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**LWVO Testimony on Sub-HB490 - MBR-AGRICULTURE-NATURAL RESOURCES-  
ENVIRONMENTAL PROTECTION LAWS**

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Our comments on Sub-HB490 are exclusively on oil and gas extraction, generally known as fracking.

Emergency Planning and Community Right-to-Know Act (EPCRA)

First responders need information about chemicals used in wells before an accident occurs. Well-drilling companies have this information. Good management practice would be for the drillers to provide the chemical information directly to the first responders. The system, perpetuated by Sub-HB490, injects a middle man into the process, namely ODNR. This extra link in the chain complicates the information-transfer process. Not only is it bad management technique, it aggravates environmental damage by introducing a source of delay. And any delay could lead to unnecessary deaths and injuries.

We recommend that the chemical lists be provided simultaneously to both first responders and ODNR before drilling commences. The first responders will have the information they need when they need it and ODNR will have a backup data repository.

Minimum Setbacks

Horizontal-drilling technology allows great flexibility in well siting. This development allows setbacks to be increased without inconveniencing the driller. There are good reasons to Increase setbacks.

Despite some progress, the current situation is that a well could be unknowingly drilled near an earthquake fault. According to ODNR “The fact that there are many unmapped faults in the subsurface of the state is dramatized by the large number of small earthquakes that occur in locations at which no faults are mapped.” (Ref. 1)

More importantly, scientists have only begun to understand the health consequences of drilling; several publications suggest serious problems. A recent publication (Ref. 2) concludes that

“despite a growing body of evidence, a number of data gaps persist.” Referring to health risks, the lead author has been quoted as saying "It's clear that the closer you are, the more elevated your risk."

In light of the above it would be prudent to insure that Ohio’s setbacks are sufficient to safeguard the health and safety of people living and working near wells. Currently the state allows wells to be as near as fifty feet from a water supply and 150 feet from a building.

A comparison with wind farms is interesting in evaluating setback distances. HB483, passed in June, prescribes wind setbacks of 1250 feet from the nearest property line. These setbacks are so large that new wind farms are unlikely to be built in Ohio. Surely wind farms are not nearly as serious a threat to public health and safety as gas and oil wells. We recommend that the well ordinance recently passed in Dallas, Texas serve as a model: “1,500 foot setback from protected use areas (homes, schools, churches, hospitals, nursing homes, daycare centers, parks, places of employment, hotels/motels and other areas)”.

Thank you for your attention. I will be happy to answer any questions.

#### References

- (1) Michael D. Hansen, *Earthquakes in Ohio*, ODNR Educational Leaflet No. 9, 2012
- (2) Seth B. Shonkoff, et al., *Environmental Public Health Dimensions of Shale and Tight Gas Development*, <http://ehp.niehs.nih.gov/1307866/>