

Written Opponent Testimony for HB 282 Hearing of the Energy and Natural Resources Committee for Thursday 5/27/2021; 10:00 AM, Room 017

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I have been researching the water, waste, and landscape costs and benefits of the unconventional oil and gas industry across Appalachian Ohio, West Virginia, and Pennsylvania for nearly nine years now and I must say there have been too many costs to count, or outline here, and too few benefits beyond the occasionally large royalty check. One thing is for sure and that is that near the top of the costs incurred by Ohio's ecosystems and its residents is the billions of gallons of waste being produced by the unconventional oil and gas industry today, which is in addition to the thousands of legacy wells we have not properly addressed that themselves produced 1.93 billion barrels of brine in 2020 alone. The issue of O&G gas waste is the true connective tissue that binds the industry across the Three State Region by way of production, transport, and disposal networks that know no boundaries (Figure 1). The oil and gas sector here in Ohio, regardless of whether it is conventional or unconventional, is predicated on cheap sources of water and even cheaper places to dispose of its solid and liquid waste, much of which is likely quite hazardous and even radioactive. The only way that the unconventional fracking industry has managed to make it this long is by way of the fact that our elected officials and ODNR have made it too easy and cheap to dispose of brine waste in Class II wells or more to the point of this hearing reclassifying as benign and worthy of being spread on our roads.

What House Bill 282 and Senate Bill 171 do is give the oil and gas industry a lifeline they do not deserve by essentially monetizing their waste for profit when as a point of fact, it should be their cost to incur in perpetuity. This bill's proponents here in the halls of the statehouse and outside in the form of industry talking shops will tell this committee and anyone that will listen that they are only targeting conventional oil and gas brine waste but please do not let them fool you with this kind of language. We at FracTracker have been looking at the data for a long time now and it shows that Conventional brine waste as % of Unconventional brine waste has gone from 23.3% in 2016 down to 6.5% in 2020. So why say that they only intend to repurpose conventional waste as a commodity? Because this is a long game being played by the oil and gas industry and their collaborators in Columbus with the clear goal of finding ways to offload their intractable waste issue onto Ohio and our ecosystems forever. It must also be pointed out that none of this, or HB 282, addresses the issues we are having statewide with waste coming in from O&G operators outside the state namely in Pennsylvania and West Virginia. Out of state brine waste has accounted for around 43% of the brine waste disposed of in our Class II Salt Water Disposal wells and as high as 48% in 2017 (Figure 2). As we debate the merit of HB 282, Class II injection well proposals, and fracking waste offloading terminals along Ohio's side of the Ohio River the other two states understand that they do not need to address their O&G waste issues because we are oh so willing to take their waste for pennies on the dollar (Figure 3). This asymmetric distribution of the risk burden must be leveled immediately, and HB 282 would do the opposite!

The first step taken by the O&G industry has been to claim this is only for conventional waste, but it will not be long before such a crack in the dam allows for the commodification of unconventional fracking waste. Our data has shown that the unconventional space is using more and more water, chemicals,

and proppant for marginal increases in gas meaning the ratio of Resources Needed to Gas Produced has gone through the roof. To put an even finer point on the discrepancy between conventional and unconventional waste production your average unconventional well produces 9,465 barrels of brine per year Vs 23-44 for conventional wells, which again begs the question are we debating a bill in HB 282 designed for legacy wells or as a preemptive measure anticipating even more issues with O&G waste from the unconventional fracking sector in Appalachia?

Bills like HB 282 do nothing: 1) to fill in the myriad gaps in the data collected by ODNR as it pertains to O&G waste, 2) more holistically price the processing of the waste to reflect the entirety of short/long-term costs, and 3) allow for profiteering where there should be none. This bill and others like it further socialize the costs and privatize the gains of past, present, and future O&G exploration. This committee should ask itself why this bill and why now? I think that my testimony and that of others that appear before you today tell you exactly why this bill is being circulated. It is a precursor to bigger plans for an industry that desperately needs what some are euphemistically calling “cost saving disposal solutions”. Do not be fooled and please think long-term like those that need this bill are and vote against this bill.

