



*Preserving and protecting our precious freshwater*

July 23, 2014

United States Army Corps of Engineers  
502 Eighth Street  
Huntington, West Virginia 25701-2070

ATTN: Teresa Spagna, Regulatory Branch Manager, North Branch

RE: LRH 2013-848-OHR


Dear Ms. Spagna:

I am writing in regard to this permit application from GreenHunter LLC to build a barging facility in Meigs County, Ohio per <http://www.lrh.usace.army.mil/Missions/Regulatory/PublicNotices/tabid/4125/Article/485841/lrh-2013-848-ohr.aspx>.

We know there are many comments being made on this proposal. Requests to your agency include asking for delay of the deadline to respond and requests for public hearings. We are making a direct request to reject the permit application outright for a number of reasons which are apparent and already outlined by many others.

This letter is requesting the rejection of the permit application not only because of the inherent toxicity of frack waste and known human health effects already established, but the fact that there will likely be spills, releases and accidents involving the loading, barging and offloading of toxic, explosive and radioactive frack waste. To permit such an operation would guarantee additional toxic loading to the Ohio River, drinking water source for over five million people. Compare the outright sacrifice of such an important drinking water resource to the protections granted the Delaware Watershed and the moratorium that protects the people of New York. In addition, we are enclosing a copy of a resolution that reflects concerns the real concerns of those are proactive and wish to protect their watershed for the safe drinking water it provides. This resolution reflects the same concerns we have for the Ohio River, and we ask that the US Army Corps North Branch grant the same safeguards implemented for the George Washington National Forest to protect the Potomac River watershed (<http://countyboard.arlingtonva.us/resolution-concerning-horizontal-fracturing-george-washington-national-forest/>). Otherwise it appears obvious that the US Army Corps and other government agencies value the drinking water for those who live in New York City and Washington DC over others. Is safe drinking water for five million people who live in the Midwest less important than it is for the East coast?

It is important to note that such an application to allow the barging of millions of barrels of toxic frack waste would not be considered unless there was a total compromise by government agencies and publicly-paid elected officials to allow the fracking industry to pollute and destroy resources as it does. Despite the dismantled regulatory environment at the state and federal level, there are still criminal penalties for knowingly causing harm to drinking water supplies by releasing toxic and radioactive pollutants. We are rightfully concerned that another disaster such as the Charleston,



West Virginia spill that sickened thousands of people or the recent release of hydraulic fluid from a well fire in Monroe County, Ohio that resulted in a seven-mile long fish kill in a creek that flows into the Ohio River would happen, only in this case, on a much larger scale. Add to that the bio-accumulative effect of all the existing toxins in the Ohio River Watershed, the loss of environmental flow in the watershed due to the massive extraction of freshwater needed for fracking, and the added toxins and water soluble radium that will be added to remaining freshwater supplies due to spills, deliberate dumping and release from upstream “recyclers” and frack waste processors, which will all combine to result in a future public health hazard of unimaginable proportions.

Please also consider the fact that the industry could not profitably operate without special exemptions from important Federal environmental regulations that no other industry in the US can have. Then add the special incentive of providing cheap transportation and disposal with public subsidy for cleanup costs once the LLC’s go out of business, and we have a perfect storm brewing that we are certain the USACE will want to avoid.

We are making our comments brief because we know it is time-consuming to review and consider all points. We hope we have hit on the high points that would give pause to any possibility that this permit application would be approved. We know that history always reveals the gradual dismantling of public protections that allow disasters to happen. This is a pivotal decision at an important time. If the right decision is made, the exposure to the detrimental impacts to the environment and public health that the barging of frack waste on the Ohio River will create can be avoided, as well as the exorbitant taxpayer-funded costs for clean-up and remediation, if even possible. We hope the USACE will deny the subject permit application, which proposes an outrageous scheme that would definitely be contrary to public interest.

Sincerely,

Lea Harper  
Managing Director