

## **CLARY FARMS, LLC**

### **Promoting Conservation Agriculture**

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### **Proponent for SB Bill 147**

### **Senant Hearing Testimony 4-1-25**

I want to thank this committee for taking the time to listen to my concerns today on the Fostoria Landfill and how SB 147 can help to solve these problems.

My name is Dwight Clary. I am a life long citizen of the State of Ohio, a taxpayer and voter.

To be transparent I am a life long farmer and business owner. I have served as Vice Chairman and Chairman of the Sandusky River Watershed Coalition as well as other Boards and Committees. Working with groups like Heidelberg University's Water Quality Lab in Tiffin, Ohio EPA, US EPA, NRCS, SWCD, Army Corp of Engineers, U.S. Fish and Wildlife and the Nature Conservancy on water and soil quality issues.

About a year and a half ago, during the debate over SB 119, I came to the Capital 3 times and testified 1 time as a proponent of that Bill. Since then I have also attended 2 Ohio EPA Hearings in Fostoria regarding the Fostoria Landfill.

During my past testimony I said to the Committee I would give you 2 guarantees.

- 1) That everyone in this room, will die someday, I guarantee it.
- 2) That the liners in the Landfill will leak, it is just a matter of time.

At one Hearing of the Ohio EPA that I and about 500 other concerned citizens attended they had a panel of about 8 experts. After many comments were made about the potential of contaminants leaking into our ground water one of the EPA experts in this field, explained that all landfill liners leak. He didn't say 10% leaked, 50% leaked, 75% leaked, but all liners leak. This is from the Ohio EPA expert.

For clarification purposes the first cell developed at the Fostoria landfill years ago doesn't even have a liner in it. So this expert from the Ohio EPA confirmed at the Fostoria meeting that the fears of the citizens of Seneca County are accurate and in fact happening!

The ground water of Seneca County is abundant and of high quality. Many of the western states would love to have our water supply. Yet here we are putting it at great risk.

Northwest Ohio ground water is abundant because we are underlaid with a thick layer of fractured limestone rock. Ground water gets purified by being filtered through the soil and then fills the voids within this fractured rock for this abundant supply.

According to conversations I have had with University of Toledo's Donald J. Stierman, Dept. of Environmental Sciences the underground water slowly moves to the NE towards Lake Erie, just as the above ground rivers flow towards Lake Erie as well. He used our property as

a home base when doing his research which started because of underground water.

Who will this affect? Starting at a point source of the Fostoria Landfill the contaminants will spread in the ground water to the NE towards Lake Erie, but as they move NE the width of the contamination will get wider and wider. At the point source you have the city of Fostoria, population approximately 14,000 people. As it moves towards the Lake 10's of thousands more people will be at risk in small and large communities as well rural Ohio.

Using the odometer on my vehicle there is approximately 4 miles from the north edge of Fostoria to U.S. Hwy 224. Out of that 4 miles there is approximately 2.5 miles of current and future landfill. Also, the height of this monstrosity is such that I can see it from my area NE of the land fill approximately 8-10 miles.

The local officials that in the past locked Seneca County in with the OSS Regional Disposal Plan did a great disservice to the residence of NW Ohio. Seneca County now has County Commissioners and a Board of Health that are backing the citizens of Seneca County and their hands are tied because every time the 3 counties vote, Ottawa and Sandusky Co. Commissioners vote against Seneca County. They make money from the disposals at the landfill but do not have the immediate impact in their back yards. But as the EPA expert said, "the landfill liner will leak" which will then contaminate the ground water. As Donald J. Stierman, University of Toledo said, "the underground water flows to the NE" which will then flow into Sandusky and Ottawa counties groundwater supply.

The Ohio EPA collects a dumping fee for every ton that is dumped there. So when they were asked to increase the daily tonnage from 7500 tons per day to 12000 tons per day the incentive there is to approve it because the Ohio EPA gets more funding. This is a gross conflict of interest. The incentive is NOT to protect the citizens of Ohio, but rather to increase their budget funding. So we wind up with unelected bureaucrats, paid for by the citizens of Ohio to protect us from this very situation, they are not doing their job nor being held accountable.

So we have a company, from another country, owning the landfill in Seneca County being rapidly filled up by companies in the eastern United States.

The citizens of Seneca County and surrounding areas have made it clear at the Ohio EPA Hearing that we do not want this and yet the Ohio EPA continues to work against the wishes of the citizens.

In summery, we need to support SB 147 to help "We the People" get back control of Seneca County. I am asking this Senate Committee to have the courage to see this fight through and align yourself with the Ohio voting citizens vs foreign owned companies and companies from the east coast that do not have our best interest at heart.

The voting taxpayers will be watching to see if you side with the citizens that elected you or will you side with companies from another country and from out of state? Big money vs citizens!

Yes, this will take courage!

Thank You,

Do you have any questions?

Dwight L. Clary