Sincerely



Ted Auch

Relevant Data:

Ohio Class II Injection Well Volumes from 2010 to 2020

<https://app.box.com/s/brvhm9jmu1zq8k1cgtg6fpys81fxcz0m>

Ohio Unconventional Brine, Gas, and Oil from 2011 to 2020

<https://app.box.com/s/ld9n4frwnmupvlge9s4jg9oh01w6tol8>

Conventional Brine, oil, and gas for 85,000+ Ohio wells from 1984-2017

<https://app.box.com/s/9rcskvbx68eobpa5zd776qr9dbonck3w>

Relevant Figures:

Figure 1. Ohio Fracking Waste Network and Associated Brine Haulers.

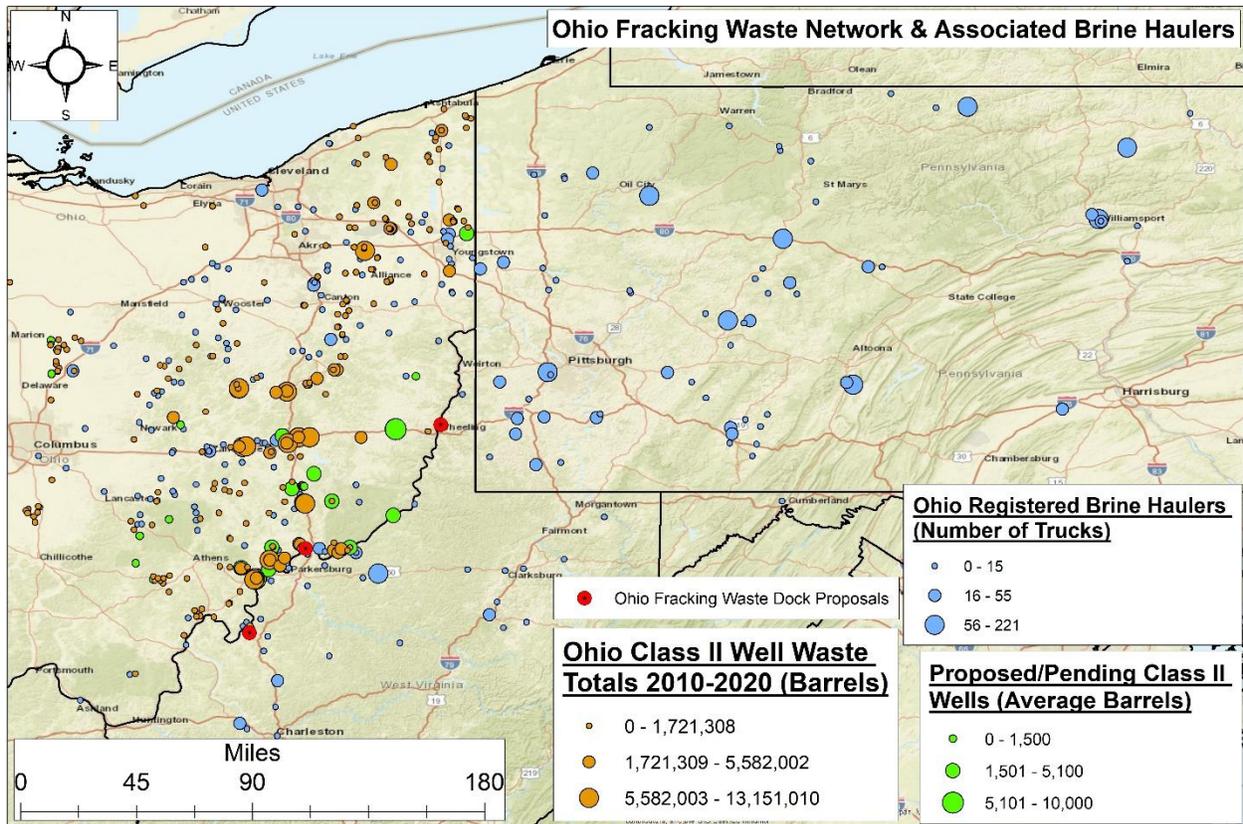


Figure 2. Quarterly rate of change in Unconventional Fracking Waste going to Ohio's Class II Salt Water Disposal Injection Wells.

