

From: [Toma, Michael](#)
To: [Rosenson, Valerie](#)
Cc: [Emmett, Kathryn](#)
Subject: Response to Question from Rep. McMullen re: fracking ordinance
Date: Friday, May 24, 2019 1:49:50 PM

Valerie,

In response to Rep. McMullen's question from this morning, I offer the following. The difference in the language is that if a company believes that there is no banned material in its product but is nevertheless unable to test it to verify that fact or know that for sure, it is not required under the proposed language to certify (guarantee) under penalty of perjury that no banned material is in the product. By contrast, the current language does require the company to so certify – *i.e.*, guarantee – the absence of banned product. O&G has indicated that it will not certify something that it cannot know.

Mike Toma