

REQUESTED BY:
BROWN

LAW DEPARTMENT
DRAFT NO. 3523

TITLE

A RESOLUTION PROPOSING THE HONORABLE JOHN R. KASICH, GOVERNOR OF THE STATE OF OHIO, TO DECLARE A MORATORIUM OF NEW INJECTION WELLS IN TRUMBULL COUNTY, OHIO AND DECLARING AN EMERGENCY.

RESOLUTION NO. 4591/15

WHEREAS, On May 20, 2015, the Board of Trumbull County Commissioners hosted a joint meeting with Commissioners from Ashtabula County, Mahoning County, Portage County, Stark County, Meigs County, Morrow County, the Trumbull County Township Trustees Association Committee, the Ashtabula County Township Trustees Association Committee, and the general public to discuss legislative and regulatory reform initiatives for restoration of certain local government controls over Class II injection wells; and

WHEREAS, concerns were expressed regarding the context of legislative and regulatory reforms impacting the health, safety, and welfare of township residents, including without limitation protection of local infrastructure, fresh water supplies, and property values; and

WHEREAS, Trumbull County is leading the State in the number of injection wells and 75% of the waste being transported into our area is from out of state. In Ohio, Class II injection wells are poorly regulated and not monitored for contaminant migration; and

WHEREAS, authority to implement local controls through zoning resolutions or otherwise was effectively stripped from local government in 2004 after HB 278 was passed. Unintended consequences of that legislation include the proliferation of a disparate number of Class II injection wells in rural townships, villages and cities in Ohio's Appalachian counties and other mostly rural counties; and

WHEREAS, these consequences include unfunded burdens on our local government infrastructure, citizens' concerns regarding their health and safety, and the anticipated long term devaluation of real property values (financial loss to property owners and tax base dilution); and

WHEREAS, the process known as "salt water injection" used to deposit brine/toxic waste under extreme pressure in wells several thousands of feet as well as shallow injection wells has been experienced by our residents to pollute water aquifers and trigger seismic activity. Ohio has faced unusual seismic activity; and

WHEREAS, the City of Warren requests that the State of Ohio contribute part of the license and permit fees for these wells to Trumbull County to help defray the costs incurred by local governments including but not limited to: local fire, police, HAZMAT, highway, and other impacts to local infrastructure.

THEREFORE, BE IT RESOLVED, that the City of Warren, together with the Board of Trumbull County Commissioners, Trumbull County Township Association, and other municipalities are opposed to injection of toxic oil and gas waste and to the permitting of additional Class II injection wells, due to known and unknown risks and potential harm.

THEREFORE, BE IT FURTHER RESOLVED, that the City of Warren respectfully request that the Honorable Governor John R. Kasich and the Ohio State Legislature move swiftly to freeze the issuing of injection well permits; NOW THEREFORE

BE IT RESOLVED by the Council of the City of Warren, State of Ohio:

Section 1: That a copy of this Resolution will be sent to the Honorable John R. Kasich, Governor of the State of Ohio, Chief James Zehringer of the Ohio Department of Natural Resources and Craig Butler, Director of the Ohio Environmental Protection Agency.

Section 2: That City of Warren hereby joins the ranks of the board of Trumbull County Commissioners, all other County Commissioners, Township Associations and Municipalities opposed to the injection of toxic oil and gas waste and to the permitting of additional Class II injection wells due to known and unknown risks and to the harm this industrial dumping inflicts on Ohio communities.

Section 3: That this Resolution shall go into immediate effect and be in force from and after its passage and approval by the Mayor.

Passed in Council this 8TH day of JULY, 2015.

SIGNED:

James C. Cusker
PRESIDENT OF COUNCIL

Gordon Smith
CLERK

FILED WITH THE MAYOR:

DATE APPROVED:

Will D. Zeller
MAYOR, CITY OF WARREN, OHIO