

Honorable Chairman Kick, Vice Chair Lear, Ranking Member Rogers and other members of the House Energy and Natural Resources Committee:

My name is Donald Mennel and I am the mayor of Fostoria, Ohio. Prior to becoming mayor I was the fourth generation leader of The Mennel Milling Company headquartered in Fostoria. My family is invested in Fostoria and it is our home town.

As we all know, Ohio is the “Heart of it All”. This motto has been used to attract businesses to Ohio. The Ohio Department of Development has poured millions of dollars into investments to attract business. All of you in the legislature have passed laws enabling businesses to flourish in Ohio. Ohio’s strategic advantage is that it lies within 500 miles of two-thirds of the population of North America. Not just the United States, but Canada as well.

You have been successful in attracting Intel and there is talk of Ohio becoming the Silicon Valley of the East. Ohio ranks in the top three in automotive manufacturing and is luring alternative energy companies. This is all well and good, but it also cuts the other way.

Ohio has become a very attractive state in which to locate landfills, especially landfills located on rail which bring in trash and construction debris from the East Coast. Ohio currently has four of these landfills. They are located in Jefferson, Lucas, Perry and Seneca Counties. Three of these landfills are owned by venture capital companies, and two are owned by the foreign venture capital firm McQuarrie from Australia.

WHAT IF the four landfills expand to eight in the next decade? Does Ohio want to be the dumping ground for East Coast trash and construction debris?

Take a look at the Ohio Rail Map and Guide to Railroad-Driven Economic Development published by the Ohio Rail Development Commission. Ohio is very well served by both Class I Railroads and short line railroads. The state of Ohio is open for business and the state is ripe for the development of rail served landfills.

OR, WHAT IF the catastrophic events at East Palestine, Ohio, were not the result of a train derailment, but of a rail served landfill leaking contaminated water into a City's drinking water? Who will pay to drill deep wells to find an alternative water supply for the City?

AND, WHAT IF the owner of the rail served landfill declares bankruptcy and walks away from the operation. Does the Ohio EPA have the resources to oversee and pay for a major clean up operation. Such a clean up could well exceed the largest brown field cleanups in the state and look how long it has taken to clean those up.

McQuarie Partners, the owner of the landfills in Perry and Seneca Counties is the same venture capital firm that leased the Indiana Turnpike for 75 years only to declare bankruptcy after eight years and walk away turning the turnpike back to the state of Indiana minus seven years of maintenance.

Take a look at the corporate structure of Win Waste Solutions. The layers of corporations would make it extremely difficult to pierce the corporate veil to get any money from the true owners of the landfill. Ohio would be stuck with all clean up costs.

Fostoria is a small town and receives all of the pain and none of the benefits from the landfill which is four miles south of town. Each and every railcar of trash or construction debris makes the turn from the east – west rail line to the north – south rail line within the city limits moving at a speed of five miles per hour

through residential neighborhoods with its stench, leaking water, and unsightly cargo each and every day.

For the above reasons, we are asking you to vote Senate Bill 119 out of committee and send it to the full House for a vote. This is not a request for our small town, it is a request for the entire state of Ohio.

Thank you for the opportunity to speak this morning.