

Executive

As Passed by the House

As Passed by the Senate

As Enacted

EPACD7 Local air pollution control authority

R.C. 3704.01, 3704.111

Modifies the list of local agencies that qualify as a local air pollution control authority under the law governing air pollution control by eliminating the Mahoning-Trumbull Air Pollution Control Authority, City of Youngstown.

Fiscal effect: None. The Mahoning-Trumbull Air Pollution Control Authority ceased operations as of September 30, 2018, therefore the elimination will not affect the distribution of available funding for local air pollution control authorities.

R.C. 3704.01, 3704.111

Same as the Executive.

Fiscal effect: Same as the Executive.

R.C. 3704.01, 3704.111

Same as the Executive.

Fiscal effect: Same as the Executive.

R.C. 3704.01, 3704.111

Same as the Executive.

Fiscal effect: Same as the Executive.

EPACD5 Best available technology requirements for air contaminants

R.C. 3704.03

(1) Eliminates the requirement that the Director of Environmental Protection establish the best available technology (BAT) methods in rules and instead requires the BAT method for an air contaminant source to be established in the permit to install (PTI) issued for the source.

(2) Specifies that the methods apply only to air contaminants or precursors of air contaminants for which a National Ambient Air Quality Standard has been established under the federal Clean Air Act.

(1) No provision.

(2) No provision.

(1) No provision.

(2) No provision.

(1) No provision.

(2) No provision.

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<p>(3) Alters one of the four current BAT methods by allowing BAT requirements in a permit issued for an air contaminant source to be expressed as a "rolling 12-month summation of the allowable emissions" rather than as "monthly allowable emissions averaged over a 12-month rolling period."</p>	<p>(3) No provision.</p>	<p>(3) No provision.</p>	<p>(3) No provision.</p>
<p>(4) Clarifies that certain air contaminant sources having the potential to emit ten tons or more of nitrogen oxide per year must meet any applicable reasonably available technology rule in effect as of December 22, 2007.</p>	<p>(4) No provision.</p>	<p>(4) No provision.</p>	<p>(4) No provision.</p>
<p>Fiscal effect: None.</p>			

EPACD6 Extension of E-Check

R.C. 3704.14	R.C. 3704.14	R.C. 3704.14	R.C. 3704.14
<p>Authorizes the extension of the motor vehicle inspection and maintenance program (E-Check) in Ohio counties where this program is federally mandated by doing the following:</p>	<p>Same as the Executive.</p>	<p>Same as the Executive.</p>	<p>Same as the Executive.</p>
<p>(1) Authorizing the Director of Environmental Protection to request the Director of Administrative Services to extend the contract (with the contractor that conducts the program) beginning on June 30, 2019, for a period of up to 24 months through June 30, 2021.</p>	<p>(1) Same as the Executive.</p>	<p>(1) Same as the Executive.</p>	<p>(1) Same as the Executive.</p>
<p>(2) Requiring the Director of Environmental Protection, prior to the expiration of the contract extension above, to request the Director of Administrative Services to enter into</p>	<p>(2) Same as the Executive.</p>	<p>(2) Same as the Executive.</p>	<p>(2) Same as the Executive.</p>

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a contract (with a vendor to operate a decentralized program) through June 30, 2023, with an option to renew the contract for a period of up to 24 months through June 30, 2025.

Fiscal effect: This program is a requirement that was developed as part of the federally approved State Implementation Plan (SIP) and compliance with the federal Clean Air Act so as to avoid the loss of federal grant money and possible sanctions. These sanctions include requiring offsets from facilities building in nonattainment areas and the loss of federal highway funds.

Fiscal effect: Same as the Executive.

Fiscal effect: Same as the Executive.

Fiscal effect: Same as the Executive.

EPACD4 Asbestos training certification changes

R.C. 3710.01, 3710.04, 3710.05, 3710.051, 3710.06, 3710.07, 3710.08, 3710.12

Makes the following changes to the law governing asbestos abatement, which is administered by Ohio EPA:

(1) Expands the scope of activities that are subject to regulation by applying the law to activities involving more than 3 linear or square feet of asbestos-containing material, rather than more than 50 linear or square feet as in current law.

R.C. 3710.01, 3710.04, 3710.05, 3710.051, 3710.06, 3710.07, 3710.08, 3710.12

Same as the Executive, but makes the following changes:

(1) Same as the Executive.

R.C. 3710.01, 3710.04, 3710.05, 3710.051, 3710.06, 3710.07, 3710.08, 3710.12

Same as the House.

(1) Same as the Executive.

R.C. 3710.01, 3710.04, 3710.05, 3710.051, 3710.06, 3710.07, 3710.08, 3710.12

Same as the House.

(1) Same as the Executive.

