

VIA FACSIMILE: (703) 440-1551

Dr. John Lyon
Eastern States Office Director
United States Department of the Interior
Bureau of Land Management
Eastern States
7450 Boston Boulevard
Springfield, Virginia 22153

RE: Protest of the Bureau of Land Management's Notice of Competitive Oil and Gas Lease Sale Concerning Parcels in Perry, Galia, and Athens Counties, Ohio

Dear Dr. Lyon:

As a property owner in Athens County dependent on the Le-Ax Water District for our household water supply, we hereby protest the Bureau of Land Management's (BLM) planned offering of ES-041-12/11, OHES 57244 ACQ (528.15 acres, Perry County); ES-042-12/11, OHES 57245 ACQ (150.65 Acres, Galia County); ES-043-12/11, OHES 57246 ACQ (264.93 acres, Athens County); ES-044-12/11, OHES 57247 ACQ (1,238.06 acres, Athens County); and ES-045-12/11, OHES 57248 ACQ (1,120.58 acres, Athens County) at the December 7, 2011 lease sale in accordance with 43 CFR 3120.1-3. The five parcels are publicly owned lands of the Wayne National Forest, and will hereinafter be referred to as Parcels 41, 42, 43, 44, and 45, respectively.

THE PROTESTING PARTIES AND THEIR INTERESTS

As noted above, my wife and I are property owners in the areas affected by the proposed lease sales and therefore have an interest in this matter. We are extremely distressed by the prospect of the sale of these leases by the BLM for deep shale horizontal hydraulic fracturing ("fracking") on the Wayne National Forest along the Hocking River near Nelsonville, Ohio. This is a very grave development for Athens county's air quality, local economy and downstream drinking water supplies, due to potential massive water withdrawals and likely contamination. The sales threaten the drinking water supplies of Athens, Nelsonville, Le-Ax, and Burr Oak Water Districts. **We urge you to intervene on behalf of southeast Ohio and cancel these potentially illegal and dangerous sales.**

STATEMENT OF REASONS

These lease sales are an economic, social, environmental, and health threat because Ohio and federal regulations permit:

- unlimited water withdrawals onsite, which will likely come from the aquifer and/or river;

- long-term toxic waste storage in open pits, which don't have to be netted or fenced;
- burial of toxic sludge onsite, which may well be immediately over the aquifer;
- reinjection of liquid waste in wells not designed for hazardous waste and without associated monitoring wells;
- flaring of unwanted gas; and
- volatilization rather than capture of highly toxic volatile organic compounds.

In addition, "fracking" waste is exempt from the Safe Drinking Water Act, the Clean Water Act, and RCCRA. Local communities cannot afford the monitoring and remediation that these wells will likely require. Lack of regulation will mean lack of liability for the corporations that own the wells. Our local economy, dependent on healthy farms and food, tourism, and vibrant communities, is severely threatened by this BLM action.

Furthermore, waste and "produced water" from the Utica shale can be highly radioactive, which downstream water systems can neither adequately monitor nor remedy.

The dangers posed by these lease sales are compounded by the lack of an adequate environmental impact statement as required by NEPA. The lack of such a study, which would assess risks to water, air, and surrounding communities, raises questions regarding the legality of the sales.

The BLM and Forest Service (FS) most probably will violate NEPA if these leases are offered for sale.

The BLM and FS (and) are relying on the analysis contained in the 2006 Wayne National Forest LRMP, Record of Decision and Final EIS for the site-specific preleasing NEPA analysis necessary to assess the impacts arising from oil and gas exploration and development on these leases. However, none of these documents contain the site-specific analysis necessary to satisfy NEPA's requirements, especially the requirement for a "hard look" at the impacts. Moreover, circumstances have changed and new information has arisen since the 2006 FEIS was completed, necessitating further analysis. See 40 C.F.R. § 1502.9(c)(1) (supplemental EIS must be prepared when there are significant new circumstances or information).

High volume horizontal hydraulic fracturing is a recently developed process of natural gas drilling that differs significantly in many respects from conventional oil and gas drilling. The 2006 LRMP FEIS touches only very briefly on directional drilling, and fails to provide any analysis of the potential environmental impacts of directional drilling. Moreover, the more specific practice of high volume directional (or "horizontal") hydraulic drilling/fracturing is mentioned nowhere in the FEIS. This is perhaps not surprising, as the high volume directional hydraulic

fracturing of shale formations such as the Utica and Marcellus began only after the 2006 FEIS was completed. Appendix G to the 2006 LRMP FEIS, which projected the future development of oil and gas on the Wayne, specifically stated that directional drilling technology was not economically feasible on the Wayne:

[O]perator feedback coupled with the fact that only 12 wells out of 1,704 permitted during the 10 year period were directional wells, suggest that this type of technology is still not yet economically feasible within the WNF. (2006 FEIS, page G-5, "Directional/Horizontal Drilling.")

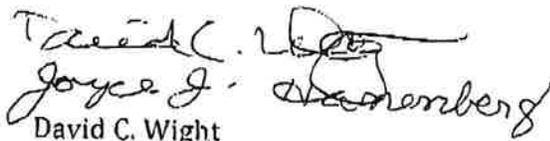
Since that time, the practice has become widespread in neighboring states such as Pennsylvania. The practice is now rapidly expanding in the State of Ohio and is a serious cause for concern.

In summary, we reiterate our strong protest of the Bureau of Land Management's Notice of Competitive Oil and Gas Lease Sale concerning parcels in Perry, Galia, and Athens Counties, Ohio. We have detailed our interest in these lease sales and have included in our letter a statement of reasons for our protest.

We took up residence on the outskirts of the city of Athens to enjoy the beauty and tranquility that exists here. We have lived in Athens for over 25 years and regard the sale of oil and gas leases for the purpose of deep shale horizontal hydraulic fracturing a threat to our family's well-being and the investment we have made in making Athens our home. We believe that it is for reasons like this oil and gas lease sale that Ohio is losing some of its most talented citizens.

We request that this protest be made a matter of record in the above referenced lease sales.

Sincerely,



David C. Wight
Joyce J. Hanenberg
14599 Kincade Road
Athens, OH 45701