

Opponent Testimony HB 170

Establish a process to regulate carbon capture and storage technologies and the geologic sequestration of carbon dioxide for long-term storage.

Roxanne Groff Amesville, Ohio

Chairman Don Jones, Vice Chair Monica Robb-Blasdel, Ranking member Elgin Rogers Jr., Sedrick Denson, Tex Fischer, Mike Hiner, Adam Holmes, Mark Johnson, Ty D. Matthews, Lauren McNally, Tristan Rader, Jodi Salvo, Heidi Workman;

My name is Roxanne Groff and I reside in rural Athens County. In addition to my professional career as an audiologist, I spent twenty years as an elected official, 12 as Athens County Commissioner and 8 as a Bern Township Trustee. I am here today as an opponent of HB 170 and to ask you to answer the question what would **possess** you to want to give authority to the Ohio Department of Natural Resources Division of Oil and Gas for oversight of and make the rules for another class of injection wells in Ohio? In sponsor testimony, the lawmakers admitted they knew little about carbon sequestration and they would rely on the experts to tell them about the process and how safe the process is. Of course, they tell you how safe it is and how many jobs there will be. They are PAID to tell you that! I encourage you today to listen carefully and weigh the facts presented by those who have studied carbon sequestration or have been negatively affected by existing Class II oil and gas waste injection wells that are already operating throughout the Appalachian counties. WE are not paid to be here.

Representative McNally asked an excellent question in the hearing last week. "How many Class II and Class VI wells can we have before effects happen"? The answer to that is the effects are **already** happening. ODNR approved 4 Class II wells in Athens County between 2012 and 2016. Those 4 injection wells were recently ordered suspended and closed by DOGRM after migration of toxic radioactive oil and gas waste was reported by conventional well owners that the brine waste had contaminated their production wells as far as 2 to 3 miles away from the injection wells. The migration went on for several years before DOGRM ordered the wells to suspend operations. One of the injection well operators, Reliable Resources, walked away from their operation leaving the state to foot the bill for the clean-up. The state even walked away from it adding it to the already overwhelming number of abandoned production wells throughout the state to be plugged..... who knows how many years in the future?

Additionally, 2 injection wells in Noble County operated by DeepRock Disposal Solutions, CEO, Senator Brian Chavez, had brine migration for 12 years before DOGRM suspended those well operations after the injection wells caused a production well 2 miles away to have a blow out at its well head costing the state 1.3 million dollars to clean up. The chief of the Division of Oil and Gas did not order DeepRock to plug those 2 wells.

We the public do not know how many injection wells throughout the state are causing brine migration problems. What we **do** know is that the so called safe method of disposal of oil and gas waste, with its depth of injection, the casing, the cement, the seismic study of the geology end up not meaning a dang thing when it is a proven fact that the enormous amount of waste these injection wells are taking and it being injected under tremendous pressure, are leaking brine waste out of the injection zones and migrating into production wells and very likely aquifers.....no matter how much oversight there is by Ohio rules! Many of us know that clearly Ohio has a problem. There are 2 gentlemen here today Bob Lane and Bob Wilson who will testify as to their experience with the agency and the fact that they have no recourse for the damages to their wells or their business. ODNR contracted in 2020 for a study on the injection well that ruined the production well business of the Washington County businessmen. That study concluded that the geology, the amount of waste and the increased pressures were directly responsible for the migration of the brine from the permitted injection zone. <https://ohiodnr.gov/discover-and-learn/safety-conservation/about-odnr/oil-gas/oil-gas-resources/washington-county-investigation> So, ODNR told the company to drill deeper, and the production wells continued to be infiltrated by the migrating brine.

The chief already has the authority to suspend wells that show imminent threat or harm to the environment or health and safety issues. That is NOT happening until the threat is not just imminent, but already happened!

