
Detailed Fiscal Analysis

Substitute S.B. 192 puts into statute activities that are currently performed by the Departments of Health and Natural Resources.

Department of Health

According to the Department of Health (DOH), most of what this bill legislates is already in practice in a voluntary system in place since the 1970s. DOH currently tests the waters of Lake Erie twice a week. This includes both state parks and private beaches. DOH does not test state-owned in-land lakes. These bodies of water are currently tested monthly by the Department of Natural Resources (DNR). The Department of Health currently samples 33 beaches along Lake Erie. Twelve (12) of these beaches are DNR operated state beaches. There are an additional 65 in-land beaches operated by DNR. Under this bill, DNR would still test these waters and DOH would have the option of assisting in the sampling and testing. This continues the current practice in which DNR procures the samples for in-land lakes and reports the test results to DOH. The complete cost to procure and test a water sample is approximately \$50.

Department of Natural Resources

The Department of Natural Resources will be required to test state waters used by the public for swimming and bathing. As noted above, this encompasses 77 locations. Under the agreement currently in place between DNR and DOH, Natural Resources would be responsible for sampling the 65 in-land lakes. Although DOH samples and tests the Lake Erie waters twice a week, DNR samples most of its swimming and bathing areas monthly. For historically problematic waters, DNR tests twice a week. Under the bill, the Director of Health "shall establish techniques and procedures as appropriate for use by the Division of Parks and Recreation in the Department of Natural Resources when taking samples and conducting tests." Although DOH believes that it will maintain the status quo in sampling activities for DNR, this bill does give them the authority to require more frequent testing. If this were to occur, DNR would face increased expenditures.

Last year DNR collected approximately 260 samples. According to the Division of Parks and Recreation, this represents a good approximation of the number of samples collected in a given year. Each sample costs approximately \$30. Of this total, \$15 is used for lab fees. The remaining amount is used for staff time and equipment. Approximately \$7,800 was spent collecting samples last year. DNR sends its samples to private labs for analysis. The results are then forwarded to the Department of Health. According to DNR, the samples will probably continue to be sent to a private lab. DNR does not use the Health Department lab because many of the in-land lake sites are too far away from the Health lab. In order to ensure test result accuracy, the samples must reach the labs within a set time frame.

If the test results from a sample indicate that bacteria levels present a possible health risk to persons swimming or bathing, the Director of Health must inform the chief of the Division of Parks and Recreation. In these situations, DNR is required to post signs in appropriate locations at the affected area. These signs, purchased from Ohio Penal Industries, cost approximately \$40. Depending on the number of public access points at a lake, each site with dangerous bacteria

levels would require between one and ten signs. Last year, there were eight occasions when signs needed to be posted at state-operated bathing facilities. Although this is a fairly representative number for a given season, the nature of bacteria levels is somewhat unpredictable. The number of dangerous test results could be as high as twelve (12) and as low as five (5). The purchase of a sign is a one-time cost. Once a sign is purchased, it is kept on site at the facility. Many, if not most, beaches already have some signs available. For recreational waters with no historic problems, signs most likely will need to be ordered. This expense should be relatively minor.

□ *LBO staff: Jeffrey M. Rosa, Budget/Policy Analyst*
Erica Burnett, Budget/Policy Analyst

H:\FN122\sb0192sr.doc