

July 23, 2014

Ms. Teresa D. Spagna
CELRH-RD-N
US Army Corps of Engineers
Public Notice LRH-2013-848-OHR
502 8th St.
Huntington WV 25701-2070

Re: Public Notice LRH-2013-848-OHR/Green Hunter/Meigs County OH

Dear Ms. Spagna:

I write to request the Corps deny the proposed permit for certain radioactive waste and chemical waste handling facilities in Meigs County, Ohio, referred to here as “Green Hunter”.

I am a Professor of Public Health and I am the author of “Emergency Response to Chemical Accidents”, “Superfund & Brownfields Cleanup”, “State & Local Solid Waste Management”, “Administrative Rulemaking” and coeditor of the “Accident Prevention Manual” of the National Safety Council 14th Ed., and numerous other expert publications in the field of public health and environmental protection.

In my judgment as an expert, the information provided by Green Hunter is not sufficient to warrant allowing this applicant to proceed to the permit stage. This is a major federal action as my textbook on Rulemaking and NEPA explains. A referral to a complete Environmental Impact Statement is imperative. I am concerned that downstream risks to the public health and environment are substantial and the RHA and CWA authority of the Corps should be used to deny this permit application.

As an Army veteran I am aware of the good work of the Corps, and I believe that the Corps and Coast Guard will have an enormous cleanup cost when and if this permittee releases its radioactive and chemical waste products into the navigable waters overseen by the USACE Huntington District. “If they break it, you own it!”

Disclaimers: these views may or may not be shared by colleagues in the emergency response field, by my colleagues on the Wyoming OH city council, by the executive committee of the OKI Regional Council of Governments, the First Suburbs Consortium of SW Ohio, and by others on the faculty of public health at the College of Medicine, University of Cincinnati.

First, the applicant has not given sufficient assurance that the hydrocarbon and radioactive waste material can be fully contained in the SPCC design chosen by the applicant. The potential for escape and release of the gas and oil waste is illustrated by Ohio and other states' experiences with gas well waste explosions that have injured people and caused substantial property damage. These fire and spill scenarios are legitimately predictable and trigger a full EIS. USACE should use its authority to compel the submission of a comprehensive and transparent plan for tank integrity, monitoring of tank well integrity, adequacy of valve and pump integrity testing, capture of leaks, spill prevention and fire/explosion response.

Second, this application is premature. Huntington District resources should be saved for "ripe" and active matters only. The U.S. Coast Guard has not approved river transport for the barges of waste, and the failure of Green Hunter to have permission for this hazardous waste transportation makes it premature to consider their requested permit for the waste storage site. The USACE is aware of the views expressed to USCG by ORSANCO and other bodies concerning this transportation risk. The USACE should defer any approval determination so that the Green Hunter application does not consume USACE resources for a hypothetical future transportation option. We anticipate the USCG will not soon grant the barge rules needed to allow these wastes to be moved without a complete study of the environmental risks from fires and spills on the River.

Thirdly, within its mandate under the RHA, USACE should require a state of the art fire and lightning avoidance plan for the loading facilities. Ohio has experienced two fracking explosions and fires this summer, one in Monroe County in which twenty fracking trucks burned for two days and which led to a "significant fishkill," according to ODNR, and another in which a fracking waste truck at Envirotank's Belpre facility exploded and burned three men. Both explosions involved transfers of hydrocarbon-laden fracking liquids. Imagine an explosion from a barge carrying a half-million gallons of fracking waste at a site that is storing hundreds of thousands of gallons of this toxic radioactive waste. A spark igniting an off-loading barge with a half-million gallons of flammable fracking waste would cause great damage to the riverside and downstream

communities and to the approximately 5 million people who drink this Ohio River water.

Fourth, the Corps should extend the comment period in order to provide more time to assess short and long term damages of fracking wastes, calling for comment by trained scientists in all areas of energy exploration, water management, chemical and petrochemical fields, public health, and the environment as well as elected officials, government regulatory agencies, and citizens.

Finally, the transport of 105,000,000 gallons or more annually of toxic, flammable, and radioactive drilling wastes for injection into dozens of Ohio injection wells and solid waste disposal in area landfills enriches the Texas-based Green Hunter Corp. but threatens the safety of local residents and those downstream. The Corps should defer this permit proposal until such time as Ohio has completed the process for facilities that will store, recycle, treat or dispose of liquid fracking waste. At this time Ohio has no rules regulating these facilities. Green Hunter's skilled lobbyists are active on the consideration of Ohio rules and they should cooperate with responsible citizens to adopt adequate public protections in state regulations.

Thank you for considering these views.

Sincerely,

Prof. James T. O'Reilly