

To the Honorable Chair of the Ohio House Natural Resources Committee Don Jones, Vice Chair Monica Robb Blasdel, Ranking Member Elgin Rogers Junior, and committee members, my name is Randy Cunningham, and I am writing to oppose HB 170. The legislation currently before this committee shares issues and problems with previous legislation for fracking in Ohio.

The first failing of the bill is that it gives the job of regulating the carbon capture and storage industry to the Ohio Department of Natural Resources (ODNR) instead of what little is left of the federal Environmental Protection Agency. The ODNR is an example of regulatory capture. Regulatory capture is what economics literature calls regulatory agencies that do very little regulation of the industries under their jurisdiction, and becomes for all effects and purposes, a wholly owned subsidiary of said industries. This is exactly what has happened to the ODNR and the fracking industry, with the result being a horrific record of accidents, spills, explosions, fires and leaking injection wells that are toxic time bombs for the communities who are unlucky enough to be in the natural gas “play.” Since 2015 there have been over 2,000 fracking accidents and mishaps in Ohio, the latest of which was the explosion at the Gulfport Appalachia fracking well pad, near Salt Fork State Park in January 2025. And this bill wants to give ODNR a new job that it will fail at just like it has failed to regulate fracking? Maybe I am being too harsh with ODNR. It is a thankless job to regulate industries that are designed to fail.

What about those communities that are the neighbors of the fracking industry? They have no say about the activities of the fracking industry, just as local communities and governments will have no say about the activities of the proposed carbon capture and storage infrastructure. The whole purpose of the legislation is to prevent any possible democratic accountability for whatever happens with carbon capture and storage in Ohio. If you have any questions or complaints, you will not bother with your local city, county or township — because they have

long since become irrelevant on such matters. You will be directed to the ODNR, which will be little more than the local office of the carbon capture industry.

The worst thing of all with carbon capture and storage is that it is another example of Rube Goldberg technology that creates as many if not more problems than the problem it was originally designed to address. The process of capturing and sequestering carbon dioxide, uses more energy and thus produces more carbon dioxide than it stores.

The idea of carbon capture and storage is that the way to get rid of carbon and defuse its threat to climate stability is to remove it from air or carbon producing industrial activities, and park it deep in the earth where it will allegedly remain forever.

Unfortunately, just like injection wells, pipelines and other infrastructure, the materials that you are trying to dispose of seldom cooperate with you. The problem is geology. The problem is the legacy of past oil and gas wells, and coal mining. Geology has plagued fracking from its inception, when much to everyone's surprise, injection wells to dispose of fracking liquids lubricated long forgotten or unknown fault zones, which slipped and caused earthquakes to occur where none had ever occurred before – as in the surprise earthquakes that hit Youngstown in 2013.

The other problem with our “out of sight, out of mind” philosophy of getting rid of either fracking waste, or carbon dioxide, is that past fossil fuel extraction with coal mining, and drilling for oil and gas, has turned much of Ohio into a geological version of Swiss Cheese. This provides endless opportunities for what you are trying to hide, to pay you an unwelcome surprise visit. The other problem is that no one really knows how many old and abandoned “orphan” wells there are in Ohio, because these wells were drilled over a hundred years ago by oil and gas companies that did not keep good records of their activities.

Even if you do not care a bit about the toxic hazards of fracking and carbon capture, even if you don't care about the health hazards these practices unleash on the people and communities who have the misfortune of being the neighbors of these facilities, there is one thing you should care a great deal about and that is the condition of the water resources of Ohio, especially the supply of potable water in Ohio. There is one thing that fracking and carbon capture share and that is an extravagant and insatiable appetite for water. Water that once used by these industries is permanently polluted and not fit for further use for human consumption. I always understood that plentiful water was an asset to Ohio. Well, we are burning our way through that asset. When our recklessness has turned Ohio into a wet desert of polluted water and destroyed aquifers, the companies who we gave the state to, will be long gone. Con men never give suckers an even break.

We are told not to worry about the carbon capture infrastructure that is proposed for Ohio, just like we were told not to worry about the problems with fracking. Before I retired, I used to help homeless people find housing. One of the things I always told them was that whenever a person in power told them not to worry, they had better worry. Well, powerful corporations that want to unleash more fossil fuel development on Ohio with carbon capture, are telling us not to worry. We need to worry, and we need to say thanks but no thanks before we are once more harmed by their false promises and schemes.

Thank you.

Randy Cunningham