

Dear Chair Robb Blasdel, Vice Chair Fischer, Ranking Member Rogers, and members of the House Natural Resources Committee,

Thank you for considering my written testimony in opposition to SB 219. I am an Ohio citizen who believes our state parks must be preserved and protected by all of us – the citizens of Ohio who pay for and use our public lands.

I have some serious concerns about the acceleration of fracking in our state, particularly in areas that we all use. These public lands should be protected. Instead, we are raiding (at a faster and faster rate) these very precious resources with little thought for our own health and safety, to say nothing of the future of our planet.

1) What's the rush?

The state has already approved more than 11,000 acres of our parks and wildlife areas for fracking, and SB 219 promises to speed up this process. I am concerned that, in the rush to extract oil and gas, not enough time will be given to properly study and prepare for the environmental impact. SB 219 would give the Oil and Gas Land Management Commission only 90 days to decide on a nomination to frack public lands. Right now, the Commission has 180 days to consider a nomination. Also, the Commission would have to choose the “highest and best bid” within 60 days, while currently, there is no deadline. Finally, the state agency that manages the land must execute a lease within 30 days. The safeguards put in place to protect our parks and wildlife areas make executing such a lease more complex, and that requires time; right now, there is no time limit. We are rushing to extract gas and oil, while neglecting renewable industries that desperately need our attention and investment.

2) What about water?

I am also concerned about the fact that fracking requires pumping millions of gallons of freshwater. That water is mixed with chemicals (most of them toxic) and sand, and pumped into the ground in order to fracture rock and extract oil and gas. Fracking projects rely on local water sources like lakes and streams, and very little of that water is recycled. A 2014 study by Ted Auch at FracTracker found that the average well on Utica shale in Ohio used 5.04 million to 5.69 million gallons of freshwater. Since that time, water use has multiplied exponentially. Permits from the past few years have authorized 50-60 million gallons of water per well, and there are multiple wells on a frack pad. Citizens are currently expressing serious concerns about the use of water for data centers, which are proliferating in Ohio. Where is all of this water going to come from? Ohio does *not* have an unlimited supply of freshwater. How will increased use of freshwater impact our farmers, especially considering uncertain weather patterns and possible extended droughts? (See this report on how much water fracking public lands are likely to use: <https://saveohioparks.org/issues/fracking-of-state-parks-and-public-lands-to-use-at-least-1-9-billion-gallons-of-ohios-freshwater/>).

3) What about waste?

When water comes back up from deep underground, radioactive material comes up along with the oil and gas. Because of this, the wastewater from injection wells must be stored deep underground. And what happens when injection wells fail? Seven injection wells in Southeast Ohio have failed since 2010, and six were forced to shut down after they leaked toxic brine

outside of their permitted zones. What happens when our water sources become contaminated with the hazardous mix of contaminants including “forever” chemicals, heavy metals, and radioactive isotopes – Radium 226 and Radium 228, which have been shown to cause cancer? The highest level of combined radium 226 and 228 found in Marcellus wastewater in a PA state study was 28,500 pc/L. The safe drinking water limit is 5 pc/L. Despite these severe threats to our health, federal exemptions classify this oil and gas waste as “non-hazardous.” The public does not learn about the exact chemical makeup of the fracking fluids because that information is kept proprietary and protected from public scrutiny.

What is done with the toxic and radioactive byproduct, called oilfield brine? This brine is currently being used in some rural communities to suppress dust and to de-ice roadways. This toxic brine bleeds into ponds and drinking wells, contaminates crops, and poisons livestock. It even erodes farm equipment. It attaches to road dust, and people inhale it.

ODNR completed a study in 2019 showing that all but one well studied had levels of radium that were too high to discharge into the environment. Ohio has more than 250 injection wells. What is being done with all of that waste?

4) What about input from the local governments that are impacted?

Currently, a fracking permit applicant must enter into a road use agreement with local governments. If SB 219 passes, such agreements would be voluntary, and would expire after three years. Rural roads, in particular, are often not equipped to handle heavy loads, but SB 219 would exempt a fracking permit holder from having to get a heavy hauling permit, even if the load size or weight of their trucks exceed legal limits. And what can a local government do about health and safety issues arising from fracking operations?

5) Why so many industry perks and exemptions?

There are many, many other provisions in SB 219 that are concerning, and they amount to gifting the gas and oil industry with a variety of perks and exemptions. For example, SB 219 would prohibit ODNR from charging an oil and gas company more than the costs specifically outlined in the lease, so, potentially, the state could not fine companies that don't follow the rules or make them pay to clean up after a spill, leak, or accident. It would also give an oil and gas company the option to extend a lease to frack public land for five additional years, rather than the three years prescribed by existing law. Hasn't Ohio already done enough to favor the gas and oil industry?

Please reject SB 219.

Thanks for your consideration.

Deborah K. Cooper