

January 8, 2013

Director James Zehringer
Ohio Department of Natural Resources
2045 Morse Road, Building D
Columbus Ohio 43229-6693

Re: D.T. Atha Permit # 3761
aAMY0000706

Dear Director Zehringer,

It has been sometime since we in Athens County have been in contact with ODNR. During this time I have put some effort into researching your history with county and state government up through your appointment to the Director of ODNR.

I was very interested in the facts that surround a CO₂ Sequestration project slated for Darke County during your term as State Representative. Your constituents demanded your support of their objections to the project. You attended many public meetings and stated that you were "bitterly opposed to this project."

You carried the banner for the opposition to the injection well while representing Darke County. Here you are at a public meeting with 1,000 in attendance stating your opposition.



Further, here is your [letter to ODOT](#) stating your opposition to the project.



Jim Zehringer
State Representative, 77th House District

7/31/09

Director Jolene Molitoris
Ohio Department of Transportation
1980 West Broad Street
Columbus Ohio, 43223

Dear Director Molitoris:

I'm writing to urge your support to restrict the granting of permits for seismic testing on State Route 571 in Darke County. The County Engineers, four boards of Township Trustees and the city of Greenville all oppose this proposal and have set rigorous requirements for the granting of any permits.

The systemic test is necessary for a CO2 sequestration project to proceed in and around the city of Greenville. As the elected representative for this region, I along with over 90% of the citizens am bitterly opposed to this project.

The mentioned road authorities want to comply with the wishes of the community as well as their duties and obligations. ODOT personnel from District 7 met with these road authorities on a number of occasions but later declined to participate in the restrictions for seismic permits. If you would like to discuss this issue with me, please call me or Darke county engineer Jim Surber anytime.

Sincerely,

State Representative Jim Zehringer (614) 466-6344

Capitol:
77 South High Street
Columbus, Ohio 43215-6111
(614) 466-6344
(614) 719-3977 (fax)
(800) 282-0253 (toll free)

www.house.state.oh.us
District77@ohr.state.oh.us

District:
Parts of Mercer, Preble
and Darke Counties

*Jim, Here is a
Copy of the letter
Sent to
Div. Molitoris
7-31-09
JH*

It is an enigma to me that only 3 ½ years ago you were "bitterly opposed" to an injection well because the "people" did not want it and asked you to support them. Now, as director of a regulatory agency you have no constituents so you have deaf ears and blind eyes. You now support dumping as much as 2 million gallons of highly toxic, radioactive out-of-state waste with high levels of benzene and radioactive strontium in OUR communities.

We the public understand the laws and rules that you are charged with executing. We know that you, acting through the Chief of DOGRM, can approve a public hearing for an injection well permit application. We know that you should hear what the people have to say about any injection well permit application that comes to ODNR.

In Athens County we already have an injection well that has been out of compliance for years. There are three wells now in the area of the Atha well application. The people in OUR county know there are dangers with injection wells, and they are asking for their day, through a public hearing, to express their concerns on the record — NOT AT AN OPEN HOUSE WHERE THERE IS NO LEGAL OBLIGATION FOR ODNR

TO LISTEN AT ALL AND THE PUBLIC HAS LOST THE PUBLIC FORUM GUARANTEED BY THE FIRST AMENDMENT.

By the way, we have yet to receive any answers to any questions “dropped in the box” at the Open House let alone to the 100 comments received by ODNR during the comment period in September.

Hopefully you and your staff are aware that there is a serious question as to whether the Atha lease terminated at the end of the lease’s primary term before Well 3761 was drilled. There are too many unanswered questions concerning this permit application. You as a state representative were held accountable for your actions. In the good sense that you had then, do you indeed believe today that you should be held to the same high standards as Director of ODNR? Our lives are as important as those of your former constituents.

Furthermore, your Chief of Division of Mining, Lanny Erdos, granted a public hearing in the fall of 2011 to the people of Athens County regarding a strip mine application by Oxford Mining Company . There was no controversy, no Open House. There was however, a very informative public meeting at which ODNR staff addressed questions regarding the permit application and the process of permitting. A public hearing followed this meeting when citizens requested one.

Think about the emotions that encouraged the people of Darke County to cry out over and over that the injection well could affect their water supply. Reflect on the moment you prayed with these people at public meetings. The people who live in Athens have just as much at stake and are praying just as hard to keep injection wells from ruining our water supplies and endangering our children on the roads that will have school busses and Brine trucks running at the same time every day.

The response from Chief Simmers is not good enough. The insolence we get from Tom Tomastik is not appropriate. As a former County Commissioner in Athens County, I know that one’s constituents would NEVER be treated in this way. I have the same questions I submitted last fall about the Atha permit application and have yet to receive any answers.

We and other citizens in Ohio are expecting you to protect us, not cow tow to the Oil and Gas Industry.

DO THE RIGHT THING DIRECTOR ZERHINGER!!! Grant the public hearing on this and all injection well permit applications in Ohio.

Sincerely,
Roxanne Groff
Amesville Ohio
Athens County