

## LWV Ohio Statehouse Day – April 9, 2014

### LWVO Lobbyist Report

#### Fracking

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At our 2010 National Convention, LWVUS resolved to “support the significant strengthening of appropriate regulation, oversight, inspection, and penalties associated with the development of fossil fuel resources.” This resolution places hydraulic fracturing (aka fracking) under the umbrella of our Water and Natural Resources positions. In Ohio we are in a difficult spot since both Executive and Legislative branches of state government are very supportive of natural gas production in our state. Complicating citizen input, decisions on location of the fracking wells were taken away from local jurisdictions by 125-HB278. The constitutionality of this law is currently under review by the Ohio Supreme Court.

The League has been treating fracking as a necessary evil, because our nation has neither the industrial resources nor the will to significantly replace fossil fuels with renewable energy sources in the foreseeable future. Sadly, the alternative to fracking is another fossil fuel, coal, a much worse pollutant.

During the 2013 LWVO Convention last May fracking was extensively discussed. The majority felt we could deal with its issues using positions we already hold, such as water, air, mining, land use, transportation, hazardous waste, health, accountability, the public’s right to know, etc.

So we support damage control at present. Unfortunately the Ohio Legislature has shown virtually no interest this past year in correcting even the worst abuses. For example, SB46, introduced in February of 2013, would increase the penalties for illegal dumping of fracking waste. Even though this is a bipartisan bill, it had only one hearing, four months later. We submitted testimony almost a year ago and are still waiting for the bill’s progress.

Another controversial Ohio bill treats the severance tax, HB375, now in its 7<sup>th</sup> hearing; already it has been amended to increase the tax on well owners and the amount of money going to local jurisdictions where drilling is occurring, but much of the tax is to be used to reduce the taxes paid by the top 5% rather than for monitoring and for infrastructure needed because of the wells. A total of 20 bills dealing with some aspect of fracking has been introduced into this legislative session.

Concerns of LWVO related to fracking Include:

Disclosure: Industry is currently allowed to keep secret the identities of the any

of the chemicals used that it considers trade secrets. Further, Ohio's rules say that no chemicals have to be identified prior to their use.

**Setbacks:** There is limited scientific evidence as to how close to people and water supplies drilling should be allowed. Such evidence as exists suggests current setbacks for drilling are inadequate.

**Radiation:** Fracking waste (aka brine or flowback), which can be stored in lagoons or injection wells, contains an unknown amount of radioactive material, which is exempt from hazardous waste laws.

**Water withdrawal:** The huge amounts of water needed for fracturing shale potentially threaten Lake Erie and its tributaries, along with streams that flow south to the Ohio River, some of which harbor endangered species of vertebrates. The US EPA is studying fracking's effects on surface and ground water.

**Runoff:** Uncontained fracking waste can flow into streams feeding either Lake Erie or the Ohio River.

LWVO is keeping its members informed via a page on the LWVO web site: <[http://lwvohio.org/assets/attachments/file/10%2013%2013%20KBVNB%20fracking%20whitepaper%20\(draft%204%20clean3\)%20nb\\_final%20formatted-kv%20-FORMATTED%20Final\(1\).pdf](http://lwvohio.org/assets/attachments/file/10%2013%2013%20KBVNB%20fracking%20whitepaper%20(draft%204%20clean3)%20nb_final%20formatted-kv%20-FORMATTED%20Final(1).pdf)>. Previous LWVO action on fracking is also on our web page <<http://lwvohio.org/site.cfm/Advocacy/Fracking.cfm>>. In addition, we are providing resources to and facilitating email discussion among League members interested in learning more about fracking. If you would like to be part of that conversation, email LWVO board member Kristin Vessey at <[kbvessey@gmail.com](mailto:kbvessey@gmail.com)>