

PROPONENT TESTIMONY IN SUPPORT OF HOUSE BILL 197

September 15, 2023

I support House Bill 197 because community solar would be a ray of hope in the bleak landscape that is Ohio energy policy. In recent years, the legislature has enacted policies that heavily favor fossil fuels over carbon-free renewable sources. Passage of this proposed legislation would be a small but potentially important step in reversing that trend.

I. Current Ohio Energy Policy

House Bill 6, passed by the 133rd General Assembly, lowered benchmarks for renewable energy, eliminated altogether the solar benchmark, and forced Ohio rate payers to subsidize two “legacy” coal-fired power plants. Those provisions remain in effect although subsidies for nuclear plants also imposed by HB 6 have been repealed.

In 2021, the 134th General Assembly enacted Senate Bill 52 granting county commissioners authority to prohibit development of wind and solar facilities in all or part of the unincorporated area of their county. The law does not require the commissioners to make any findings or give any reason for restricting the rights of landowners to use their properties as they see fit, including leasing or selling them for wind or solar projects. (Revised Code 303.57 through 303.62). The fossil fuel industry need not worry about any similar county-level prohibition. Revised Code 1509.021 sets forth specific but very limited restrictions for the location of a new well. For instance, division (A) of the statute provides: “The surface location of a new well . . . shall not be within one hundred fifty feet of an occupied dwelling that is located in an urbanized area unless the owner of the land on which the occupied dwelling is located consents in writing to the surface location of the well . . . and the chief of the division of oil and gas resources management approves the written consent of that owner.”

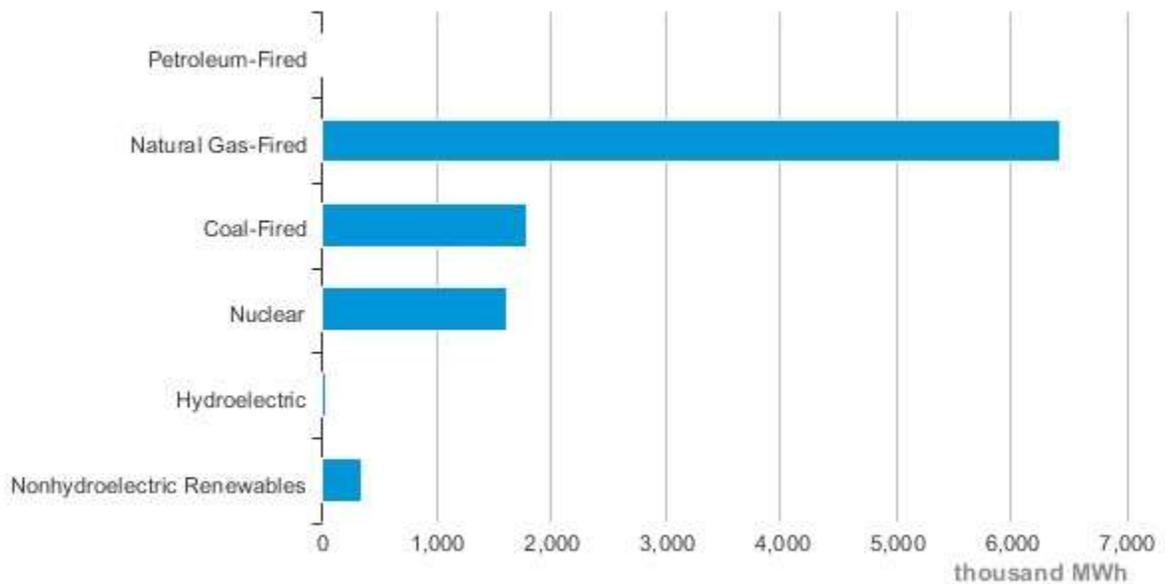
Apparently, if you live in a house that is in the vicinity but is more than one hundred fifty feet from the proposed well site, you have no say in the matter. The Division of Oil and Gas within the Department of Natural Resources has sole and exclusive authority regarding the location of new wells (Revised Code 1509.02); local governments have no power to decide where a well may be drilled.