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(2) Adds the maintenance of asbestos-containing materials as one of the activities subject to regulation.	(2) Same as the Executive.	(2) Same as the Executive.	(2) Same as the Executive.
(3) Adds the operation of asbestos-containing materials as one of the activities subject to regulation.	(3) Same as the Executive, but changes "operation" to "operations."	(3) Same as the House.	(3) Same as the House.
(4) Authorizes the Ohio EPA to take certain enforcement actions against a contractor licensee or certificate holder if either is violating or threatening to violate specified federal regulations adopted under the Federal Toxic Substances Control Act.	(4) Same as the Executive, but adds a reference to the Asbestos Hazard Emergency Response Act, which amended the Federal Toxic Substance Control Act.	(4) Same as the House.	(4) Same as the House.
(5) Requires the Ohio EPA to deny a contractor license application if the applicant or any of the applicant's officers or employees has been found liable in a civil proceeding under any state or federal environmental law. (Currently, denial is limited to felony convictions.)	(5) Same as the Executive.	(5) Same as the Executive.	(5) Same as the Executive.
(6) Eliminates the Ohio EPA Director's authority to approve, on a case-by-case basis, alternatives to the existing worker protection requirements for a project conducted by a public entity.	(6) Same as the Executive.	(6) Same as the Executive.	(6) Same as the Executive.
(7) Adds both of the following to the list of activities that require a person to be certified as an asbestos hazard evaluation specialist: (a) inspections, and (b) assessments of suspect asbestos containing materials.	(7) Same as the Executive.	(7) Same as the Executive.	(7) Same as the Executive.
(8) Adds the oversight of an asbestos hazard abatement activity to the list of activities that require certification as an asbestos hazard abatement project designer.	(8) Same as the Executive.	(8) Same as the Executive.	(8) Same as the Executive.

Executive	As Passed by the House	As Passed by the Senate	As Enacted
<p>(9) Eliminates, with regard to the certification of an asbestos hazard abatement air-monitoring technician (responsible for environmental monitoring or work area clearance air sampling), the exemption from certification that applies to industrial hygienists-in-training since the American Board of Industrial Hygiene no longer certifies those hygienists.</p>	<p>(9) Same as the Executive.</p>	<p>(9) Same as the Executive.</p>	<p>(9) Same as the Executive.</p>
<p>(10) Requires a contractor to notify the Ohio EPA Director at least ten working days, rather than at least ten days as under current law, before beginning an asbestos hazard abatement project. (The change makes Ohio law consistent with federal law.)</p>	<p>(10) Same as the Executive.</p>	<p>(10) Same as the Executive.</p>	<p>(10) Same as the Executive.</p>
<p>Fiscal effect: The net annual fiscal effect on the Ohio EPA's existing asbestos program revenues and expenditures is uncertain.</p>	<p>Fiscal effect: Same as the Executive.</p>	<p>Fiscal effect: Same as the Executive.</p>	<p>Fiscal effect: Same as the Executive.</p>
<p>EPACD8 Open dumping</p>			
<p>R.C. 3734.01 Specifies that “open dumping” under the law governing solid and infectious waste includes both of the following: (a) depositing solid wastes or treated infectious wastes into an abandoned building or structure at a site that is not licensed as a solid waste facility, and (b) depositing untreated infectious wastes into any abandoned building or structure.</p>	<p>No provision.</p>	<p>No provision.</p>	<p>No provision.</p>

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As Passed by the House

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As Enacted

Fiscal effect: The intent of this language is to clarify existing law, which may reduce the amount of time and resources expended on these matters and potentially generate some form of savings.

EPACD15 Post-use polymers and recoverable feedstocks

	R.C. 3734.01		R.C. 3734.01
(1) No provision.	(1) Excludes post-use polymers and recoverable feedstocks from the laws governing solid waste disposal if all of the following apply: (a) they are stored for a period of less than 90 days, (b) they remain retrievable and substantially unchanged physically and chemically, (c) their storage does not cause a nuisance, (d) their storage does not pose a threat from vectors (e.g., insects or vermin), (e) their storage does not adversely impact public health, safety, or the environment, and (f) prior to the end of the 90-day or less storage period, they are converted using gasification or pyrolysis.	(1) No provision.	(1) Same as the House.
(2) No provision.	(2) Specifies that a post-use polymer is a plastic polymer to which both of the following apply: (a) it is derived from any source and is not being used for its original intended purpose, and (b) its use or intended use is to manufacture crude oil, fuels, other raw materials, intermediate products, or final products using pyrolysis or gasification.	(2) No provision.	(2) Same as the House.

Executive	As Passed by the House	As Passed by the Senate	As Enacted
(3) No provision.	(3) Specifies that a recoverable feedstock is one or more of the following materials, derived from nonrecycled waste, that have been processed for use as a feedstock in a gasification facility: (a) post-use polymers, or (b) materials for which the U.S. Environmental Protection Agency has made a nonwaste determination or has otherwise determined are not solid waste.	(3) No provision.	(3) Same as the House.
(4) No provision.	(4) Specifies that pyrolysis is a process through which post-use polymers are heated in the absence of oxygen until melted and thermally decomposed, and are then cooled, condensed, and converted into certain fuels and other materials.	(4) No provision.	(4) Same as the House.
(5) No provision.	(5) Specifies that gasification is a process through which recoverable feedstocks are heated and converted into a fuel-gas mixture in an oxygen-deficient atmosphere, and the mixture is converted into certain fuels or other specified materials.	(5) No provision.	(5) Same as the House.
Fiscal effect: Uncertain.		Fiscal effect: Same as the House.	

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As Passed by the House

As Passed by the Senate

As Enacted

EPACD1 Extension of sunset of fees on the transfer or disposal of solid wastes

R.C. 3734.57

Extends for two years, from June 30, 2020 to June 30, 2022, the sunset of fees levied on the transfer or disposal of solid wastes. (A total of \$4.75 in state fees is levied on each ton of solid waste disposed of or transferred in Ohio and then used for administering the hazardous waste (90¢), solid waste (75¢), and other OEPA programs (\$2.85), and for soil and water conservation districts (25¢)).

