

House Bill 393
Sponsor Testimony – Rep. Michael O’Brien
House Energy and Natural Resources Committee
Tuesday, November 28, 2017

Chairman Landis, Vice Chair Hagan and distinguished members of the Energy and Natural Resources Committee. Thank you for the opportunity to provide sponsor testimony on [HB 393](#) with my joint sponsor, Representative Anthony DeVitis.

Our bill allows for brine, used in vertical oil and gas well production, to be sold for deicing and other applications, such as dust suppression and sanitation of portable toilets.

Brine produced from “vertical” wells, unlike brine produced from “horizontal” fracking wells, is a substance containing salt, and low levels of oil and natural gas. The “vertical” well brine can be recycled as per ODNR regulations and can be used for snow and ice control by local governments at potential savings.

The bill contains three requirements that serve as safety devices ensuring for a non-toxic recycling and effective use of natural brine:

- 1) Documentation that the Ohio Department of Transportation has approved the recycled product for effective deicing and snow control.
- 2) Documentation that the recycled product, with or without a corrosion inhibitor, is listed on the most recent pacific northwest Snowfighters qualified product list.
- 3) Documentation from a private certification entity approved by the Ohio Department of Transportation.

Ohio law permits raw brine to be spread on the road today with complete oversight and reporting by ODNR. The passage of this legislation will provide a more ecofriendly solution by requiring the recycling process to filter out any natural toxins that may occur in the raw brine. The processing of the brine into the finished product, known as AquaSalina, contains a 7-10% mixture of sodium chloride, magnesium chloride, potassium chloride and calcium chloride. This is a safer and less corrosive compound than rock salt and is a qualified product for use by the Clear Roads group – consisting of 34 state Departments of Transportation including Ohio.

The language in [HB 393](#) encourages others to find ways to recycle, process and reuse raw brine rather than spreading it across Ohio or simply disposing of it in a Class II injection well. We need to encourage this kind of activity across Ohio not add additional regulatory burdens when there is no clear reason to do so.

Thank you, Chairman Landis and members of the committee, for allowing me to speak to this legislation. Rep. DeVitis and I are happy to answer any questions at this time.