

My name is Anita Lynch and I live at 227 South Lincoln, St in Denver.

I am here to testify in strong favor of Representative Joseph Salazar's bill concerning the "regulation of oil and gas operations in a manner consistent with protection of the public safety, HB18-1071."

As you know, the Colorado Court of Appeals ruled, in the "Martinez case, that this must be considered when permits for drilling are issued. As it stands now, when new drilling permits are issued, regulators are not having to consider these safety issues.

The issue here is that the ruling by the Colorado Court of Appeals did not require the state to adopt the proposal. Moving this bill through so that our legislators can vote it into law, would codify this decision and require that new permits cannot be issued without meeting this criterion. We need to have in place statutory language that solidifies this, not just on a legal basis but on a policy basis.

Drilling and fracking are exempt from the landmark environmental laws, including the Safe Drinking Water Act, thanks to loopholes Congress and regulators have carved out for oil and gas corporations – and spills and accidents are far too common. We are seeing more and more spills and more and more toxicity and negative environmental impact from our oil and gas companies. The oil and gas companies will not regulate themselves...their motive is profit. It matters not one bit if our economy is thriving if we continue to ignore the safety of Coloradans.

I also urge each of you to take a look at Dennis Kucinich's' statement on his strong platform on oil and gas regulations. . He is running for Governor of Ohio and is not afraid to stand up to oil and gas and do "the right thing." Darn, I'd love to see him as governor of Colorado! His statement can be found at <https://kucinich.com/kucinich-fracking-plan/>. I have a copy for you of his statement.

One mandate of government is to protect us, so please do your job.

I plead with this committee to do the right thing...that which is in the highest good of all, for my children, for my 5 grandchildren, for our fragile environment.

Submitted by:

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Kucinich Plan To END FRACKING, Clean Up, And Restore Fracked Communities In The State Of Ohio! January 25, 2018 Featured Press

**Statement by Dennis J. Kucinich, Democratic Candidate for Governor of Ohio
#PowerToWeThePeople**

Economic, Environmental Health and Restoration: The Challenge of Fracking

Today I am making my first major policy announcement as a candidate for governor, first to review the consequences of fracking and deep well injection of frack waste, and secondly to detail new policies for the state which I intend to pursue if elected, consistent with changing the relationship of the people of Ohio to their state government, under our campaign motto of #PowerToWeThePeople.

I am not new to this issue. For the past few years my wife and I have worked in support of native peoples at Standing Rock, North Dakota, challenging a pipeline, as well as communities in the Hudson Valley, New York opposing a fracked-gas infrastructure.

As a result of our involvement we have gained insight into the range of economic issues and environmental health concerns that confront communities dealing with fracking: the threat to water supplies, damage to property values, contamination of lakes, associated health problems, destruction of wildlife habitats, dying trees, air pollution, noise pollution, light pollution, increased heavy truck traffic in rural areas, social divisions within homes and in communities over fracking practices and the manipulation of the political process by oil and gas interests -- all to fracture the earth, extract fracked gas, and to move the gas through pipelines across the country, for export to foreign markets. All of these matters relate to Ohio. One report indicates that the pursuit of fracking of the Utica and Marcellus shale formations beneath the Appalachian Eastern region of Ohio has resulted in "elevated risk of preterm birth and high risk pregnancy." These areas, by the way include some of the highest poverty rates in the state.

In the past decade, Ohio has become steeped in the culture and economy of fracking. Drilling has occurred in at least a quarter of Ohio counties. There are many individuals, businesses and community leaders who have, in good faith, with great expectations for economic benefits, given their approval. Communities are now living with the consequences and at some point these communities must be made whole. More about that later.

One great blessing of living in Ohio is our access to fresh water. Lake Erie is part of a chain of Great Lakes which constitutes the largest freshwater supply in the world. Ohio has long benefitted from stable reservoir watersheds, however, the fracking industry has claimed a considerable amount of water supplies necessary to sustain local communities.

According to Ted Auch of the FracTracker Alliance, the fracking industry in Appalachia uses more than 10 million gallons of water per well, with demand increasing by 15% per year. Water quantity and associated watershed security issues are acute and chronic

concerns at the local level where hydraulic fracturing's freshwater demands equal 14% of residential requirements and exceed 85% of residential demand in several Ohio and West Virginia counties. The draining of water supplies is a fundamental issue in the maintenance of community life and agriculture. The ruination of soil from runoff from fracking sites reportedly has caused farmers and gardeners in proximity to drilling sites to cease growing activities.

Additionally Hydroquest has reported that The Muskingham River Watershed in eastern Ohio faces groundwater and surface water contamination because freshwater aquifers are vulnerable from poor sealant materials and "toxic hydro-fracking fluids injected deeply into the ground will move with groundwater flow systems, eventually moving upward into freshwater aquifers, reservoirs and waterways."

There is very little knowledge of the proprietary chemicals injected deep into groundwater systems, except that they are toxic and carcinogenic. Hydroquest points out that "gas field technology is not capable of permanently isolating freshwater aquifers from gas field contaminants."

In Ohio, no one knows the chemicals going into various injection wells, nor the consequences when leaks occur, or the implications when oil and gas waste is injected directly into aquifers.

