

Cuyahoga Falls City Council
Minutes of the Public Affairs Committee Meeting
January 22, 2008

Members: Kathy Hummel, Chair
Don Walters
Ken Barnhart

Mrs. Hummel called the meeting to order at 6:31 p.m. All members were present.

The minutes from the December 3, 2007, December 10, 2007 and December 17, 2007 committee meetings were approved as submitted.

Legislation Considered

Temp. Res. A-8

Discussion:

Temp. Res. A-8

A resolution requesting Governor Strickland to place a moratorium on the issuance of permits for oil and/or gas well drilling in the City of Munroe Falls until further studies of the Natural Resources, including drinking water, can be obtained, and declaring an emergency.

Mrs. Hummel confirmed that both Mr. Barnhart and Mr. Ihasz wished to be added as co-sponsors of this legislation.

Mrs. Ritzinger stated she has been corresponding with Mr. Birnbaum who wanted to make the City aware of some drilling that is scheduled to take place on the property located behind the Sonoco property on Route 91. The location is very close to Cuyahoga Falls and to its water supply. The City of Munroe Falls has a petition to go to the Governor which requests a moratorium on these types of drillings. She stated she has a copy if anyone is interested in signing.

Ralph Birnbaum, 90 Ridgeside Court, stated there was some property in Ashtabula County on which a well was drilled and it caused irreparable damage to the drinking water. Unfortunately, the ODNR does not accept input from affected communities and does not require an EPA study be performed prior to issuing a permit. The Munroe Falls site is very sensitive due to the location of the water supply. He appreciates Council's support. Mrs. Carr added that the site for drilling is near the five year zone. The EPA pointed out that if there is a leak, the path would be going into the City's water field. Hopefully, we will get some help from the Governor's office. Mr. Barnhart asked if there was any accountability if a driller were to contaminate the City's water supply. Mr. Birnbaum stated that H.B. 278 assigns all power regarding well drilling to ODNR which exempts the wells from the Safe Drinking Water Act. In fact, the EPA is still trying to clean up the Ashtabula County contamination where the driller stated he was not accountable because he was exempted by ODNR. Mr. Mader appreciated everything Mr. Birnbaum has done to bring this to Council's attention. Hopefully, the City can help stop this situation. Mrs. Colavecchio also thanked Mr. Birnbaum for coming forward. She stated it is often difficult to police what is happening outside the City's borders. She asked if Munroe Falls will be sponsoring similar legislation. Mr. Birnbaum indicated they passed legislation at its last Council meeting.

Mr. Christopher indicated he had a copy of the ODNR permit which outlines some conditions such as there must be at least one inspector present at all times during the drilling and also lists what the materials used must be made of. But the most important condition to him is the one that states the owner is responsible for collecting waters samples within a 300 foot radius of the well. He spoke to the ODNR who explained the

testing procedure to him. Whatever happens, however, he does not have control but he will make sure it is monitored closely and that he receives a copy of the results. Mrs. Pyke asked how deep the wells are. Mr. Christopher stated the City's wells are between 50 and 120 feet deep. Gas wells can go as deep as 4,000 feet so it will be going past the depth of the water wells. Even so, it will be very close to the underground aquifer.

Mr. Barnhart asked if the City could get an injunction to stop the drilling until the Governor has had a chance to review it. Mr. Arrington did not feel that would work since the appropriate government office has already approved it and issued its permit. He will check into it further but does not think an injunction would be successful. He added that he has received correspondence from the Munroe Falls attorney regarding legal action so he will be in contact with him. There may be something out there but whatever is done would be in conjunction with Munroe Falls.

Mrs. Hummel thanked Mr. Birnbaum for bringing this matter to Council's attention. She stated when local control is removed, it really hampers people with their own water source to gain some control.

Committee recommended bringing out Temp. Res. A-8.

The meeting adjourned at 6:45 p.m.