Fiscal effect: The fee extensions will continue annual revenues totaling \$64.5 million credited for the Ohio EPA's use as follows: \$40.9 million for the Environmental Protection Fund (Fund 5BC0), \$10.4 million for the Solid Waste Fund (Fund 4K30), \$10.2 million for the Hazardous Waste Clean-Up Fund (Fund 5050), and \$3.0 million for the Hazardous Waste Facility Management Fund (Fund 5030). Additionally, \$3.5 million credited annually to the Soil and Water Conservation District Assistance Fund (Fund 5BV0) and used by the Department of Agriculture is retained.

R.C. 3734.57

Same as the Executive.

Fiscal effect: Same as the Executive.

R.C. 3734.57

Same as the Executive.

Fiscal effect: Same as the Executive.

R.C. 3734.57

Same as the Executive.

Fiscal effect: Same as the Executive.

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As Passed by the House

As Passed by the Senate

As Enacted

EPACD9 Removal of additional wastes at scrap tire sites

R.C. 3734.85

(1) Specifically authorizes the Director of Ohio EPA, when issuing a scrap tire removal order to a property owner, to also require the owner to remove any additional solid waste or construction and demolition debris (C&DD) unlawfully disposed of at the property. (Under current law, the Director may issue a scrap tire removal order when the Director determines that a scrap tire accumulation constitutes a danger to the public health or safety or to the environment.)

(1) No provision.

(1) No provision.

(1) No provision.

(2) Authorizes generally the Ohio EPA, when performing a removal action, to remove, transport, and dispose of any additional solid wastes or C&DD unlawfully disposed of at a scrap tire site if one or more of the following apply: (a) the property owner consents to the removal in writing, or (b) the Director, in the removal order, required the removal of the additional wastes.

(2) No provision.

(2) No provision.

(2) No provision.

(3) Specifies that a person who receives a removal order is liable to the Ohio EPA Director for the removal, storage, processing, disposal, or transportation costs associated with additional solid waste or C&DD. Permits the Director to record these costs, in the office of the county recorder where the property is located, as a lien against the property (under current law, the

(3) No provision.

(3) No provision.

(3) No provision.

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costs associated only with the removal of scrap tires may be so recorded).

(4) Clarifies that in a civil action for removal costs (and only removal costs) associated with scrap tires, a landowner may recover costs from a responsible party in an amount equal to the portion of costs that the court determines is attributable to the responsible party. (Current law implies that the landowner may recover all costs from one responsible party even if there are multiple responsible parties.)

(4) No provision.

(4) No provision.

(4) No provision.

Fiscal effect: None, as these provisions clarify existing law.

EPACD2 Extension of sunset on fees on the sale of tires

R.C. 3734.901

Extends for two years, from June 30, 2020 to June 30, 2022, the sunset of both: (1) a base fee of 50¢ per tire levied on the sale of tires to assist in the cleanup of scrap tires, and (2) an additional fee of 50¢ per tire levied to assist soil and water conservation districts.

R.C. 3734.901

Same as the Executive.

R.C. 3734.901

Same as the Executive.

R.C. 3734.901

Same as the Executive.

Fiscal effect: The fee extensions preserve annual revenues totaling \$3.8 million for the Scrap Tire Management Fund (Fund 4R50) used by the Ohio EPA, and \$3.8 million for the Soil and Water Conservation District Assistance Fund (Fund 5BV0) used by the Department of Agriculture.

Fiscal effect: Same as the Executive.

Fiscal effect: Same as the Executive.

Fiscal effect: Same as the Executive.

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As Passed by the House

As Passed by the Senate

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EPACD3 Extension of various fees under laws governing air pollution control, water pollution control, and safe drinking water

R.C. 3745.11	R.C. 3745.11	R.C. 3745.11	R.C. 3745.11
Extends, for two years, all of the following:	Same as the Executive.	Same as the Executive.	Same as the Executive.
(1) The sunset of the annual emissions fees for synthetic minor facilities.	(1) Same as the Executive.	(1) Same as the Executive.	(1) Same as the Executive.
(2) The sunset of the annual discharge fees for holders of National Pollutant Discharge Elimination System (NPDES) permits issued under the Water Pollution Control Law.	(2) Same as the Executive.	(2) Same as the Executive.	(2) Same as the Executive.
(3) The levying of higher fees, and the decrease of those fees at the end of the two years, for applications for plan approvals for wastewater treatment works.	(3) Same as the Executive.	(3) Same as the Executive.	(3) Same as the Executive.
(4) The sunset of annual license fees for public water system licenses.	(4) Same as the Executive.	(4) Same as the Executive.	(4) Same as the Executive.
(5) The levying of higher fees, and the decrease of those fees at the end of the two years, for plan approvals for public water supply systems.	(5) Same as the Executive.	(5) Same as the Executive.	(5) Same as the Executive.
(6) The levying of higher fees, and the decrease of those fees at the end of the two years, for state certification of laboratories and laboratory personnel for purposes of the Safe Drinking Water Law.	(6) Same as the Executive.	(6) Same as the Executive.	(6) Same as the Executive.
(7) The levying of higher fees, and the decrease of those fees at the end of the two years, for	(7) Same as the Executive.	(7) Same as the Executive.	(7) Same as the Executive.

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As Passed by the House

As Passed by the Senate

As Enacted

applications to take examinations for certification as operators of water supply systems or wastewater systems.

