

Environmental Protection Agency

OVERVIEW

The mission of the Ohio Environmental Protection Agency (Ohio EPA) is to protect human health and the environment by establishing and enforcing standards for air quality, water, wastewater treatment, and solid and hazardous waste disposal and by providing comprehensive environmental education. This mission is carried out through: inspections and sampling; environmental education and technical assistance provided to industry, community, and the general public; assistance in pollution prevention; and enforcement actions against violators. The Ohio EPA is a regulatory agency of approximately 1,400 employees whose director is appointed by the Governor. Its annual operating budget is approximately \$184 million. The agency is organized into eight program series that develop and implement distinct environmental programs. The Ohio EPA has staff in five district offices located throughout the state. Generally, district staff duties include: writing initial permits; on-site inspections; monitoring; collecting samples; enforcement; and other direct contact within the regulated community. Technical and pollution prevention assistance is provided to industries, communities, and the general public. Loan assistance is also provided for environmental infrastructure, such as sewage treatment plants.

AGENCY GOALS

The overriding goal of the Ohio EPA is to protect the environment and public health by ensuring compliance with environmental laws and demonstrating leadership in environmental stewardship. Specific goals include:

- Ensuring clean air, water, and land resources
- Attaining and maintaining National Ambient Air Quality Standards in accordance with the Clean Air Act
- Reducing the emission of air toxins
- Characterizing and protecting ground water, and evaluating potential threats to source waters for Ohio's 1,500 public water systems
- Protecting, enhancing, and restoring all surface waters of the state
- Increasing the number of streams achieving the swimmable/fishable standards of the Clean Water Act
- Preventing, responding to, removing, and cleaning up hazardous waste releases, hazardous substances, and pollutants
- Investigating and providing remediation to federal cleanup sites

- Ensuring that major facilities have developed and implemented pollution prevention plans and that enforcement settlements contain pollution prevention supplemental environmental projects
- Encouraging waste reduction and recycling statewide
- Ensuring permitted and licensed facilities are in substantial compliance
- Providing access to technical and financial assistance for implementable solutions to environmental needs
- Providing sound science, effective management, and comprehensive environmental education and working to enhance public awareness and understanding of issues affecting environmental quality

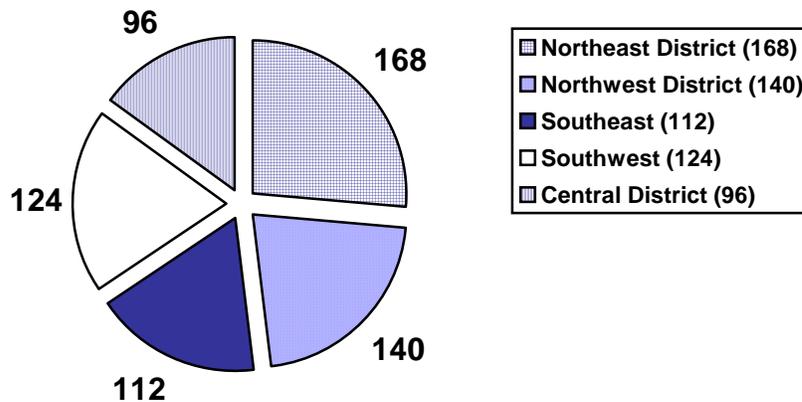
ADDITIONAL FACTS AND FIGURES

Staffing Levels

Environmental Protection Agency Staffing Levels						
Program Series/Division	1998	1999	2000	2001	Recommended	
					2002	2003
Air Pollution Control	187.3	191.4	221	227	227	227
Emergency Response ¹	208.8	195.0	181	186.5	202	210
Hazardous Waste ²	134.3	132.9	147.5	164.7	165	165
Drinking/Groundwater ³	173.4	173.9	180	198.6	203	203
Solid & Infectious Waste	114.8	110.1	116	122	122	122
Surface Water ⁴	319.4	309.3	308	316.9	324	327
Environmental Education	3.6	3.8	4.0	4.0	4	4
Pollution Prevention	15.6	15.1	15	9.0	6	6
Administration	215.3	218.8	221	176	176	174
Totals	1372.5	1350.3	1393.5	1404.7	1429	1438