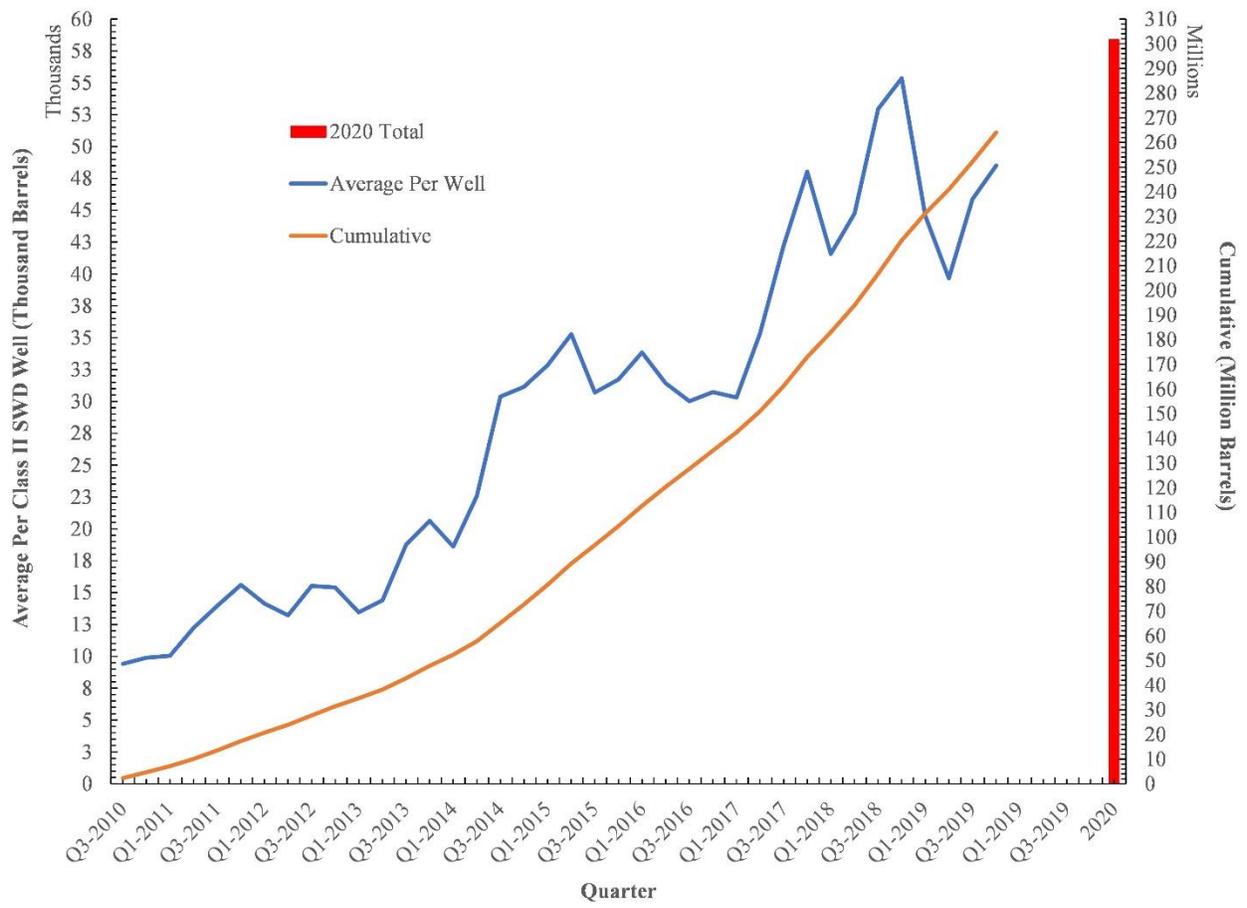


Figure 3. Ohio Existing and Proposed Fracking Waste Network.