(8) The levying of higher fees, and the decrease of those fees at the end of the two years, for applications for permits, variances, and plan approvals under the Water Pollution Control Law and the Safe Drinking Water Laws.

(8) Same as the Executive.

(8) Same as the Executive.

(8) Same as the Executive.

Fiscal effect: The fee extensions will continue annual revenues totaling \$14.8 million and credited for the Ohio EPA's use as follows: \$8.3 million for the Surface Water Protection Fund (Fund 4K40), \$6.1 million for the Drinking Water Protection Fund (Fund 4K50), and \$375,000 for the Clean Air - Non Title V Fund (Fund 4K20).

Fiscal effect: Same as the Executive.

Fiscal effect: Same as the Executive.

Fiscal effect: Same as the Executive.

EPACD13 H2Ohio Fund

Section: 227.20

(1) Requires DPF Fund 6H20 appropriation item 715695, H2Ohio, to be used by the Ohio Environmental Protection Agency to support watershed planning, scientific research, and data collection.

Section: 227.20

(1) Same as the Executive.

Section: 227.20

(1) Same as the Executive.

Section: 227.20

(1) Same as the Executive.

(2) Permits appropriation item 715695 to be used to fund waterway improvement and protection of all state waterways in support of water quality priorities and management in accordance with R.C. 126.60.

(2) Same as the Executive.

(2) Same as the Executive.

(2) Same as the Executive.

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As Passed by the House

As Passed by the Senate

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(3) Permits the Director of the Environmental Protection Agency to certify to the Director of Budget and Management an amount up to the unexpended, unencumbered balance of appropriation item 715695, at the end of FY 2020 to be reappropriated in FY 2021 to the same appropriation item. Appropriates the certified amount for FY 2021.

(3) Same as the Executive.

(3) Same as the Executive.

(3) Same as the Executive.

EPACD10 Areawide planning agencies

Section: 277.20

Permits the Director of Environmental Protection to award grants from DPF Fund 5BC0 appropriation item 715687, Areawide Planning Agencies, to areawide planning agencies engaged in areawide water quality management and planning activities in accordance with the nonpoint source pollution control provisions of the federal Clean Water Act.

Section: 277.20

Same as the Executive.

Section: 277.20

Same as the Executive.

Section: 277.20

Same as the Executive.

Executive

As Passed by the House

As Passed by the Senate

As Enacted

EPACD11 Cash transfer to the Marsh Restoration Fund

Section: 277.20

(1) Permits the Director of Budget and Management, in consultation with the Director of Environmental Protection, on July 1, 2019, or as soon as possible thereafter, to transfer up to \$12,000,000 from the Surface Water Improvement Fund (Fund 5Y30) to the Marsh Restoration Fund (Fund 5VA0). Creates Fund 5VA0 in the state treasury. Specifies that all moneys credited to Fund 5VA0 are to be used for the remediation and restoration of the Mentor Marsh site in Mentor, Ohio.

(2) Permits the Director of Budget and Management, in consultation with the Director of Environmental Protection, on July 1, 2019, or as soon as possible thereafter, to transfer up to \$1,000,000 from the Site Specific Cleanup Fund (Fund 5410) to Fund 5VA0.

Section: 277.20

(1) Same as the Executive.

(2) Same as the Executive.

Section: 277.20

(1) Same as the Executive.

(2) Same as the Executive.

Section: 277.20

(1) Same as the Executive.

(2) Same as the Executive.

Executive

As Passed by the House

As Passed by the Senate

As Enacted

EPACD14 Drinking and Ground Water

No provision.	<p>Section: 277.20 Earmarks \$500,000 of DPF Fund 5BCO appropriation item 715673, Drinking and Ground Water, in FY 2020 to be used to support a study, including the acquisition of necessary equipment, to determine an estimate of storage capacity and maximum annual yield of the Michindoh Aquifer.</p>	<p>Section: 277.20 Replaces the House provision with one that earmarks \$250,000 in each fiscal year for a study of the network of aquifers that are in the state of Ohio and north of the Maumee River.</p>	<p>Section: 277.20 Same as the Senate.</p>
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EPACD16 George Barley Water Prize

(1) No provision.	<p>Sections: 277.20, 737.30 (1) Requires new GRF appropriation item 715506, George Barley Water Prize, to be used to support the final stage of the awards process for the Everglades Foundation's George Barley Water Prize. Permits the certified, unexpended and unencumbered balance of FY 2020 appropriation to be reappropriated to FY 2021. Reappropriates the certified amount.</p>	<p>Sections: 277.20, 737.30 (1) Same as the House, but renames GRF appropriation item 715506, George Barley Water Prize, as "Environmental Program Support."</p>	<p>Sections: 277.20, 737.30 (1) Same as the Senate.</p>
(2) No provision.	<p>(2) Requires the OEPA Director to enter into a memorandum of understanding (MOU) with the Everglades Foundation prior to disbursing any money.</p>	(2) No provision.	(2) No provision.
(3) No provision.	<p>(3) Requires the MOU to specify all of the following: (a) that the money will be used to support the final stage of the awards process for</p>	(3) No provision.	(3) No provision.