1. FTEs for the Division of Emergency and Remedial Response include 6.9 FTEs for the Office of Right-to-Know; FY2002 includes 15 FTEs for Clean Ohio; FY 2003 includes 23 FTEs for Clean Ohio (15 continued from 2002, 8 additional in 2003); the 10 FTEs required for the implementation of the VAP MOA track are funded in FY 2001, and continued in FYs 2002 and 2003.
2. FTEs for the Division of Hazardous Waste Management include 6.93 FTEs for the Hazardous Waste Facility Board.
3. FTEs for the Division of Drinking and Ground Waters include 2.5 FTEs in FY 2002 for Clean Ohio, which is continued in FY 2003.
4. FTEs for the Division of Surface Water include the Division of Environmental Services and the Division of Environmental Financial Assistance; FY 2002 includes 1 FTE for Clean Ohio, which is continued in FY 2003.

Staffing Levels By District Office



Changes to EPA Fees

Proposed fee changes included in Ohio EPA's 2002-2003 biennial budget request include an increase from \$0.50 to \$1.00 on the retail sale of all new tires, to the credit of SSR Fund 4R5, Scrap Tire Management. The fee increase is intended to fund 1) continuing cleanup efforts at the Kirby Tire site in Wyandot County, where an arsonist's fire burned between five and seven million tires in August of 1999; 2) new cleanup projects at some of Ohio's estimated 90 other illegal tire dump sites; and 3) reimbursement payments to SSR Fund 4K3, Solid Waste, from which approximately \$3 million has been borrowed for cleanup activities at the Kirby site. The fee increase is projected to increase revenues to Fund 4R5 by \$3.5 million annually. Please see page A16 in *Analysis of Executive Proposal* for more detail on the Kirby Tire fire and ongoing cleanup efforts.

Additional fee increases relate to Ohio EPA's implementation of the Phase II Storm Water Program, which is intended to regulate small municipal and small construction storm water discharges and industrial no exposure certifications. Under the current fee structures, Ohio EPA projects that existing permit application fees (submitted as Notices of Intents, or NOIs) will not be adequate to fully fund the implementation and enforcement of the Phase II program. As such, Ohio EPA has proposed new fees that will be credited to SSR Fund 4K4, Surface Water Protection, which will be used to supplement GRF moneys for the continued funding of Phase II storm water activities. Please see page A27 in *Analysis of Executive Proposal* for more detail on the Phase II program and proposed fee increases.

The table below summarizes all proposed fee increases for the 2002-2003 biennium:

Division	Fund	Fee Name	Current Fee	Proposed Fee	Projected Revenue Increase
DSIWM	4R5	Scrap Tire Management	\$0.50 on the retail sale of new tires	\$1.00 on the retail sale of new tires	\$3.5 million annually
DSW	4K4	Municipal Storm Water General Permit	\$200 every 5 years submitted with Notice of Intent (NOI)	\$100 per square mile of area, assessed annually beginning in FY 2004. Maximum annual fee of \$10,000.	\$200,000 annually
DSW	4K4	Industrial General Permit	\$200 every 5 years submitted with NOI	Surcharge fee of \$150 submitted at the same time as NOI	\$450,000 over a five-year permitting cycle, or \$90,000 annually
DSW	4K4	Construction General Permit	\$200 every 5 years submitted with NOI	Surcharge of \$20 per acre on construction sites greater than 5 acres submitted at the same time as NOI. Maximum surcharge of \$300 per site.	\$210,000 annually

Clean Ohio

In Governor Bob Taft's 2000 State of the State address, he laid out a vision for a \$400 million bond fund that would be used to improve Ohio's land and water resources. That vision resulted in the passage (with considerable bipartisan support) of House Joint Resolution 15. In November, HJR 15 became State Issue 1 and was put before the voters as an amendment to Ohio's constitution to make the preservation of open spaces, the protection of waterways, and the revitalization of blighted areas through community-based investment a public purpose. Ohioans ratified the concept of the Clean Ohio Fund, and in so doing, permitted the state to issue a total of \$400 million in both revenue and general obligation bonds. Enabling legislation is currently being drafted in the form of H.B. 3 that will lay out how bond revenues will be distributed, what projects will be eligible for funding, and how various state agencies will be involved in the implementation of Clean Ohio projects.

