



Ohio EPA's 2018-19 Biennial Budget

Ohio EPA's policy initiatives for the 2018-19 biennial budget

Improve efficiency and promote innovation at Ohio EPA

Consolidation of existing technical, compliance and financial assistance programs within Ohio EPA: Memorialize in statute the consolidation of existing compliance, technical and financial assistance programs under a single division to create a "one-stop shop" within Ohio EPA for customers seeking resources to help them achieve compliance. Through a more efficient, coordinated and strategic approach to administering resources, Ohio EPA is better positioned to help more regulated entities with a greater level of service.

Asbestos Certification Transfer from Ohio Department of Health (ODH) to Ohio EPA: Currently, ODH certifies asbestos removal contractors and Ohio EPA regulates asbestos notification, including removal and disposal. The transfer will streamline the entire process into one agency and help ensure that those operators who are certified to remove asbestos in accordance with state and federal law are complying with the law. Creates a "one-stop shop" for contractors/operators/citizens; reduces onsite inspections from two state agencies to one; consolidates state field workers and staff to eliminate duplication and conflicts; and improves the asbestos compliance and enforcement that protects citizens from relying on known problematic companies and individuals.

Update Local Air Agency Statute: While updating the names and jurisdictions of the local air agencies that work with Ohio EPA's Division of Air Pollution Control, this language also improves efficiency by allowing the local air agencies to perform additional work in nearby counties.

Authority to Waive or Reduce Late Payment Penalties and Environmental Fees: Many of Ohio EPA's environmental fees have an additional late payment penalty established in the revised code to encourage on time payment. Situations arise where a late fee should be waived or reduced and this amendment would provide that opportunity to the director.

Water Pollution Control Loan Fund (WPCLF) Administration: Federal regulations allow WPCLF administrative fees to be used for water quality work throughout the state, while Ohio law is more restrictive to work related only to administering the water pollution control loan program. This amendment will allow Ohio EPA to use the funds in a manner consistent with existing federal regulations.

Diesel Emission Reduction Grant Program (DERG): Ohio EPA and Ohio Department of Transportation (ODOT) seek to continue the DERG program with spending of \$10 million each year at ODOT for administration of the awards.

Authorize Explosive Landfill Gas Monitoring: Expands the director's authority to enter and evaluate explosive gas generation and migration issues at any solid waste disposal facility or closed solid waste disposal facility. Authorizes the director to issue orders to responsible parties to address explosive gas formation and migration if he/she determines that there is a threat to human health, safety or the environment.

Streamline the State Toxic Release Inventory Reporting: More than 1,300 Ohio companies are required to submit annual chemical inventory reports to both U.S. EPA and Ohio EPA. This change recognizes the electronic reporting mechanism of U.S. EPA as simultaneously fulfilling the obligation of the state requirement, eliminates the state filing and fee, but retains Ohio EPA's authority to take enforcement action if a toxic release inventory violation occurs.

Total Maximum Daily Loads (TMDLs): In response to the Ohio Supreme Court's decision in *Fairfield County Board of Commissioners versus Nally*, 2015, reestablish the legal validity of TMDLs approved by U.S. EPA prior to that date (March 24, 2015) and exempt TMDLs from formal rulemaking in favor of more robust public involvement opportunities and due process requirements for those affected by TMDLs. The amendment provides a process to outline, review and approve current and future TMDLs. TMDLs are required by federal law to address waters not meeting water quality standards.

Ohio EPA's 2018-19 Biennial Budget

Environmental Fund Transfers and Consolidation

- Federal Hazardous Waste Management Fund to the Federally Supported Cleanup and Response Fund.
- Federal Nonpoint Source Pollution Management Fund to the Federal Water Quality Protection Fund.
- Allow Ohio EPA to continue giving grants to area-wide planning agencies for water quality management planning activities.
- Replaces the mandatory transfer of \$.50 per ton from the annual Title V clean air emissions fee to the Small Business Assistance Fund managed by the Ohio Air Quality Development Authority (OAQDA), with a transfer on an as-needed basis. Transfer \$1.5 million back to the Title V program at Ohio EPA.
- Transfer up to \$3 million from the Scrap Tire Cleanup Fund to the Auto Emissions Test Fund to support oversight costs of the auto emissions test program (E-Check).

Fiscal Budget Language Items

Ohio EPA will continue to exercise fiscal responsibility by not increasing fees.

Extend Sunsets on Existing Ohio EPA Fees: Ohio EPA's Division of Surface Water, Division of Air Pollution Control, Division of Drinking and Ground Waters and the Division of Materials and Waste Management are extending but not increasing their environmental program fees. Changes allow for a transfer of up to \$1 million instead of mandating the transfer from the Scrap Tire Abatement Program to the Scrap Tire Market Development Fund each fiscal year.

Consolidation of NPDES Application and Issuance Fees: This change would end the multiple billing requirements in the permit process and have a combined fee at the time of application. Combining application and issuance fees will result in no net fee increase to applicants; it simply makes the billing process easier, less confusing and provides a cost savings of check processing to the agency.

Eliminate Obsolete Reports/Statutes

- Delete old Construction Grant references to a program that no longer exists.
- Delete references and the use of funds for cleanup and removal at Kirby tire site.
- Remove obsolete landfill permit-to-install submission requirements.
- Delete the obsolete authorizing language for the Clean Diesel School Bus Fund.
- Delete old Industrial Tax Certificate language.