

Jason Stephens, Chair  
Energy and Natural Resources Committee  
77 South High Street, 13<sup>th</sup> Floor  
Columbus, OH 43215

Chairman Stephens,

I would like to say I am appalled that this committee and the Ohio legislature as a whole would even consider HB 282, but unfortunately legalizing the harm to people and the environment is the norm in our system today.

My experience with this issue began back in 2010 when my community was the target of urban drilling. The electeds back then made sure that the table had been set in 2004 by preempting local communities from protecting themselves from the industry. The legislature then proceeded to legalize not only the toxic chemicals used in the process but also tried to gag health professionals from talking about them.

As a concerned mother and community member, I joined with other concerned residents and we had to educate ourselves on this process of fracking even though we would have rather been out playing with our kids. As mothers we took our job of protection more seriously than the legislature seemed to. I learned that ALL wells in Ohio are fracked with toxic chemicals....both "conventional and unconventional". I learned that Clinton sandstone is actually found at deeper levels underground than Marcellus shale, at least according to the information I found on ODNR's website. I learned that the deeper you go underground, the more radiation there is.

We had to become our own advocates when we realized that our electeds were more concerned about protecting economic and industry interests than us. As concerned citizens we did research, of which there wasn't a lot of at the time in scientific journals because the system seems to believe that if no one does any testing, then the problem must not exist. No data to back it up, so it's not a problem, until of course it surfaces years later in the bodies of our children and in our drinking water and food. We the people have had to rely on our own critical thinking skills, something I wish more elected representatives of the people would do.

When we learned that the liquid coming back up from this process was being spread on roads and that the liquid contained many harmful chemicals including radium, we had to learn even more. We found articles stating that the brine from conventional wells was actually more toxic than from some of the unconventional samples. We used our critical thinking skills again and started looking at roads in our community....many streets have drains that lead to water, bridges above rivers, etc. This liquid would not only run into the soil along roadways but down drains that lead to drinking water sources. We also learned that you can't filter the radiation out.

I sent an email to my elected officials and to community members warning them about this brine and specifically about the product Aquasalina that was being given to communities or sold to them very cheaply. The owner of that company Dave Mansbery filed a lawsuit against me and another community member to shut us up and stop us from warning people about potential harms of this product. Since that lawsuit, there have been many studies, tests and articles documenting the elevated amounts of dangerous toxins and radioactivity in this brine. (Links at the end of this testimony) The only reason I bring this up is because I want you to think about what you are doing. WHY is it so important to make this waste a commodity?

Is to protect the people you call your constituents at election time or to protect the industry from any liability when it is revealed that people have suffered and died and water sources contaminated beyond repair?

This is the same story we have all heard so many times before. The tobacco industry knew nicotine was harmful, but sold it to the public as harmless for decades. Monsanto and RoundUp, the paint industry and lead, construction industry and asbestos, sludge as biosolids and Dupont with C8 in Teflon. All sold to the public as the latest and the greatest with a great big safety seal of the government to prove it. Unfortunately, today preempting local communities and residents from passing local protection laws is also the norm. So we can't rely on the state to protect us and we also can't protect ourselves because the state prohibits us from doing that.

Now I understand that many different issues come before you and you can't do your own research on all of them. But do you really believe that turning over the testing to the person/industry that is supposed to be regulated is a good idea? That allowing him to select his own lab and take in his own sample is the best way to protect us and the environment? Do you really believe that a person/industry who stands to profit from selling a waste product should be relied on to provide unbiased data?

If you vote to make this fracking by-product a commodity knowing that your own regulatory agency tests, as well as many independent studies have proven it is extremely harmful, YOU will have to live with the legacy of sickness and death to both humans and nature. It isn't just my loved ones who will be poisoned by your reckless and dangerous decision. When your own loved ones receive the dreaded diagnosis of cancer or ALS or some other illness, will you be able to look them in the eye and say "I did what I could to be part of the solution" or will you have to admit that you were part of the problem?

Links to information you might want to consider before voting to make brine a commodity:

<https://stateimpact.npr.org/pennsylvania/2018/01/20/study-conventional-drilling-waste-responsible-for-radioactivity-spike-in-rivers/>

<https://www.rollingstone.com/politics/politics-features/oil-gas-fracking-radioactive-investigation-937389/>

<https://www.desmog.com/2020/04/29/syrian-job-oil-industry-radioactive-secret/>

<https://www.desmog.com/2021/04/22/lotus-llc-radioactive-fracking-waste-disposal-texas/>

<https://pubs.acs.org/doi/10.1021/acs.est.8b00716>

Tish O'Dell

Broadview Heights, Ohio