A partnership of four state agencies – Ohio EPA, the Ohio Department of Natural Resources, the Department of Agriculture, and the Ohio Department of Development – will be intimately involved in the formulation of HB 3, as well as the administration of the Clean Ohio Fund. In January of 2001, these agencies issued a “white paper” that identified potential funding projects and conservation priorities. In it, \$200 million of the Clean Ohio Fund would focus its allocation on brownfields redevelopment and the mitigation of contamination on underutilized sites. From this allocation, a \$175 million grant/loan program would be administered by the Ohio Department of Development, in collaboration with Ohio EPA, for redevelopment of brownfield sites selected by local communities as having potential for economic revitalization. A \$25 million program would be administered by Ohio EPA to focus on sites posing a public health risk.

The remaining \$200 million would be focused on conservation initiatives. \$25 million would be geared toward farmland preservation and the purchase of agricultural easements (for example, Purchase of Development Rights, or PDRs) and would be administered by the Department of Agriculture. The Ohio Department of Natural Resources, in consultation with Ohio EPA, would administer \$100 million in grants to establish, preserve, and protect green space and natural areas, including river corridors, forests, and wetlands. The ODNR would also manage \$25 million in grants to create new – and improve existing – recreational trails in Ohio for biking, hiking, and other popular outdoor recreation, and would administer the remaining \$50 million, in consultation with Ohio EPA, in a grant program to finance community-directed efforts toward improving Ohio's streams and watersheds.

Governor Taft developed five guiding principles for Issue 1 that continue to form the framework for how the Fund should be managed and distributed:

1. Bond funds should be used to improve Ohio's environment and quality of life
2. Those who caused the pollution on a piece of property should not receive bond dollars to help clean it up
3. The priorities for bond-funded projects should be community-driven
4. The impact of bond dollars should be multiplied by leveraging additional public and private resources
5. Bond money should be repaid through existing state revenues – no tax increases should be issued

Ohio EPA's role in administering the Clean Ohio Fund will focus primarily on the revitalization of brownfield sites throughout Ohio and on contaminated sites that pose a potential threat to public health. Ohio EPA will play smaller, consultative, roles in green space preservation and stream and watershed protection. In light of this, Ohio EPA and the Office of Budget and Management have proposed a funding mechanism that will provide Ohio EPA will approximately \$1.5 million in FY 2002 and \$3.3 million in FY 2003 for administrative expenses and additional staff resources associated with the Agency's new Clean Ohio responsibilities. The majority of this funding is concentrated within the Division of Emergency and Remedial Response (DERR); the Division that is currently charged with preventing, responding to, removing and cleaning up releases of hazardous waste, hazardous substances and pollutants.

The following table outlines the proposed funding structure associated with Ohio EPA's Clean Ohio responsibilities:

Division of Emergency and Remedial Response, GRF 726-321		
	FY 2002	FY 2003
Object 10	\$726,202	\$1,740,797
Object 13	\$25,625	\$58,125
Object 20	\$287,160	\$641,685
Object 30	\$229,928	\$521,544
TOTAL	\$1,268,915	\$2,962,151
Division of Drinking and Ground Waters, GRF 718-321		
	FY 2002	FY 2003
Object 10	\$70,849	\$187,183
Object 13	\$2,500	\$6,250
Object 20	\$29,250	\$67,922
Object 30	\$14,020	\$0
TOTAL	\$116,619	\$261,355
Division of Surface Water, GRF 717-321		
	FY 2002	FY 2003
Object 10	\$70,849	\$74,873
Object 13	\$2,500	\$2,500
Object 20	\$27,375	\$27,169
Object 30	\$5,608	\$0
TOTAL	\$106,332	\$104,542

Based on the above figures, Ohio EPA anticipates needing to hire approximately 27 new employees over the biennium. Twenty-three of these new employees will be phased in to the Division of Emergency and Remedial Response; 3 will be hired into the Division of Drinking and Ground Waters; and 1 will be placed in the Division of Surface Water.

Ohio EPA has stressed that the staff assigned to Clean Ohio projects will be separate and distinct from those working under the Voluntary Action Program, DERR's current program for brownfields remediation. Current plans call for projects targeted under Clean Ohio to be chosen by local communities, since public participation will allow for the benefits of remediation and redevelopment, both aesthetic and economic, to be enjoyed by all members of the community.

See Page A8 in *Analysis of Executive Proposal* for more detail on DERR's Voluntary Action Program.

