



# The Voter

THE LEAGUE OF WOMEN VOTERS OF DARKE COUNTY – FEBRUARY 2012  
darkecounty.oh.lwvnet.org

Dues were due by July 1; do you still owe yours?

Please remit to:  
Mitzi Marshall

611 Fair Street

Greenville, OH  
45331

548-9643

\$55.00 per person



## MEETINGS

Usually held the first Tuesday evening of the month @

5:30 p.m.

at the

Greenville Public Library.

Upcoming:

March 5

## FRACKING MEETING

Monday, March 18, 2013, 7:00 p.m.

First Presbyterian Church (behind 2<sup>nd</sup> National Bank)

114 E. Fourth St, Greenville

### Presenters:

#### Joe Logan

Director of the Agricultural Programs at the Ohio Environmental Council &

Co-Chair of the Coalition for a Prosperous America Board of Directors

*And*

#### Julie Weatherington-Rice

Senior Scientist at Bennett and Williams Environmental Consultants &

Adjunct Professor at OSU Dept. of Food, Agricultural & Biological Engineering



The Darke County LWV will be presenting an educational forum on the process of horizontal drilling in relation to oil and gas recovery in Ohio; a process more readily identified as “fracking”. League members are asked to read the background papers prior to the meeting and come prepared to partake in the conversation.

Background materials may be found by going to the Ohio Environmental Council’s website at: <http://www.theoec.org/Fracking> or by accessing the information at the Ohio Department of Natural Resources at: [www.ohiodnr.com](http://www.ohiodnr.com). Information on Ohio’s SB 315 which was signed into law on June 11, 2012 may be found at: the ODNR website, <http://oilgas.ohiodnr.com/Laws-Regulations/Senate-Bill-315.aspx> and <http://www.spilmanlaw.com/Resources/Attorney-Authored-Articles/Marcellus-Fairway/Summary-of-New-Ohio-Oil---Gas-Legislation>.

## **TO FRACK OR NOT TO FRACK**

As gas prices rise, the United States looks for a way to reduce U.S. dependency on foreign oil. One of the much lauded solutions has been the process of horizontal drilling and hydraulic fracturing or fracking for oil and gas within the shale formations underground in our country. The process of hydraulic fracturing has been used for many years; a patent was issued in 1949, with an exclusive license granted to the Halliburton Oil Well Cementing Company to pump using the new "hydrafrac" process, but recent innovation in this technique, that drills much lower and then takes a horizontal turn, is relatively new. The process uses a new combination of chemicals mixed with sand and millions of gallons of water and is considered by the oil and gas industry to be much more efficient and economical than the old process for maximum extraction of vast amounts of formerly inaccessible hydrocarbons. Unfortunately, there are many concerns involved with this new technique.

### **Water Problems**

First of all, larger volumes of water are used in the process of horizontal hydraulic fracturing. It is estimated that 5.6 million gallons are needed per frack; that amount could supply one family of four with the water needed to eat, cook, bathe, etc. for 51 years. Surface and ground water sources are particularly stressed in times of drought. Such a drought prompted the Chesapeake Energy company to recently develop a recycling process to reuse "produced" waste water, but the positive results of this endeavor will take some time to realize and only work if it is economical enough to sell to other competitors in the industry. Critics fear that the concentrated waste product from this process would be even more detrimental to the environment and the recycled water still has to be mixed with freshwater in order to ensure the proper mixture for fracking.

Secondly, there is contamination of underground sources of drinking water and surface waters resulting from spills, faulty well construction, or other means. Contaminants include fracturing fluid chemicals, degradation products and naturally occurring materials in the geologic formations, such as metals and radionuclides that are mobilized and brought to the surface during the fracturing process. Radium was found in a sample of Marcellus shale wastewater in Pennsylvania that tested at 3,609 times more radioactive than the federal safety limit for drinking water and 300 times higher than the Nuclear Regulatory Commission limit for industrial discharges to water. Reportedly 1 million pounds of chemicals are used at a single well site which isn't supposed to be a problem, because that makes them only 1% of the solution. But how much is 1% of 5 or so million gallons? Would you say 50,000 or so gallons of chemicals? Even when the many substances used in the fracturing fluid are disclosed, the actual formula for the fluid can remain a commercial secret due to ruling these substances proprietary and regarding them as so-called trade secrets.

