

Oct. 10. 2012

ODNR Division of Oil and Gas

Dear Chief Simmers and Director Zehringer:

While I appreciate your interest in sponsoring a public meeting on injection wells, this public meeting can in no way substitute for the PUBLIC HEARING required of you by Ohio Administrative Code 1501:9-3-06 (E) (2) (c), which states,

If an objection is received, the chief shall rule upon the validity of the objection. If, in the opinion of the chief, such objection is not relevant to the issues of public health or safety, or to good conservation practices, or is without substance, a permit shall be issued. If the chief considers any objection to be relevant to the issues of public health or safety, or to good conservation practices, or to have substance, a hearing shall be called within thirty days of receipt of the objection. Such hearing shall be held at the central office of the division or other location designated by the chief. Notice of the hearing shall be sent by the chief to the applicant and to the person who has filed the objection.

*The concerns raised by me and the many other commenters on the Atha permit application (Permit # 3761) are clearly relevant to issues of public health and safety and good conservation practices. You are therefore required by law to call for a PUBLIC HEARING WITHIN THIRTY DAYS OF RECEIPT OF OUR OBJECTIONS to the Atha permit. A public meeting does not relieve you of your legal obligation to call a public hearing based on the extensive and relevant objections raised by numerous SE Ohio citizens.*

Furthermore, I wrote to Chief Simmers and Director Zehringer on this matter. I would like assurance that they are reading objections, since they are legally obligated to respond to such objections. Please provide a prompt response indicating that the Division is conforming to its legal obligations to respond to these relevant and serious objections to the Atha permit application. I look forward to hearing from the Director or Chief about a public hearing in Athens County soon.

Sincerely,  
Heather Cantino  
33 Cable Lane  
Athens OH 45701