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As Passed by the House

As Passed by the Senate

As Enacted

the Prize, (b) that the State of Ohio or the OEPA will be listed as a sponsor of the Prize, (c) that the OEPA, and any other entity that the OEPA contracts with for purposes of the Prize, (i) may assist in the development of testing parameters for data collection in the Grand Challenge testing stage of the competition, (ii) will have access to all data collected during the Prize's campaign as well as access to the data and technologies developed during the Prize process, and (iii) will enter into a nondisclosure agreement with the Foundation for data collected in the Grand Challenge testing stage of the competition.

EPACD17 Water and sewer system grants

No provision.

No provision.

Section: 277.20

Requires GRF appropriation item 715507, Water and Sewer System Grants, to be distributed equally in each fiscal year to the Trumbull County Sanitary Engineer's Department and Pierpont Township (Ashtabula County) for the purpose of undertaking water and sewer system upgrades and improvements.

Section: 277.20

Same as the Senate.

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As Passed by the Senate

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AGRCD14 Creation of the H2Ohio Fund

R.C. 126.60

Creates the H2Ohio Fund (Fund 6H20) in the state treasury consisting of money credited to it and any donations, gifts, bequests, and other money received for deposit in the Fund.

Requires Fund 6H20 to be used for the following purposes: (1) awarding or allocating grants or money, issuing loans, or making purchases for the development and implementation of projects and programs that are designed to address water quality priorities, (2) funding cooperative research, data gathering and monitoring, and demonstration projects related to water quality priorities, (3) encouraging cooperation with and among leaders from state legislatures, state agencies, political subdivisions, business and industry, labor, agriculture, environmental organizations, and water conservation districts, and (4) other purposes, policies, programs, and priorities identified by the Lake Erie Commission (LEC) in coordination with the state agencies or boards responsible for water protection and water management.

Requires that the LEC, in coordination with state agencies or boards responsible for water protection and water management, prepare a report on the activities undertaken under Fund 6H20 during the immediately preceding FY,

R.C. 126.60

Same as the Executive.

Same as the Executive, but also includes institutions of higher education in the list of entities specified in (3) for which H2Ohio Fund money may be used to encourage cooperation.

Same as the Executive, but requires the H2Ohio Advisory Council in coordination with LEC to prepare the report not later than August 31, 2020, and annually thereafter.

R.C. 126.60

Same as the Executive.

Same as the Executive, but allows Fund 6H20 to be used for the following three types of projects (which are designed to improve water quality by reducing or aiding in the reduction of levels of phosphorus, nitrogen, or sediment in Ohio waters): (1) agricultural water projects, which focus on agricultural practices, (2) community water projects, which involve a public water system operated by a political subdivision, and (3) nature water projects, which involve a natural water system.

Same as the Executive.

R.C. 126.60

Same as the Executive.

Same as the Senate, but also includes the House provision that adds institutions of higher education in the list of entities specified in (3) under the Executive column for which H2Ohio Fund money may be used to encourage cooperation.

Same as the Executive.

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including the revenues and expenses of the fund for the preceding fiscal year, and submit the report to the General Assembly and the Governor.

Fiscal effect: Corresponding uncodified provisions in the bill require the following amounts to be transferred to Fund 6H20: (1) a portion of FY 2019 GRF surplus revenue (up to \$100 million plus any remaining surplus after other specified transfers listed in OBMCD44), and (2) the entire balance of FY 2020 and FY 2021 GRF surplus (see OBMCD56). Altogether, the bill appropriates \$85.2 million in FY 2020 under Fund 6H20 to be used by AGR, DNR, and EPA for water quality initiatives.

Fiscal effect: Same as the Executive, but in the two corresponding uncodified provisions (1) limits the amount of the FY 2019 GRF surplus to be transferred to Fund 6H20 to up to \$86 million only (see OBMCD44), and (2) removes the provision that requires FY 2020 and FY 2021 GRF surplus revenues to be deposited into Fund 6H20 (see OBMCD56).

Fiscal effect: Same as the House, but increases the amount of the FY 2019 GRF surplus to be transferred to Fund 6H20 to up to \$172 million (see OBMCD44).

Fiscal effect: Same as the Senate (see OBMCD44), but in addition requires 50% of the GRF surplus revenue at the end of FY 2021 to be transferred to Fund 6H20 (see OBMCD56).

AGRCD18 H2Ohio Advisory Council

No provision.

R.C. 126.60, 126.61, 126.62
Requires the AGR, EPA, and DNR Directors to each prepare an annual plan for H2Ohio Fund (Fund 6H20) expenditures that, at a minimum, describes the following: (1) funding priorities, (2) specific programs, projects, or entities proposed to receive funding, and (3) internal controls and external accountability measures that will be put in place to ensure that the funding is properly used. (See AGRRCD14 for uses of the new H2Ohio Fund.)

Section: 701.15
Replaces the House provision with one that requires the Directors of AGR, DNR, and EPA to each convene their own separate advisory boards in both FY 2020 and FY 2021 to determine the Department or Agency's priorities for water quality funding and to determine the projects and programs that will be funded by the H2Ohio Fund (Fund 6H20).

No provision.

No provision.

Creates the H2Ohio Advisory Council, consisting of the following members: (1) AGR Director or Director's designee, (2) EPA Director or

No provision.

No provision.

