Anti-Fracking Amendment Rejected in NE Ohio

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COLUMBUS, Ohio (AP) — Voters on Tuesday rejected a proposal to ban hydraulic fracturing in a northeast Ohio city where disposal of wastewater from the drilling method led to earthquakes and alleged groundwater contamination.

The Community Bill of Rights on Youngstown's ballot would have prohibited the controversial high-pressure oil and gas drilling technique, also called fracking, inside city limits. Unofficial results showed the vote was about 43 percent in favor of the proposal and 57 percent against it.

Youngstown City Council put the proposal on the ballot in February after an anti-fracking group called Frackfree Mahoning Valley collected the necessary signatures.

Member Susie Beiersdorfer of Youngstown said the group was disappointed but might consider rewriting the proposal and trying again.

"We're certainly not giving up," she said.

Youngstown/Warren Regional Chamber President Tom Humphries said the measure would have hurt local economic progress.

"With tonight's vote, the people of Youngstown have announced that the city is open for business," he said in a statement.

Drilling-related episodes in the city have primarily involved deep-injection wells — where wastewater from fracking and other forms of drilling is deposited — not the drilling itself.

But a string of high-profile incidents over the past several years involving disposal have turned the public's attention toward the source of the wastewater: a boom in drilling in the Utica Shale that lies under eastern Ohio.

In July, Gov. John Kasich ordered new state regulations to be imposed on the deep-injection wells after a Youngstown-area earthquake — one in a series of more than a dozen mostly in 2011 — was tied to one such deep well.

That earthquake, on the eve of 2012, prompted Kasich to issue a temporary moratorium on new injection activity in the vicinity until the rules could be put in place.

The owner of D&L Energy, whose well was at the epicenter of the quakes, was later indicted in a separate incident. In his position as owner of another company, Hardrock Excavating LLC, Ben Lupo and employee Michael Guesman were accused of violating the Clean Water Act by illegally dumping oil and gas wastes into a storm

drain.

The two have pleaded not guilty.

In March, a coalition of environmental and community groups concerned about the incident called on the federal government to consider suspending Ohio's authority to oversee the deep injection wells. A U.S. EPA spokesman has said the agency is reviewing the request.

Local officials in Youngstown have questioned whether the ban on Tuesday's ballot could be enforced even if it passes. That's because drilling in Ohio is regulated by the state, not cities. Activists supporting the proposal say it will be enforceable.

Councils in Cincinnati and Yellow Springs have approved similar bills of rights prohibiting fracking, and activists have also promoted a similar proposal in Athens County in the southeastern part of the state.

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Associated Press writer Kantele Franko contributed to this report.

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