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Sponsor Testimony

H.B. 562: Requiring Disclosure of Fracking Chemicals When Used in State Parks

Chair Hall, Vice-Chair Lear, Ranking Member Rogers, and esteemed members of the Ohio House Energy and Natural Resources Committee, thank you for the opportunity to provide sponsor testimony on House Bill 562 today.

Last January, House Bill 507 became law, mandating the Ohio Department of Natural Resources to permit fracking in Ohio's public lands and state parks. However, the Energy Policy Act of 2005 assigns the regulation of fracking largely to the states, leaving the federal government with no oversight over the process or the chemicals being used. This legislative gap places a substantial responsibility on us to ensure the safety and transparency of fracking operations in Ohio.

House Bill 562 aims to improve public safety and transparency by requiring the owners of fracking wells in or under state parks to disclose the chemicals they use. This is crucial because, as you may know, fracking, or hydraulic fracturing, involves injecting water, sand, and various chemicals at high pressure to extract natural gas and oil from wells in the ground. Fracking is most commonly used to extract oil and natural gas from shale rock, placing Ohio in the perfect position to take advantage of our geography. Shale rock can be found throughout Ohio and is a key feature of a number of our state parks and designated wildlife areas, like Salt Fork State Park and Zepernick Wildlife Area. While fracking has the opportunity to impact Ohio's energy independence and economic growth significantly, it has also raised substantial environmental and health concerns due to the chemicals involved.

This past year, a study conducted at the University of Chicago found that states requiring fracking companies to disclose the chemicals they use experienced less pollution by operators, fewer spills of fracking fluids and wastewater, and fewer hazardous chemicals being used for fracking than states with no disclosure requirements. The study examined water quality and the impact of fracking in 16 states, including Ohio, and found that mandatory disclosure of fracking chemicals correlates with better environmental outcomes and reduced risks to public health.

In Ohio, there have been over 1,400 fracking incidents between 2018 and 2023, ranging from gas releases to fires and explosions. These incidents underscore the need for greater transparency and accountability in the fracking industry. By requiring chemical disclosure, we can provide essential information to local communities and public safety officials while empowering Ohioans with the knowledge they need to make informed decisions about their health and the environment. Communities living near fracking sites,

Ohio taxpayers who own our state parks, and visitors to our state parks have a right to know what substances are being used and potentially entering their environment.

One important aspect of this legislation is that it requires the owners of fracking wells to disclose the trade name and chemical components of **ALL** products, fluids, and substances used in the drilling and operation of the well. In the past, gas and oil companies have tried to claim that the chemicals they use while fracking should be considered “trade secrets” or “confidential” thereby avoiding the public disclosure process. This has made it difficult for regulators and public safety officers to properly gauge the risks that fracking operations pose to both the environment and public health.

Furthermore, this bill would not make it any more difficult for companies to come to Ohio in the hopes of fracking for natural gas; it would simply require those well owners operating in state parks to disclose the chemicals they are using during the fracking process. As a result of this bill, we would expect to see improved water quality and fewer fracking pollutants in Ohioans’ water sources. Transparency in chemical usage can also drive companies to adopt safer practices and explore less harmful alternatives, fostering innovation in the industry and protecting our state parks.

Additionally, transparency can help build trust between the fracking industry and the public. Many Ohioans have expressed concerns about the potential health impacts of fracking. By disclosing chemical components, companies can demonstrate their commitment to operating responsibly and mitigating risks, resulting in better community relations.

I learned about the decision to allow fracking in our state parks while on a visit to Yellowstone National Park with my wife last summer. I was literally brought to tears when I saw for the first time Ole Faithful explode water and steam hundreds of feet into the air and the many other geothermal features within the park. That trip made me understand better than ever before how alive our earth is and was the impetus for this bill.

When our taxpayers paid for our parks, there was an implicit contract made with the government that they would be protected— that our posterity hundreds of years from now would be able to experience the parks in the same way that we can today. My daughter recently married a former student of mine. I pray that God blesses me with the gift of meeting my future grandchildren and I pray that they, their children, and grandchildren will be able to experience the parks as I have done with my children and wife over the years. This bill will play a role in answering my prayer.

I would like to thank my very able intern **Noah Turoff** for his assistance in writing this testimony. I urge you all to support House Bill 562 to ensure that we are protecting Ohioans and improving transparency. This legislation serves as a path to safeguard our state’s future, ensuring that our pursuit of energy independence and economic development does not compromise the well-being of our citizens or the integrity of our cherished public lands.

Thank you for your consideration.