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	<p>Director's designee, (3) DNR Director or Director's designee, (4) LEC Executive Director, (5) two members appointed by the President of the Senate, (6) two members appointed by the Speaker of the House, and (7) 10 members who represent various specific interests who are appointed by the Governor with the advise and consent of the Senate.</p>		
<p>No provision.</p>	<p>Requires the Council to do all of the following: (1) review and approve or disapprove the annual plans submitted by the AGR, EPA, and DNR, and (2) adopt bylaws governing its operation, including the process for reviewing and approving or disapproving the submitted plans, the frequency of meetings, and other relevant operating procedures.</p>	<p>No provision.</p>	<p>No provision.</p>
<p>No provision.</p>	<p>Requires LEC, AGR, and EPA to provide administrative support to the Council. Requires LEC to provide the location for Council meetings.</p> <p>Fiscal effect: Potential increase in administrative costs for AGR, EPA, and DNR to prepare an annual plan and to reimburse members of the Council for expenses.</p>	<p>No provision.</p> <p>Fiscal effect: Potential increase in administrative costs for AGR, DNR, and EPA to convene advisory boards.</p>	<p>No provision.</p>

Executive

As Passed by the House

As Passed by the Senate

As Enacted

AGRCD23 Urban sediment and storm water runoff pollution

		R.C. 940.06, 939.02, 939.04, 940.01, 940.02, 1501.20 (repealed), and 6111.03	R.C. 940.06, 939.02, 939.04, 940.01, 940.02, 1501.20 (repealed), and 6111.03
No provision.	No provision.	Allows a board of supervisors of a Soil and Water Conservation District (SWCD) to enter into contracts or agreements with EPA to address storm water runoff pollution instead of only urban sediment pollution as in current law.	Same as the Senate.
No provision.	No provision.	Allows a SWCD board to seek technical guidance and program support from EPA to address storm water runoff pollution and urban sediment pollution.	Same as the Senate.
No provision.	No provision.	Revises the duties of the AGR Director regarding SWCDs as follows: (1) requires the Director to support the development and implementation of cooperative programs and working agreements between SWCDs and Department of Natural Resources (DNR) and the Ohio EPA, and (2) requires the cooperative programs and working agreements to be for the support of farm, rural, suburban, and urban conservation programs.	Same as the Senate.
No provision.	No provision.	Adds that an SWCD board may enter into contracts or agreements with the DNR Director for partnership on state programs to assist with local needs relating to the management of wildlife, forestry, waterways, and other natural resources programs.	Same as the Senate.

Executive	As Passed by the House	As Passed by the Senate	As Enacted
No provision.	No provision.	Adds that the EPA Director may coordinate with an SWCD board to ensure compliance with rules adopted by the Director that pertain to urban sediment and storm water runoff pollution abatement.	Same as the Senate.
No provision.	No provision.	Revises the duties of the Ohio Soil and Water Conservation Commission by doing both of the following: (1) adds the Directors of EPA and DNR to the list of people or entities that the Commission makes recommendations to regarding SWCD operations, and (2) regarding those recommendations, clarifies that the recommendations are to encourage proper soil, water, and other natural resource management for farm, rural, suburban, and urban land (current law does not specify the types of lands that the recommendations regarding proper natural resource management apply to).	Same as the Senate.
No provision.	No provision.	<p>Eliminates redundant law relating to coordination of the Ohio Soil and Water Commission, AGR, DNR, and EPA for agricultural and urban sediment pollution.</p> <p>Fiscal effect: Expands the type of contracts or agreements SWCDs can enter into and allows SWCDs to enter such contracts or agreements with DNR and EPA in addition to AGR under current law. SWCDs receive state funding based on local funds raised. State funds are appropriated under GRF line item 700509, Soil and Water District Support and DPF Fund 5BVO line item 700661, Soil and Water Districts.</p>	<p>Same as the Senate.</p> <p>Fiscal effect: Same as the Senate.</p>

Executive

As Passed by the House

As Passed by the Senate

As Enacted

OBMCD44 FY 2019 GRF ending balance

Section: 513.10

Requires the Director of OBM to determine the GRF surplus revenue that existed on June 30, 2019, and transfer cash, up to the actual surplus revenue amount, from the GRF as follows:

(1) Up to \$10 million to the Targeted Addiction Program Fund (Fund 5TZ0)

(2) Up to \$31 million to the Statewide Treatment and Prevention Fund (Fund 4750)

(3) Up to \$100 million to the H2Ohio Fund (Fund 6H20)

(4) No provision.

(5) Up to \$5 million to the Books from Birth Fund (Fund 5VJ0)

(6) Up to \$25 million to the State Park Fund (Fund 5120)

(7) Up to \$25 million to the Emergency Purposes Fund (Fund 5KM0)

(8) Up to \$25 million to the Disaster Services Fund (Fund 5E20)

Section: 513.10

Same as the Executive, but requires the first \$470 million of surplus revenue to remain in the GRF prior to any transfers and also makes the following transfer changes:

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive, but reduces the amount to up to \$86 million.

(4) Up to \$20 million to the School Bus Purchase Fund (Fund 5VU0)

(5) Same as the Executive.

(6) Same as the Executive, but subjects the transfer to Controlling Board approval.

(7) Same as the Executive.

(8) Same as the Executive.

Section: 513.10

Same as the House, but requires the retention of all of surplus revenue in the GRF except for the specific transfers listed, makes a technical correction, and also makes the following changes to those listed transfers:

(1) Same as the Executive.

(2) No provision.

(3) Same as the Executive, but increases the amount to up to \$172 million.

(4) Same as the House.

(5) Same as the Executive, but changes the name of the fund to "Ohio Governor's Imagination Library Fund."

