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Committees:

- Finance – *Ranking Minority Member*
- Civil Justice – *Ranking Minority Member*
- Agriculture
- Criminal Justice
- Finance – General Government Subcommittee
- State Government and Reform

Before the Senate Energy & Natural Resources Committee
Senate Bill 47 – Statewide Brine-Injection Well Ban
Sponsor Testimony by Senator Michael J. Skindell
May 11, 2016

Chairman Balderson, Vice Chairwoman Jones, Ranking Member Gentile and members of the Senate Energy & Natural Resources Committee, thank you for the opportunity to provide sponsor testimony on Senate Bill 47. This legislation specifically prohibits injecting brine or other waste substances resulting from, obtained from, or produced in connection with oil or gas drilling, exploration, or production into an underground formation. It also prohibits the Chief of the Division of Oil & Gas Resources from issuing a permit for such practices. I introduced this bill in the 130th General Assembly as SB 178. There are serious concerns to be addressed about the toxic hydraulic fracturing waste being injected into the ground.

The toxic chemicals used in these injection wells are said to include radioactive materials from the shale, as well as chemicals from the initial fracking process. These chemicals can flow into underground waters and seep into water aquifers, contaminating it and causing harm to nearby wildlife and residents.¹ Records show that wells drilled to bury this waste have repeatedly leaked, allowing these chemicals to flow into the underground.²

An examination in 2012 found that, "...amid growing use of Class II wells, fundamental safeguards are sometimes being ignored or circumvented. State and federal regulators often do little to confirm what pollutants go into wells for drilling waste. They rely heavily on the honor system in which companies are supposed to report what they are pumping into the earth, whether their wells are structurally sound and whether they have violated any rules."³

The large amount of oil and natural gas drilling in Ohio and neighboring states has raised important questions about the lasting effects of this waste. Regulations currently lag behind the

¹ http://catskillcitizens.org/learnmore/OHIO_FACT_SHEET_6-10-13.pdf

² <http://www.nytimes.com/2013/03/29/us/wastewater-disposal-wells-proliferate-along-with-fracking.html>

³ http://www.huffingtonpost.com/2012/09/20/wastewater-injection-wells_n_1901633.html

speed at which the toxic waste is produced, causing much uncertainty for the well-being and safety of the people and wildlife. As more and more wells are being created and used, there have been a series of small earthquakes⁴. These too, raise questions as to the safety of injection wells.

Ohio takes more than half of Pennsylvania's waste material, indicating that at least 19 million cubic feet of solid material could potentially be sent to Ohio for disposal.⁵ Fracking waste is also coming into Ohio from West Virginia. Reports from the US Geological Survey showed that waste imported to Ohio for disposal from Pennsylvania contained radium-226, a radioactive material that is potentially fatal.⁶ Additionally, recent sampling results from the Ohio Department of Natural Resources found alarming levels of environmental toxins at Class II injection well sites in Ohio, including high levels of benzene, a known carcinogen.⁷ Despite these studies, the full extent of the public health threat from fracking waste remains unknown.

This bill would ban Class II injection wells, stopping the potentially harmful effects on our state. Current regulations are simply not enough to protect the people from the toxic chemicals being dumped underground on a daily basis.

Chairman Balderson, Vice Chairwoman Jones, Ranking Member Gentile and members of the Senate Energy and Natural Resources Committee, I would be happy to answer any questions relating to this matter.

⁴ http://www.cleveland.com/business/index.ssf/2012/03/shale_gas_drilling_caused_smal.html

⁵ http://catskillcitizens.org/learnmore/OHIO_FACT_SHEET_6-10-13.pdf

⁶ <http://www.nytimes.com/2011/02/27/us/27gas.html>

⁷ http://switchboard.nrdc.org/blogs/amall/state_oil_and_gas_inspections.html