

Robbin Rogers
Testimony #1 HB 393

Chairman Landis, Vice Chair Hagan, Ranking Minority Member O'Brien and members of the House Energy & Natural Resources Committee thank you for the opportunity to provide testimony urging you to vote against HB 393.

House Bill 393 is a symptom of why this once great country is failing, how our country's current elected leaders are failing. For the last year the evil and greed of the oil and gas industry has been wreaking havoc on our environment, our health, our livelihoods, and soon our economy and world respect by using its ill-gotten gains to buy votes and influence passage of dangerous policies. The industry has actively worked against to disband environmental and health protections and regulations—exposing our nation and all of us to it as a hazardous waste and radioactive poisons released by the fuel and chemical conglomerates unsafe practices.

Today you have an opportunity to take one step—not even a bold step against the fossil fuel industry—but an important step nonetheless. And it involves supporting a legislature that bucked the national trend and implemented changes to regulations concerning transporting, dispersing, and labeling of products originating or manufactured from fossil fuel brine. This is not about singling out one business as Paul Molan and Dave Mansbery falsely claimed during their testimonies last week.

Daily, the news is filled with reports of the Rover and Keystone pipelines spilling and leaking millions of gallons of fracking waste and spewing radiation and over 50 known toxins into the atmosphere, waterways, wetlands, farmlands, and our cities.

Why? The answer isn't because the United States needs more oil or more fracking. In fact the industry has already closed down refineries due to a decreased demand. Many people are choosing cleaner, more sustainable heating choices and driving more fuel-efficient cars. And that trend will only continue into the future. So why build more pipelines and drill more wells?

The answer is an evil one: The oil industry is scrambling to complete two pipelines and they plan to build five more, guaranteed to sabotage the environment and people's health and safety, all so it can transport oil out of the country. Far from creating jobs with clean energy which statistics prove will truly stimulate the economy, the oil industry concern is hurry and export oil to maintain their exorbitant profits. The industry has spent the last year laying the groundwork, literally, to transport oil to Canada, China, and underdeveloped nation's who cannot afford to convert to clean energy. 129 nation's around the globe have committed to moving away from a fossil fuel economy: The United States under Donald Trump and with support from key members of the Republican Party is the only industrialized country in the world to refuse. Not incidentally, we are also the second largest polluter in the world.

Our Republican legislators should be proud to take the lead in reversing global warming instead of dishonestly, criminally, decrying it as false science because every single person in this room knows it's real. That's one reason the Ohio legislature should be proud it did the right thing and voted to regulate the transportation of any form or derivatives of fracking brine as a potentially hazardous waste that needed to be responsibly regulated.

Fossil fuel brine is a toxic soup of hazardous chemicals and radiation that in actuality shouldn't be on our roads at all. Can you imagine children playing, and runoff seeping into our drinking water? What about concern and outrage for the toxins and

radioactive gasses dispersed into the air we breathe and infiltrating the ground and water when it rains or snows?

Mr. Mansbery paints the state implementing standards designed to protect Ohio residents as as a bad thing, an inconvenience to him, and and specifically targeting his business instead of the responsible action it was.

Instead, we have men like Paul Molan, complaining because he now has to follow regulations and pocket and be inconvenienced with filling out forms and being restricted where he can “spray the stuff.” I quote, “For what? Why should I be forced to do this when the other salt products do not...I know its made and processed from [fracking]well brine. Shouldn't you be encouraging recycling to a new commodity?”

So now that the company has labeled it a product and found a way not to pay for having it hauled away and stored in undergroundwhich he admits is made from brine coming from hydraulically fracked wells.

Mr. Mansbery seems confused about his product. In one statement in his testimony before this committee, he specifically states, “...Once a company goes through the time and expense to process raw brine into a finished product or commodity....” There. He just testified he does use fossil fuel brine which is an extremely toxic and radioactive substance, from which he derives his product. In another statement from his testimony, Mr. Mansbery claims his product, “...AquaSalina is 400 million year old ancient sea water;” however, in a Cleveland Plain Dealer article written by Alison Grant (March 29, 2012), Mansbery once again refers to his company using “fracking in its wells, but about half of the frack water comes back up the well almost immediately, with the rest emitted over a period of one to three months.” The question arises how can he be sure what is fossil fuel brine and what is his ancient sea water?

He stated that frack water isn't used in its deicer. "Instead, the company uses the salty water that follows during the extraction of gas." Once again he insists, "The brine comes from the remains of an ancient sea." Wait. That isn't what he said earlier.

Independent lab testing of AquaSalina revealed trace amounts of benzene, a carcinogen, and other toxic and hazardous substances. The company owner assured that the toxins were within the safe drinking water standards. Noteworthy though is that Mr. Mansbery showed up to give his testimony to the committee and offered to answer questions with his lawyer in tow.

The Plain Dealer article included an email from Brecksville Mayor Jerry Hruby in which he says Brecksville doesn't use AquaSalina and "will not, not ever." Later, in an interview Hruby said that the decision against AquaSalina was one of economics: It's cheaper for the city to make its own ice-melting solution by mixing water and rock salt.

A copy of meeting minutes from Broadview Heights in which Service Director Raymond Mack said the city "would no longer purchase AquaSalina for use on road salt" given that "benzene is a cancer-causing chemical."

It's interesting he ends his testimony by again reiterating the source of his product and that he "figured out how to take the dirty, oily raw brine water... and process it to make a useful product rather than paying to have it dumped into a Class II injection well... We recycle the oil, filter the remaining water and turn it into a product...".

Okay, Dave, which is it?

Meanwhile, the Ohio legislature cannot take risks with human and environmental safety.

So, please, support your legislatures' responsible steps. Do the right thing and either vote no or allow House Bill 393 to die in committee.