(6) No provision.

(7) Same as the Executive.

(8) Same as the Executive, but decrease the amount to up to \$14 million.

Section: 513.10

Same as the Senate, but also makes the following changes:

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Senate.

(4) Same as the House.

(5) Same as the Senate.

(6) Same as the House, but decreases the transfer amount to \$5 million.

(7) Same as the Executive.

(8) Same as the Senate.

Executive	As Passed by the House	As Passed by the Senate	As Enacted
(9) Up to \$2 million to the Ohio Public Health Priorities Fund (Fund L087)	(9) Same as the Executive.	(9) No provision.	(9) Same as the Executive.
(10) Up to \$19 million to the Tobacco Use Prevention Fund (Fund 5BX0)	(10) Same as the Executive.	(10) Same as the Executive.	(10) Same as the Executive.
(11) Up to \$6.9 million to the Economic Development Programs Fund (Fund 5JC0)	(11) Same as the Executive, but increases the amount to up to \$8.9 million.	(11) Same as the Executive, but increases the amount to up to \$7.4 million.	(11) Same as the Senate.
(12) No provision.	(12) No provision.	(12) Up to \$2 million to the Ohio Incumbent Workforce Job Training Fund (Fund 5HR0);	(12) Same as the Senate.
(13) No provision.	(13) An amount to the Budget Stabilization Fund (Fund 7013) to bring the balance of the fund to 8.5% of FY 2019 GRF revenue.	(13) No provision.	(13) No provision.
(14) Remaining surplus cash to the H2Ohio Fund (Fund 6H20)	(14) Same as the Executive.	(14) No provision.	(14) No provision.

OBMCD56 FY 2020 and FY 2021 GRF ending balances and FY 2021 appropriations for H2Ohio

<p>Section: 513.20 Requires the Director of OBM to determine the GRF surplus revenue that existed on June 30, 2020, and transfer cash, on July 1, 2020, in an amount equal to the actual surplus revenue amount, from the GRF to the H2Ohio Fund (Fund 6H20).</p> <p>Authorizes the Controlling Board, in FY 2021, to increase or establish appropriations from Fund 6H20 for certain state agencies or boards in amounts necessary to support the statewide</p>	<p>Section: 513.20 Replaces the Executive provision with one that requires the whole amount of the GRF cash balance as of June 30, 2020 to remain in the GRF.</p> <p>No provision.</p>	<p>Sections: 513.20, 513.30 Same as the House.</p> <p>Same as the Executive.</p>	<p>Sections: 513.20, 513.30 Same as the House.</p> <p>Same as the Executive.</p>
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Executive

As Passed by the House

As Passed by the Senate

As Enacted

water protections vision and strategy in that year.

Requires the Director of OBM to determine the GRF surplus revenue that existed on June 30, 2021, and transfer cash, on July 1, 2021, in an amount equal to the actual surplus revenue amount, from the GRF to the H2Ohio Fund (Fund 6H20).

No provision.

No provision.

Same as the Executive, but requires 50% of the surplus revenue to be deposited into the H2Ohio Fund (Fund 6H20) and 50% into the Budget Stabilization Fund (Fund 7013).

OBMCD58 Utility Radiological Safety Board assessments

Section: 514.10

Specifies the maximum amounts, unless the agency and nuclear electric utility mutually agree to a higher amount by contract, that may be assessed against nuclear electric utilities under RC 4937.05 (B) (2) and deposited into the following funds:

\$97,610 in FY 2020 and \$101,130 in FY 2021 to the Utility Radiological Safety Fund (Fund 4E40) used by the Department of Agriculture;

\$1,300,000 in each of FY 2020 and FY 2021 to the Radiation Emergency Response Fund (Fund 6100) used by the Department of Health;

\$276,500 in FY 2020 and \$278,500 in FY 2021 to the ER Radiological Safety Fund (Fund 6440) used by the Environmental Protection Agency; and

\$1,258,624 in each of FY 2020 and FY 2021 to the Emergency Response Plan Fund (Fund 6570)

Section: 514.10

Same as the Executive.

Section: 514.10

Same as the Executive.

Section: 514.10

Same as the Executive.

Executive

As Passed by the House

As Passed by the Senate

As Enacted

used by the Department of Public Safety.

Executive

As Passed by the House

As Passed by the Senate

As Enacted

JCRCD4 Agency rule review for regulatory restrictions

No provision.	No provision.	<p>Section: 121.95 Requires certain agencies to identify which of their rules contain regulatory restrictions and to produce an inventory of regulatory restrictions before December 31, 2019.</p>	<p>Section: 121.95 Same as the Senate.</p>
No provision.	No provision.	<p>Requires these agencies to post the inventory on their websites and transmit copies to JCARR. Requires JCARR to review the inventory and transmit it to the House Speaker and Senate President.</p>	Same as the Senate.
No provision.	No provision.	<p>Prohibits these agencies, during FYs 2020, 2021, 2022, and 2023, from adopting a new regulatory restriction unless they simultaneously remove two or more existing regulatory restrictions.</p> <p>Fiscal effect: Affected state agencies will incur administrative costs to develop and post the inventory and potentially to revise rules to comply with the limitations on regulatory restrictions. JCARR will incur administrative costs to review the inventories.</p>	Same as the Senate.
			Fiscal effect: Same as the Senate.

