
Detailed Fiscal Analysis

The bill requires the Environmental Protection Agency (EPA) and the Department of Natural Resources (DNR) to establish joint procedures for coordinating the issuance of coal mining and reclamation permits and certain environmental permits with respect to coal mining and reclamation operations. The bill requires EPA's staff to work with DNR's Division of Mineral Resources Management in the review of these permits and requires the agencies to establish a joint coal task force to oversee implementation of the procedures, as well as establishes a timeline for the review and issuance of permits. In addition, the bill requires EPA and DNR to make a joint determination as to whether Ohio may administer section 404 of the Federal Water Pollution Control Act, which pertains to the discharge of dredged or fill materials into wetlands.

Fiscal effect

Currently, EPA administers environmental permits for coal mines and reclamation activities, while DNR's Division of Mineral Resources Management is responsible for permits for coal mining and reclamation activities themselves. Under the bill, EPA and DNR would be required to coordinate their permitting operations and establish uniform procedures for reviewing coal mining permits and their associated environmental permits.

The bill makes no changes to the current structure for funding environmental or coal permit operations. EPA's primary sources of funding for these programs are currently surface water permit fees paid by applicants and solid waste tipping fees. Some programs also use federal funds and isolated wetland permit fees. EPA received total FY 2009 appropriations of approximately \$19.2 million for these programs. This funding level encompasses all aspects of these programs and is not limited to coal mining and reclamation activities. DNR received FY 2009 appropriations of approximately \$6.9 million for its various coal and reclamation regulatory and permit programs.

The bill may cause EPA and DNR to incur minimal increases in administrative costs for establishing joint procedures for permit review and to oversee the joint coal task force. These costs would most likely be borne by the Surface Water Protection Fund (Fund 4K40) in EPA, which is the primary source of administrative funding for EPA's environmental permits pertaining to coal mining, and the GRF operating line item for DNR's Division of Mineral Resources Management, which oversees coal. FY 2009 appropriations were approximately \$13.8 million for Fund 4K40 in EPA and approximately \$3.1 million for GRF line item 744321, Division of Mineral Resources Management, in DNR.

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