



**LEAGUE OF WOMEN VOTERS®  
OF OHIO**

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**LWVO Written Testimony on  
Senate Bill 165 - BRINE SALE REQUIREMENTS  
Peggy Berry, Environmental Specialist  
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Senate Energy and Natural Resources Committee  
March 21, 2018**

The League of Women Voters of Ohio is offering testimony as an interested party because SB165 needs improvement. In its current form, this bill will encourage the use of brine without appropriate health safeguards prior to selling this product. Caution should be exercised because the long-term health effects of this artificial brine are not yet fully known. Brine production aerosolizes the remaining chemicals and radiation. The bill appears to add little, if anything, to regulating the process. Most importantly, the legislation should be more specific regarding vital elements of regulation.

The legislation must be more specific regarding what chemicals are permitted and what chemicals are not permitted.

The supplier can choose any of several sources to verify material safety. This procedure apparently does not eliminate the potential for either radioactivity or heavy metals to be contained in the recycled brine. In particular, radiation in Ohio is regulated by the The Bureau of Environmental Health and Radiation Protection of the Ohio Department of Health. This bureau should provide requirements for radioactivity testing to include in this legislation and perform the appropriate tests.

The appropriate agencies of state government should regulate the process

The legislation provides tasks for a 'chief', but does not state which office this chief directs. Since the main concerns about recycled brine are environmental, OEPA is the appropriate choice. Choosing ODOT would be bad policy, since their concern is only whether the brine will melt ice.

Reporting requirements must be strengthened

Line 37 is permissive: 'the chief may establish reporting requirements'. We recommend changing 'may' to 'shall', which also should be done for sample collection (line 40). In

addition, the bill unnecessary limits the number of samples to four. The number should be sufficient to be representative of the material.