## **Current Practice of Disposal of Waste Water**

Only about 15% of the estimated 5.6 million gallons of water used in the process of fracking one well returns to the surface as waste water and this "produced" water is being disposed of in injection wells. Ohio recently began to permit new injection wells after taking a hiatus following a rare earthquake of a 4.0 magnitude around Youngstown at the end of 2011 that caused state regulators to shut down five wells at the epicenter of the earthquake and enact a freeze on new applications. Seismic testing now can be ordered by the ODNR before any new injection wells are approved. Hallelujah! We will probably need to start permitting many of these wells if we are going to take care of the waste water from other states. Pennsylvania, West Virginia and Kentucky can and probably will try to export their wastes to Ohio because our state has allowed it.

### **Nasty Air**

In areas with active natural gas development, there has been a well-documented impact on air quality including increases in emissions of methane, volatile organic compounds (VOCs) and hazardous air pollutants (HAPs) as well as an increase in greenhouse gas emissions. It has been reported that processes have averaged burning 29,000 gallons of diesel fuel in approximately five days. Diesel exhaust includes toxins such as benzene, formaldehyde and around 40 other toxins. Although the 2005 Bush-Cheney Energy Policy Act exempted hydraulic fracturing from the Safe Drinking Water Act (the Halliburton Loophole), it made one small exception: diesel fuel. A congressional investigation has found that oil and gas service companies used tens of millions of gallons of diesel fuel in fracking operations between 2005 and 2009, thus violating the Safe Drinking Water Act. In a letter to the EPA, the congressional committee noted that between 2005 and 2009, "oil and gas service companies injected 32.2 million gallons of diesel fuel or hydraulic fracturing fluids containing diesel fuel in wells in 19 states." Will the EPA impose retroactive liability for use of diesel in fracking?

### **Landowners Rights**

Since the late 1800s, landowners have been selling their mineral rights to the oil and gas underlying their land. Today, when a landowner tries to lease the rights to develop the oil and gas underlying his land, the landowner may be surprised to discover that they do not own oil, gas and other minerals below the surface. When the mineral estate has been severed from the surface estate and, for all intents and purposes, has been abandoned, any efficient development of the mineral resources is at risk. Ohio's Dormant Minerals Act developed a process to recover the ownership of an abandoned mineral interest and place the title back into the hands of the surface estate owner. Steps involving service of notice to the mineral interest holder to declare abandonment and then filing an affidavit of abandonment in the county recorder's office giving ownership to both surface and subsurface estates. The person owning the subsurface rights receives the royalties from the recovered oil and gas. In many states, in the case of severed estates, the mineral estate is dominant.

A company that seeks to drill an oil or gas well must have oil and gas rights to a certain amount of land around the well which is referred to as the "drilling unit". The further down the well head is located, the larger the drilling unit must be (1,000 ft. down-1 acre unit, 4,000 ft. down-40 acre unit). There are also spacing requirements, such as how close to an occupied house any equipment may be stored. If a company is unable to secure enough leases from landowners to make a drilling unit large enough, they can apply for a "mandatory pooling" order. This order would force some landowners to become part of the drilling unit, even though they didn't sign a lease. The ODNR make sure that the company has tried to contact all the landowners in the area and made good-faith offers to obtain leases from them. If such offers have been made, then a hearing is scheduled and the landowners are given an opportunity to testify. After the hearing the Technical Advisory Council (who meets only every three months) recommends whether to approve or deny the application.

The landowner can then choose whether or not to participate in the risks and royalties of the production. If they choose not to participate, the gas company may keep the royalties that would have been given the owner to cover cost assessments plus the signing bonus that participating owners receive (the risk penalty-twice the cost of participating landowners). Afterwards, owners receive remaining royalties.

