

Good afternoon Chair Schaffer, Vice Chair Landis, Ranking member Hicks-Hudson, and the members of the Senate Agricultural and Natural Resources Committee. My name is DONALD KUHN and I am from Seneca County. I am here today to provide proponent testimony in support of SB 119 .

We have been suffering from the effects of waste-by-rail in our community for almost two decades. The citizens were never given a vote on the matter, and suddenly a rail spur appeared and we became a dumping ground for many other states. For years we have been told that there isn't anything anyone can do, because of the Interstate Commerce Clause. We all asked ourselves, why is "trash" considered "commerce" and why should a foreign investment company be allowed to negatively impact an entire county? Shouldn't the people here have a voice, and shouldn't our health and property rights matter? We were initially told that we were just getting construction and demolition debris—it was described as just wood and nails. Unfortunately, we discovered that construction and demolition debris is particularly dangerous due to the nature of these materials which contain toxic solvents, adhesives, pigments and coatings. Some of the common chemicals include ethylbenzene, methylene chloride and toluene. They all produce risks because landfills ultimately fail to contain the hazardous leachate they produce. The other problem was that gypsum drywall, when mixed with other solid waste and exposed to rain or snow, causes the breakdown of hydrogen sulfide gas. After a few years, we began to experience extremely high hydrogen sulfide gas levels that made it unbearable to live in our town. The problem became so extreme that people were able to smell the gas over 10 miles away. We couldn't sit outside, open our windows and eventually it seeped into our homes, our cars, nursing homes and even the hospital were all affected. The citizens started experiencing bloody noses, migraines, asthma attacks and respiratory disease. In 2018, The Attorney General's office got involved and started taking public statements on the health effects in the area. By 2019 another consent order was written. Unfortunately, they were given another pass in exchange for a settlement that didn't help our situation. The landfill gas is now burned off in a flare system that produces sulfur dioxide. Now we have high sulfur dioxide instead. It's another harmful gas.

The other problem we face is that a municipal solid waste permit in Ohio includes ALL solid waste. So we discovered that we weren't just getting construction and demolition debris, but we are also getting what is called "specialty waste" that includes industrial and residual waste, as well as contaminated soil and ash that are known to pose risks to human health. In 2017 our town received 456,000 tons of contaminated soil from Boston without any public notice. This, combined with the fact that waste is entering as shredded material, means the contents are unknown and untested. We have no way of knowing what is actually in the 75 leaking railcars that enter each day. The OEPA has admitted that they cannot provide the funding for necessary testing and oversight, even though our landfill brings in millions of dollars that go to the OEPA.