House Bill 507 passed in the lame duck session of the 134th General Assembly defined natural gas as “green energy.” (Revised Code 4928.01(A)(43)). The publicly available legislative record is devoid of testimony or other information to support that startling conclusion, probably because it is at odds with the scientific facts. Natural gas primarily consists of methane, a powerful heat-trapping gas, that when burned generates carbon dioxide, the number one cause of climate change. Categorizing natural gas as clean energy that helps reduce harmful air emissions is misleading at best and gaslighting at worst.

Ohio lawmakers have affirmatively acted to increase fossil fuel production within the state by authorizing the lease of state parks and other public lands for oil and gas development. This policy has its origins in legislation passed in 2011, but that scheme was never implemented. The legislature tried again in 2021 by substantially amending the earlier law and recodifying it as Revised Code 155.30 through 155.36. This legislation created the Oil and Gas Land Management Commission and empowered it to approve or deny lease proposals. The Commission began accepting nominations for the fracking and possible drilling of public lands in the spring of 2023.

The following data compiled by the U.S. Energy Information Administration (<https://www.eia.gov/state/index.php?sid=OH#tabs-4>) shows that natural gas and coal are by far the leading sources of electricity generation in Ohio and that renewables are not a meaningful part of the state’s portfolio:

Ohio Net Electricity Generation by Source, May, 2023



Source: Energy Information Administration, Electric Power Monthly

II. Methane Emissions From Natural Gas

Advocates for natural gas focus exclusively upon the fact that when burned it generates about half the carbon dioxide emitted by coal, but they fail to account for the emission of methane during production, transport, and storage of the gas.

Over a twenty-year timespan, methane emitted to the atmosphere traps 81 to 83 times more heat than carbon dioxide, and over one hundred years, methane is 27 to 30 times more powerful. See: <https://www.epa.gov/ghgemissions/understanding-global-warming-potentials>. A recent study found that whether gas is actually more climate friendly than coal depends upon the extent of methane leakage from natural gas systems, the sulfur content of the coal, and other less important variables. See Deborah Gordon *et al.* (2023) *Environ. Res. Lett.* 18 084008 (<https://iopscience.iop.org/article/10.1088/1748-9326/ace3db>). This peer-

reviewed article concludes “that the benefits of gas do not outweigh coal at certain methane leakage rates.” *Id.* at page 7. The findings are consistent with earlier studies that conclude leakage rates in the 2%-5% range put the climate impact of a gas-fired power plant on par with a coal power plant when considering a 20-year timeframe. *Id.* at page 5.

The federal Inflation Reduction Act passed in 2022 requires the oil and gas industry to reduce methane leaks. Time will tell how effective those efforts will be, but it is safe to say that methane leakage will never be reduced to zero. Therefore, methane will always be a factor eroding the benefit of reduced carbon dioxide emissions when the overall climate impact of natural gas is compared to coal.

III. Carbon Dioxide Emitted By Burning Natural Gas

Even if methane emissions were not a major problem, the carbon dioxide generated by burning natural gas must be phased out over the next twenty-five to thirty years to avoid the worst effects of climate change. If natural gas is relied upon to replace retiring coal and nuclear plants and to provide additional capacity as demand for power grows, heat-trapping emissions would not significantly decrease, and the Earth would continue to warm. See: The Climate Risks of Natural Gas | Union of Concerned Scientists (<https://www.ucsusa.org/resources/climate-risks-natural-gas>). Making big investments going forward in fossil fuel infrastructure that would pump more greenhouse gases into the atmosphere makes no sense for Ohio’s energy future.

IV. Conclusion

Community solar can be an important step in the right direction, but it is not nearly enough. Given the rapid technological advances that have been made to improve solar and wind systems, Ohio’s energy policy should be reversed to promote utility-scale renewable energy over fossil

fuels. The bipartisan sponsorship of HB 197 is hopefully a harbinger of a more forward-thinking and climate-friendly energy strategy.

For the sake of our grandchildren, partisan politics must not impede public policies to combat climate change. Our generation has a responsibility to transition from fossil fuels to renewable energy as expeditiously as possible. Failure to do so would be akin to foisting upon our progeny the financial burden of paying off the national debt. Similarly, a huge carbon debt has accrued due to the burning of fossil fuels. The sooner we can reduce the rate at which the carbon debt is increasing and eventually stop adding to it altogether, the better the prospects that our descendants will be able to live in the kind of world that we have been privileged to enjoy.

Thank you for considering my views.

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