**Movie Night:**

**Tuesday, February 26, 2013 at 5:30 p.m, at the Finnarn Law Offices on the Circle.**

**We will be screening "Truthland", an oil and gas industry documentary, and "Gasland", from filmmaker Josh Fox, two documentaries on opposing sides of the "Fracking" debate.**

**Regarding Truthland:**

"I'm not aware of any proven case where the fracking process itself has affected water."

- Lisa Jackson, U.S. Environmental Protection Agency Administrator ([May 24, 2011](#))

"Everybody in this room understands that hydraulic fracturing doesn't connect to the groundwater...It's almost inconceivable that we would ever contaminate, through the fracking process, the groundwater."

- John Hickenlooper (D), Governor of Colorado and former petroleum geologist ([Aug. 2, 2011](#))

"Gasland may become to the dangers of gas drilling what Silent Spring was to DDT."

-Variety

"If your soul isn't moved by the documentary, yours is a heart of shale."

-Denton Record Chronicle

**Movie Night:**

**About Gasland:**

When filmmaker Josh Fox is asked to lease his land for drilling, he embarks on a cross-country road trip to find the answer to this question. A nearby Pennsylvania town which was recently drilled reports that residents are able to light their drinking water on fire. This is just one of the many absurd and astonishing revelations of a new country called Gasland. Part verite` travelogue, part expose, part mystery, part bluegrass banjo meltdown, part showdown, Gasland is a cross-country odyssey with unexpected humor, uncovering a trail of secrets, lies and contamination. **Bring a sandwich; popcorn and drinks will be provided.**

**2013 CALENDAR**

<u>JANUARY</u> State Program Planning Jan. 8, 2013 5:30 p.m	<u>FEBRUARY</u>  Movie Night Gasland Feb. 26, 2013 5:30 p.m.	<u>MARCH</u> Fracking Forum March 18 <sup>th</sup> First Presbyterian Church 7:00 p.m.	<u>APRIL</u> "Glad Rags & Old Bags" Fundraiser April 27 <sup>th</sup>
<u>MAY</u>  Annual Meeting	<u>JUNE</u>	<u>JULY</u>	<u>AUGUST</u>  Membership Meeting

# GLAD RAGS AND OLD BAGS FUNDRAISER

APRIL 27<sup>TH</sup> 2013, 2-4 P.M.

ST. CLAIR MANOR

224 E. THIRD STREET, GREENVILLE

WANTED:



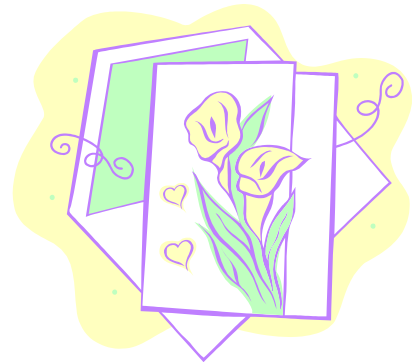
*It was suggested that some of our members might want to donate a themed basket for the auction or as a door prize or raffle. Please let a board member know if you would be willing to make up a basket and donate it to our fundraiser.*



We need another batch of gently-used bags for this year's tea fundraiser. At least ten pocketbooks would be needed for the auction. We also need large or small items for prizes to be put into the bags that are being auctioned off. If an item is too large to be inserted into a bag it will be designated by a certificate that is connected to the item which will be placed into the bag. Drop off at Finnarn's Law office or call 417-4483 for other arrangements.

Sweets and Savories catered by  
Montage Café

Style Show by Youniques



Please send the names and addresses of any and all of those people who you would like have personal invitations sent. These will be used for inviting our friends to this *fun*-draiser. Send your suggestions to: [finnthom@copper.net](mailto:finnthom@copper.net) or call Holly at 548-3240.

We've got a great afternoon planned, starting with an auction of many great prizes and surprises, a style show, raffles, food and intelligent conversation.