Status of Integrated Data Management Systems

Air Pollution Control

- **STARS:** The Division implemented STARS in the summer of 1995. The system is used to issue permits and collect and review emission inventories and emission fee reports. It was intended to serve as the prototype for Ohio EPA's integrated business support systems. STARShip, its associated data entry module (DEM) for electronic permit application and reporting, was distributed to the regulated community at approximately the same time.

In 2000, the Division launched PTI2000, which provides for improved tracking of Permits to Install (PTI). Through PTI2000, DAPC is able to provide a tracking system on the Internet that identifies where a PTI is in the permitting process.

Over the upcoming biennium, the Office of Data and Systems will rebuild STARS, incorporating the PTI and PTO (Permit to Operate) functions into a single system, and thereby reducing duplication of effort by Ohio EPA and Local Air Authority staff. The rebuild will be technically and financially challenging. The estimated cost of the rebuild is approximately \$2 million.

Surface Water

- **SWIMS:** The Division brought SWIMS online in 1999. The system has allowed program staff access to readily available information for use in decision-making, and provided access to the regulated community and the general public. The Office of Data and Systems estimates maintenance costs for SWIMS at \$337,655 annually.

Drinking & Ground Water

- **DRINK:** DRINK became operational in 2000, although the contractor continues to work on resolving numerous bugs in the operational program. Besides working to resolve remaining problems in the current design, the Division has already identified several modifications and enhancements necessary to meet existing program requirements. The need to modify the system will increase as U.S. EPA adopts new requirements outlined in the 1996 Amendments to the Safe Drinking Water Act. Other modifications are needed to incorporate non-DRINK information management programs that were

not included in the original design. The Office of Data and Systems estimates maintenance costs for DRINK at \$287,655 annually.

Solid & Infectious Waste

- **SIIMAN:** The Division continues to put considerable effort and work into the development of SIIMAN. The system is designed to facilitate and track the daily work projects of DSIWM staff and provide the regulated community and local health departments with the opportunity for electronic submission of required reporting data and registration, permit, and license applications. Following successful implementation of SIIMAN, specially designed stand-alone SIIMAN modules (SIIMANWare) will be made available (targeted for mid-2001) for use by local health departments and the regulated community. The Office of Data and Systems estimated maintenance costs for SIIMAN at \$239,655 annually.

Hazardous Waste

- **DRUMS:** The Division implemented DRUMS over the 2000-2001 biennium. The system has allowed DHWM to realize significant efficiencies in data entry and use of common electronic forms and letters. In addition, the Division was the first in the Agency to create a divisional intranet, which has allowed for more effective communication within DHWM. The Office of Data and Systems estimates maintenance costs for DRUMS at an average of \$189,655 annually.

Emergency & Remedial Response

- **CLEANS:** The Division is the last within the six major program divisions to implement its DEM in accordance with the Agency's Data Enterprise Model. Over the next biennium, the Office of Data and Systems will work to develop CLEANS, which will include a Release Reporting System for chemical spills. Projected costs associated with the development of CLEANS are \$1,075,382 in both FY 2002 and 2003.

Central Administration

- **TAS:** The Agency's Time Accounting System (TAS), developed in-house, has been in production for nearly four years. The system tracks staff time spent according to classes of work and uses the same Work Activities and Milestones tracked in the programmatic systems mentioned above. The Work Activities also correspond to the elements of the Agency Strategic Management Process' Annual Plans. In November 1998, the Office of Data and Systems implemented a process for creating payroll transactions directly from TAS, allowing transactions to be automatically forwarded to State Payroll for processing rather than being entered by hand. D&S is currently providing maintenance for all aspects of the TAS system.
- **REVENUES:** The Agency's system for tracking fees and other receivables through the Core database was developed in-house and has been in operation for over three years. Use of this system has become increasingly convenient as nearly all of the programmatic systems have come online. All fees are linked to persons, places or organizations in the Core database. The Office of Data and Systems continues to provide maintenance to this system.
- **Facility Reconciliation Module:** Key to the Agency's integrated data management strategy is the idea that all systems will use the same Core database and be working off the same information. Because of the importance of facilities to the Agency's business processes, it is especially important

that each facility be in the database only once and be recognized by *all* Agency programs that are associated with that facility. A project to ‘reconcile’ all of the programs’ approximately 75,000 facilities into a single list of 46,000 was completed in 1997. All divisions have worked with the Office of Data and Systems to keep that list reconciled since that time.