This bill will allow the state to start the process of applying for primacy to the USEPA who now regulates Class VI wells. So, the rules for the regulatory oversight will not be written until that process begins. I heard in the proponent testimony that seismic studies will be done to determine "safe" space for an injection well. That is NOT the same as seismic monitoring which this bill says the chief MAY require. So, if you are wondering if that failsafe is in place, it is not! There likely will not be water monitoring or air monitoring with these wells because Ohio law, which you all make, does not require those safeguards for class II wells.

I have studied the Chiefs orders for possible suspensions of Class II injection wells and listed on line found 28. And that is only for 24 months on record. There is no way to know if the orders were followed up because DOGRM does not post that publicly and one has to **ask** the agency for the record. You want ODNR to write the rules? Will the agency include the more robust public participation as required by the USEPA? Will there be greater transparency with reporting, and data collection? Will the public know about accidents and violations and follow-up? Will a class VI well be shut down immediately if there is seismic activity or migration of CO2? The answer is, not likely! ODNR does not have this strict oversight in place for Class II wells, so there is little expectation that rules for Class VI wells will be more rigorous. It was notable that no local elected officials or landowners or citizens testified in favor of the bill. The

closest proponent to that was an oil and gas producer from Hocking County with 14 violations on record. <https://ohiodnr.gov/discover-and-learn/safety-conservation/about-ODNR/oil-gas/oil-gas-resources/chiefs-orders>

Since you have already admitted you do not know much about carbon sequestration, it is in yours and the more importantly the public's interest to study, and learn about ALL of the negative impacts of an unproven and unnecessary industrial process. Learn about the hundreds of incidents and accidents that are associated with Class II oil and gas waste injection wells. You need to read the incidents with existing gas plants, such as the Guernsey County Gas Power Plant. <https://www.frackcheckwv.net/2022/03/19/environmental-problems-of-guernsey-power-station> Fracking waste water and coal ash was used to stabilize an old mine on which the plant was constructed . Do you remember the rejection of the carbon sequestration project in Darke County? Promising jobs to the area? A project funded with millions of federal dollars and in partnership with Batelle. <https://spectrum.ieee.org/carbon-capture-qualms-in-ohio> The elected officials and citizens did their homework and learned that this is an unsafe process and rejected the project from its county.

Have you read Section 5301.60 of the bill? Do you KNOW if the landmen are telling people about the liabilities involved in leasing a "pore space" and that the responsibility of proving any harms is on them? That they will spend years in court and no amount of money a landowner would get from the lease would touch the cost of a lengthy court case.

And I don't have the time to start to touch on earthquakes.

<https://www.wfmj.com/story/48764078/new-study-on-eastern-ohio-gas-and-oil-wells-links-fracking-to-earthquakes> DO YOUR HOMEWORK!

Hurrying through the process to bring more dangerous and harmful industry to Ohio, especially when it will land in the Appalachian communities is a social justice issue. But in plain language that everyone can understand, it is wrong...just plain wrong!

Articles on Class II injection.... Wells Just to name a few

<https://www.news5cleveland.com/news/state/after-more-than-a-decade-of-advocacy-a-majority-of-injection-wells-in-athens-county-are-suspended>

<https://www.alleghenyfront.org/ohio-communities-want-more-control-over-frack-waste-injection-wells/>

<https://www.timesleaderonline.com/news/local-news/2023/08/legal-wrangling-continues-over-injection-well-site/>

<https://www.wfmj.com/story/50735060/health-concerns-continue-about-injection-well-site-residents-want-testing>

<https://www.wkbn.com/news/local-news/brookfield-news/township-trustees-against-a-proposed-injection-well-in-brookfield/>

<https://pubs.geoscienceworld.org/ssa/srl/article/85/6/1295/315553/Characterization-of-an-Earthquake-Sequence>

<https://wtov9.com/newsletter-daily/residents-voice-concerns-about-possible-monroe-county-injection-well>



Veto Lake State Park, Washington County RedBird Injection Well responsible for abandoned well blow out. Photo by Roxanne Groff



Blurry, but a picture of the Ohio Power/Gantz production Well blow out in Noble County caused by 2 DeepRock injection wells. It took 13 days to stop the flow of brine from the well into a nearby creek. Picture from the Columbus Dispatch