Executive

As Passed by the House

As Passed by the Senate

As Enacted

DNRCD3 Central Support Indirect Fund

Section: 343.20

Requires the Director of Natural Resources with the approval of the Director of OBM, to determine each DNR division's payments into the Central Support Fund (Fund 1570). Requires the methodology used to determine the payments to contain the characteristics of administrative ease and uniform application in compliance with federal grant requirements, and allows the methodology to include direct cost charges for specific services provided. Requires payments to Fund 1570 to be made using intrastate transfer voucher.

Specifies that GRF appropriation item 725401, Division of Wildlife - Operating Subsidy, be used to cover the indirect costs of the Division of Wildlife.

Section: 343.20

Same as the Executive.

Same as the Executive.

Section: 343.20

Same as the Executive.

Same as the Executive.

Section: 343.20

Same as the Executive.

Same as the Executive.

Executive

As Passed by the House

As Passed by the Senate

As Enacted

DNRCD30 Stream flow monitoring

No provision.

R.C. 1521.08

Requires the Chief of the Division of Water Resources and the Director of EPA to jointly establish a program, along with rules to implement and administer it, to study the impact of oil and gas production operations on stream flow using stream flow monitoring technology in the following creeks: (1) Yellow Creek, Short Creek, and Cross Creek in Jefferson County; (2) Wheeling Creek, McMahan Creek, Wegee Creek, and Pipe Creek in Belmont County; and (3) Sunfish Creek and Opossum Creek in Monroe County.

Fiscal effect: Increased costs for both DNR and EPA to run the new stream monitoring program.

No provision.

Section: 715.20

Replaces the House provision with one that requires the DNR Director to establish a temporary pilot program to study the environmental impact of oil and gas production operations on stream flow using continuous stream flow monitoring technology that concludes on or before December 31, 2020. Requires the Director to submit a report of the study's findings to the General Assembly.

Fiscal effect: DNR will incur additional costs for running the pilot program and preparing the report once the study is finished.

Executive

As Passed by the House

As Passed by the Senate

As Enacted

DOTCD38 Removal of the requirement for ODOT to adopt a business plan

R.C. 5501.20

Removes the requirement that ODOT adopt a business plan every two years outlining the Department's mission, business objectives, and strategies, as well as adopt procedures for certain professional employees' performance accountability.

Fiscal effect: Minimal decrease in administrative costs.

R.C. 5501.20

Same as the Executive.

Fiscal effect: Same as the Executive.

R.C. 5501.20

Same as the Executive.

Fiscal effect: Same as the Executive.

R.C. 5501.20

Same as the Executive.

Fiscal effect: Same as the Executive.

DOTCD39 Diesel Emissions Reduction Grant Program

Section: 755.10

(1) Establishes a Diesel Emissions Reduction Grant Program (DERG) in the Highway Operating Fund (Fund 7002) and requires the Ohio Environmental Protection Agency (EPA) to administer the program and solicit, evaluate, score, and select projects submitted by public and private entities that are eligible for the federal Congestion Mitigation and Air Quality (CMAQ) Program. Requires ODOT to process Federal Highway Administration (FHWA) projects as recommended by EPA.

(2) Specifies that in addition to the expenditures allowed under RC 122.861, program funds also may be used to assist projects involving the

Section: 755.10

(1) Same as the Executive.

(2) Same as the Executive.

Section: 755.10

(1) Same as the Executive.

(2) Same as the Executive.

Section: 755.10

(1) Same as the Executive.

(2) Same as the Executive.

Executive

As Passed by the House

As Passed by the Senate

As Enacted

purchase or use of hybrid and alternative fuel vehicles that are allowed under CMAQ guidance developed by FHWA.

(3) Requires public entities eligible to receive program funds to be reimbursed from moneys in Fund 7002. Requires private entities eligible to receive funds to be reimbursed at the discretion of the local public sector agency and upon approval by ODOT, through direct payments to the vendor in the prorated share of federal/state participation. Specifies that the reimbursements shall be made from moneys in Fund 7002.

(3) Same as the Executive.

(3) Same as the Executive.

(3) Same as the Executive.

(4) Specifies that expenditures for the program from Fund 7002 shall not exceed \$10 million in both FY 2020 and FY 2021.

(4) Same as the Executive.

(4) Same as the Executive.

(4) Same as the Executive.

(5) Specifies that any allocations under this section of the bill represent CMAQ program moneys within ODOT for program use by EPA, and that such allocations shall not reduce the amount of moneys designated for metropolitan planning organizations (MPOs).

(5) Same as the Executive.

(5) Same as the Executive.

(5) Same as the Executive.

(6) Requires EPA, in consultation with ODOT, to develop guidance for the distribution of funds and for the administration of the program. Requires the guidance to include a method of prioritization for projects, acceptable technologies, and procedures for awarding grants.

(6) Same as the Executive.

(6) Same as the Executive

(6) Same as the Executive

Executive	As Passed by the House	As Passed by the Senate	As Enacted
<p>Fiscal effect: The Diesel Emissions Reduction Grant Program has been authorized under temporary law of main operating budget bills in the same or a similar manner since the FY 2012-FY 2013 biennium. Up to \$10 million over the FY 2020-FY 2021 biennium may be used for the program from Fund 7002, the same amount allowed for the current FY 2018-FY 2019 biennium.</p>	<p>Fiscal effect: Same as the Executive.</p>	<p>Fiscal effect: Same as the Executive.</p>	<p>Fiscal effect: Same as the Executive.</p>