



H.B. 340

124th General Assembly
(As Introduced)

Rep. Widowfield

BILL SUMMARY

- Establishes procedures for the approval or disapproval by the electors of a charter county of the proposed site in that county of a new construction and demolition debris facility, solid waste landfill, hazardous waste disposal facility, or scrap tire monocell or monofill facility.

CONTENT AND OPERATION

The bill establishes procedures for the approval or disapproval by voters in a charter county of an application for a license for a new construction and demolition debris facility or a permit for a new solid waste landfill, new hazardous waste disposal facility, or new scrap tire monocell or monofill facility (facility) if the area proposed for the new facility is in the charter county.¹ The bill provides that upon the submission of an application for such a license or permit to the Environmental Protection Agency (EPA), a local board of health, or the Hazardous Waste Facility Board (HWFB), as applicable, the EPA, the board, or HWFB must determine if the proposed site of the facility is located in whole or in part in a county that has adopted a charter. If it is located in a charter county, the Director of Environmental Protection acting on behalf of the EPA or HWFB or the local board of health must notify the board of elections in the county and direct the board of elections to put the question of whether to approve or disapprove the proposed site of the facility on the ballot in that charter county in the next general election. A board of health must act by resolution. The election must occur not less than 75 days after receipt of the Director's notice or the board's resolution.

The cost of submitting a question to the voters under the bill must be borne by the charter county. The board of elections in the charter county must certify the

¹ Sections 3 and 4 of Article X of the Ohio Constitution establish procedures for counties to adopt a charter.

election results to the Director or the board of health, whichever directed the election to be held.

If a majority of voters in the charter county approve the proposed site of the facility in the application, the EPA, the local board of health, or HWFB, as applicable, must proceed with processing the application in accordance with current law. The bill provides that the filing date of the application is considered to be the date on which the Director or board of health receives certification of the election results approving the proposed site of the facility that is the subject of the application. However, if a majority of voters in the charter county disapprove the site of the facility in the application, no further action may be taken on the application (see **COMMENT**). (Sec. 3745.15.)

COMMENT

The bill does not address the disposition of application fees that are submitted by an applicant should the electors disapprove the site to which the application applies. It is not clear whether the fees are required to be returned to the applicant.

HISTORY

ACTION	DATE	JOURNAL ENTRY
Introduced	08-07-01	p. 812

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