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First name: Heather

Last name: Cantino

Organization:

Title:

Comments: Packet #8: D&L Energy and Hardrock Excavating

The following is an example of what ODNR regulation of fracking infrastructure permits and fracking and injection wells is like. The laxity of Ohio law and regulation and their inability to protect Ohio residents from poisoning by fracking and frack waste injection operations must be fully considered by WNF in its new plan if further fracking is going to be proposed under Wayne land. USFS had no legal business granting permission to BLM to conduct fracking lease sales, since fracking has never been evaluated by a NEPA-based impact study of the Wayne. That must happen in the context of your new Plan development and permission withdrawn for all fracking lease sales meanwhile.

Heather Cantino, Steering Committee Chair,

Athens County Fracking Action Network, acfanohio@gmail.com

on behalf of

Athens County Fracking Action Network, acfan.org, acfanohio@gmail.com

Buckeye Environmental Network (formerly Buckeye Forest Council), Roxanne Groff, board chair

Jean Andrews, Documentary Video Producer, "A Forest Returns: The Success Story of Ohio's Only National Forest as Told by Ora Anderson"

Concerned Citizens of New Concord Muskingum County, OH 43762

Meghan Wynne, Organizer

----- Forwarded message -----

From: Heather Cantino

Date: Wed, Dec 7, 2016 at 5:11 PM

Subject: please acknowledge receipt of new information

To: Kathleen Atkinson

So much for Ohio law, regs and enforcement to protect us.

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From: Heather Cantino

Date: Wed, Jun 29, 2016 at 12:23 PM

Subject: Blowout in 2016 on "permanently" closed Ohio injection well: Please add to the administrative record re

NEPA project # DOI-BLM-Eastern States-0030-2016-0002-EA. When is permanent not permanent?

To: "Scardina, Anthony -FS", "Wadzinski, Kurt", blm_es_comments@blm.gov, Lenny Eliason, Chris Chmiel , Charlie Adkins

Please acknowledge receipt and add to the administrative record re NEPA project # DOI-BLM-Eastern States-0030-2016-0002-EA.

Subject: When is permanent not permanent?

WHEN IT HAPPENS IN OHIO!!!!!!!!!!!!!!

This is from the North Star Collins #6 injection well (old Lupo well) in Mahoning County. As you can see they had a blow out last Friday. Here is one of the problems, the permit was permanently revoked in 2013! The ODNR press release (2103) states:

"Ohio Permanently Revokes Operating Permits of D&L Energy and Hardrock

2/7/2013 Ohio DNR

COLUMBUS, OH - Yesterday, the Ohio Department of Natural Resources (ODNR) served orders to D&L Energy and Hardrock Excavating, located at 2761 Salt Springs Road, Youngstown, and owned by Ben Lupo, that permanently revokes operating permits for both companies. The revocations came after employees were observed dumping oil field waste into a storm sewer that emptied into the Mahoning River watershed."

From Teresa Mills: "So I guess permanently doesn't really mean permanent because according to the latest inspection report (3-29-16), 'The inspection was a follow-up on Chief's Order No. 2013-03. The permit has been reauthorized and transferred to a new owner. No plans have been made to construct the surface facility. The casing was hooked up to a plastic tank. Identification with the new owner's information was posted at the wellhead. No other changes have been made onsite.'

Oh and according to calls to ODNR inspectors, ODNR was on site when this happened.

How do you reauthorize a permit that was permanently revoked and THEN transfer it to another owner?!?!? I may be missing something but I cannot find anywhere in law or statute that would give the chief the authority to do this. But then again, there is no definition of 'revoke' in ODNR rules under ORC 1509 or OAC 1501. But then again ODNR and the state of Ohio act like they are outlaws from the wild west, do what the hell they want."

Heather Cantino