Fracking then diminishes the supply of water and contaminates fresh drinking water. What is alarming is that hydrogeological and public health considerations seldom, if ever, seem to be of concern in drilling policies in this state.

Oil and gas waste, in the form of brine, is being repurposed for de-icing on Ohio roads, as well as dust control. However, the runoff from brine can carry with it increased exposure to radiation and heavy metals.

A recent report in the Pittsburgh Post-Gazette cited a study which showed high levels of radioactivity downstream from where treated wastewater from conventional gas drilling was discharged. The Post-Gazette pointed out that "naturally occurring radioactive material is present in underground rock formations, where oil and gas drilling occurs," and is transported to the surface by water and other fluids used in fracking.

Additionally, it is well known that hydraulic fracturing and deep well injection in Ohio has caused more than 100 earthquakes, connected with disposal of fracking waste through underground injection. The constant pressure on the earth provides new pathways for pollution and risk of triggering increasingly dangerous seismic events.

As I look to the future of Ohio, and the necessity to develop safe energy sources that are used in Ohio, for Ohioans, I have come to several conclusions relating to the state of Ohio's policies with respect to oil and gas drilling.

1. **The highest priority of the state must be to protect fresh water supplies from any type of contamination. This is an economic, social and human health imperative. It is vital for Ohio to protect our water supplies to maintain our state as a desirable place to live, to raise a family, to do business, to grow food and to enjoy the outdoors.**
2. **The proximity and hydrogeological vicinity of all existing and old wells will be subject to testing.**
3. **Demands will be made of the industry for comprehensive remediation.**
4. **The Ohio Department of Natural Resources, which has been given authority, affirmed by the Ohio Supreme Court, to issue licenses for all oil and gas drilling, will, under a Kucinich Administration, be directed to cease the granting of all such permits. Article III, Section 5 of the Ohio Constitution makes it abundantly clear that the Governor has the power to order the ODNR to stop issuing permits for fracking.**
5. **Existing permits will be carefully scrutinized for compliance and cancelled for any infraction.**
6. **I will order a state-wide injection well ban, to protect public health and water supplies and push to enact Senator Michael Skindell's Senate Bill 50.**
7. **The Ohio Highway Patrol will be directed to stop and inspect all vehicles which may be entering the state with fracked waste for purposes of disposing it in Ohio and turn them away as a threat to the health and safety of the people of this state. Ohio will use its full authority under the 10th amendment to protect the health and safety of the people..**
8. **Free public health screenings will be made readily available to all Ohio residents living in close proximity to fracking sites, or downstream from contamination.**
9. **I will convene a panel of physicians, scientists and economists to examine the injury to Ohioans' health, the environment, and the land as a result of hydro-fracking, and deep injection wells, to quantify the damage to persons and property, to provide such data to support a major class action law suit against offending companies, not those who leased their land, but those who recklessly drilled, and injected, putting the long-term health of communities at risk. Those who have poisoned Ohio's people and their land will be made to pay.**
10. **The state will use the power of eminent domain to acquire existing drilling sites, settle up royalties for locals, close the wells and levy a severance fee on the companies.**

I intend to create real economic opportunities for the people of "fracked Ohio," especially southeast Ohio, so they will no longer be vulnerable to those who exploit their poverty with poisoned jobs.

As I have inspected the conditions in Ohio which have occurred because of fracking I have had several questions:

How could this industry be given exemptions to important, protective environmental regulations?

How could toxic, radioactive, and hazardous waste be falsely labeled and disposed of as non-hazardous?

Why was Ohio made into a sacrifice zone as the designated dumping ground for hazardous waste, especially frack waste from other states who don't want it?

How did it happen that an estimated 16 billion gallons of water have already been removed forever from our hydrological cycle - never to be used for agriculture, recreation or drinking water for Ohioans?

How can this one industry have the political clout to virtually take over state government, to use our water and destroy it forever for others and only pay pennies on the gallon for this destruction?

Why was this industry allowed to pollute and profit by externalizing the true costs of pollution, remediation and destruction and passing it along to Ohio's future generations?

Why were Ohio taxpayer dollars, in the form of tax reductions, tax-paid loans and tax-paid grants provided to this industry, while more lasting, sustainable industries such as renewable energy program incentives were slashed?

Ohio taxpayers are facing a future of billions of dollars of debt and destruction as a result of the virtually unregulated nature of this industry. As Ohio's Governor, I will end the corrupt influence of these interests in the state Capitol.

No longer will Ohio be the designated dumping ground for frack waste from here and other states with unregulated processing facilities operating for private profit at public expense.

No longer will frack waste be injected into our ground to pollute our clean water, our ground water, our surface water.

No longer will the industry be able to hide behind the false label of "proprietary" to experiment with toxic chemicals and biocides and use them without traceability and responsibility for the health and environmental impacts on the State of Ohio.

No longer will we be lied to and used by these interests.

No longer will the industry be able to take advantage of lax regulations or no regulations to make money at our expense!

No longer will we let other countries turn the State of Ohio into a resource colony for their profit and export!

No longer will frack gas pipelines be able to seize private property with eminent domain just to export our gas to overseas markets!

No longer will private property owners be forced to allow fracking next to them, making them sick and leaving them with worthless land, while the industry's places upon them the liability for clean up!