly implemented at the state and federal levels, North Carolina is doomed to repeat this failure to protect its citizens through

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constitutional avoidance, and blatant discrimination on issues involving hydraulic fracturing and underground injection with the proposed North Carolina Oil and Gas Study/Law under Session Law 2011-276. This will be a clear indication that North Carolina lawmakers are not interested in learning from its history of intentionally failing to protect the rights of its own citizens, voters, and taxpayers without federal interventions. North Carolina has grown in technology and financial advancement, yet environmental inequities and injustice continue.

**North Carolina Impacted Areas**: North Carolina's population was 9,656,401 on July 1, 2011 and ranked the tenth most populated state in the United States; North Carolina's impact areas including population in twelve counties with a total of 1.6-million people (17% of the state population) and estimated minority population of 504,000 residents of over 3-million African American, Native American, Hispanic/Latino, Asians, and other minority populations and multi-racial persons (38.5% of state population).

Included are at least twelve counties in the study areas with potential of impact from Hydraulic Fracturing (fracking) and Underground Injection. This does not include counties impacted by heavy vehicular traffic. The Deep River is a 150-mile-long rift basin that runs from Granville County southwestward across Durham, Orange, Wake, Chatham, Lee, Moore, Montgomery, Richmond, Anson and Union counties into South Carolina. The basin is subdivided into three sub-basins: Durham, Sanford and Wadesboro. The Ellerbe Basin in Richmond County has been interpreted as an erosional remnant of the larger Deep River Basin. The Dan River Basin is the North Carolina portion of continuous rift basin that extends from Stokes County northwest across Rockingham County and into Virginia. In Virginia, the basin is called the Danville. Cape River basin, Dan and Deep River (North Carolina and South Carolina), Pee Dee Drainage Basin and Santee Drainage Basin. The areas these basins are: Davie – 20.04 square miles, Dan River – 152.02 square miles and Deep River – 1,211.07 square miles. (See page 15 of **DENR DRAFT of North Carolina Oil and Gas Study under Session Law 2011-276**). Along this path the component formations underlie portions of several major surface water drainage areas including the Upper Pee Dee, Lower Pee Dee, Lumber, Deep, Upper Cape Fear, Haw, Upper Neuse and Upper Tar sub---basins. The Sanford and Durham sub---basins lie north of the divide within Chatham, Durham, Granville, Lee, Moore, Orange and Wake counties. South of the divide, the Wadesboro sub---basin lies within Anson, Montgomery, and Richmond counties.

North Carolina's planned gas and oil industry drilling, mining, refining, transporting, solid/chemical waste, and national and international distribution must meet higher standards than have been seen anywhere else this industry is operating in order to protect the environmental, human, and economic capital underpinning it agricultural heritage, diverse rural environments, and expanding urban areas. The qualities of these resources are necessary for planned growth that attracts new residents, business/industry, and tourists. See EPA's Smart Growth and Environmental Justice Strategy,
(http://www.epa.gov/smartgrowth/pdf/2012_0208_creating-equitable-healthy-sustainable-communities.pdf).