

August 31, 2012

Dear Director Zehringer and Division Staff,

As a member of Athens City Council and someone who has visited injection wells and gas production sites, I am writing out of concern for the UIC Class 2 injection wells and pending revisions. As more wells are being permitted and the fact that the unconventional nature of creating millions more gallons of oilfield 'brine' is pouring into our state injection wells I have kept abreast with your revisions. What has surfaced through the SGEIS report from the state of New York is that the benign 'brine' is in fact extremely toxic and chemically laden wastewater. My primary concern is that the strata are not an infinite void, and based on the studies that show the flowback water to be toxic, we can assume that eventually the fluid will migrate into our freshwater aquifers. Taking into account the lack of oversight already seen as acceptable by your agency in monitoring of the 170 plus injection wells and this high-volume, high-pressure injection well influx, I am extremely concerned for local constituents and all OH taxpayers. The oversight is not enough. The likelihood of freshwater contamination in our near future is highly disconcerting. As an elected official I have to be intently aware of the health and safety of our citizens. So I suggest the following be included in your revisions:

Under: 1501: 9-3-06 (C) It would be appropriate to insist on a comprehensive testing set, not at the Chief's discretion, but for every well, every time a permit is requested.

Under: 1501: 9-3-06 (b) The rule should be modified to reflect at least the federal minimum requirement for public comment of thirty days. Additionally, all testing should be done and the results posted in the public notice before a permit is approved.

Under: 1501: 9-3-06 (L) The process allowed by the permit should be the same in both urban and non-urban areas. Simplification of UIC rules make sense in regards to this item.

Under: 1501:9-3-07 (C) The Ohio Administrative Code or The Ohio Revised Code does not define "saltwater" or "standard well treatment fluid". It is a fallacy to call this fluid anything other than what it is, TOXIC WASTE. Regardless of the 2005 Energy Act, which conceals the nature of the chemicals under 'proprietary secrets,' we expect our state to protect our residents from this toxic wastewater. Please reference the SGEIS section 5.11 (*attachment #1*) to evaluate the level of toxicity from the brine that we are already receiving from PA & WV. It is a grave error and liability issue for ODNR not to recognize the threat to our constitutional rights based on Ohio Constitution (*attachment #2*).

In closing let me clearly state that I'm fully behind a ban on Class 2 injection wells continuing to accept the waste that is being accepted and the exclusion it gives to the Oil & Gas extraction industry. I expect ODNR to take accountability. Ban Class 2 injection wells. The procedures are not currently in place for municipalities to fully protect the safety of our citizens.

Thank you for your full consideration.

Michele M. Papai
Athens (OH) City Councilmember