ANALYSIS OF EXECUTIVE PROPOSAL

Air Pollution Control

Program Series 1

Purpose The mission of the Division of Air Pollution Control (DAPC) is to attain and maintain the air quality at a level that will protect the environment for the benefit of all. The Division partners with nine local air agencies to carry out programs designed to attain and maintain ambient air quality and protect public health.

The following table shows the line items that are used to fund this program series, as well as the Governor's recommended funding levels.

Fund	ALI	Title	FY 2002	FY 2003
GRF	715-501	Local Air Pollution Control	\$1,420,949	\$1,504,237
GRF	719-321	Air Pollution Control	\$2,956,660	\$3,141,087
FED-357	715-619	Air Pollution Control	\$4,919,683	\$4,835,600
SSR-4K2	715-648	Clean Air – Non Title V	\$3,558,719	\$3,725,707
SSR-4T3	715-659	Clean Air – Title V Permit Program	\$16,330,021	\$16,919,482
SSR-542	715-671	Risk Management Reporting	\$174,924	\$185,605
SSR-592	715-627	Anti Tampering Settlement	\$16,602	\$17,583
SSR-602	715-626	Motor Vehicle Inspection & Maintenance	\$2,653,217	\$2,795,062
SSR-678	715-635	Air Toxic Release	\$394,489	\$413,938
SSR-696	715-643	Air Pollution Control Administration	\$750,000	\$750,000
Total funding: Air Pollution Control			\$33,175,264	\$34,288,301

Specific programs and initiatives within the Division of Air Pollution Control on which this analysis will focus include:

- **Permitting**
- **Attaining NAAQS**
- **Air Toxics**
- **Compliance and Enforcement**
- **Automobile Inspection and Maintenance (Ohio E-Check)**

Permitting Program Description: The 1990 Clean Air Act Amendments established permitting and reporting requirements for air polluting facilities. Under Title V, facilities that have the potential to emit certain amounts of air pollution are required to apply for and obtain a state/federal operating permit and pay emission fees. Title V fees are used for air pollution monitoring, inspections, and for providing technical assistance. Fees are assessed on the actual amount of emissions of particulate matter, sulfur dioxide, nitrogen oxides, organic compounds, and lead. The fee for reporting year 2000 was \$34.85 per ton. Fees are calculated based on a base fee of \$25/ton in 1989 dollars, and are subject to annual increases as measured against the 1989 Consumer Price Index.

Approximately 700 facilities are required to obtain Title V permits. As of December 1, 2000, the Division of Air Pollution Control has issued 516 draft Title V permits, and 288 final Title V permits.

Changes in U.S. EPA policy that occurred after the draft permits were issued have resulted in approximately 200 of the draft Title V permits needing revision. However, DAPC contends it does not have the staffing resources necessary to continue processing and issuing draft Title V permits while revising the existing draft permits. Therefore, DAPC will continue to focus staffing resources on the initial issuance of Title V permits and expects to meet the deadline of December 2001.

Overall, DAPC regulates more than 60,000 individual pollution sources at 13,000 facilities throughout its permitting system. Facilities must obtain a Permit to Install (PTI) prior to installing a new source of air pollution. Facilities with smaller sources of air pollution are covered by the state Permit to Operate (PTO) program. Facilities that have the potential to be classified as major sources of air pollution, and therefore subject to Title V permitting, but which accept additional restrictions that limit their emissions, are subject to the Federally Enforceable State Operating Permit (FESOP) program.

DAPC is currently faced with a significant backlog of state PTOs, since Title V permitting and PTIs have higher priorities. However, as initial Title V permits are issued, district offices and Local Air Authorities (LAA) will begin to address the state PTO backlog.

Funding Source: A blend of GRF and SSR Funds 4T3, 4K2, and 696

Line Items: 715-501; 719-321; 715-659; 715-648; 715-643

Implication of Recommendation: DAPC included in its FY 2000-2001 biennial budget request additional spending authority for Title V fees that would have enabled the Division to hire 10 additional permit writers each year of the biennium. However, in 2000 the Environmental Review Appeals Commission (ERAC) concluded that Title V fees should not apply to emissions of total particulates, as DAPC's fee structure had intended. The ruling resulted in lower fee revenue than anticipated, and prevented the Division from hiring the additional staff, thereby the growing backlog within the entire permitting process (which includes PTIs, PTOs, and FESOPs). ERAC's decision was overturned on appeal, and the Division expects fee revenues to recover. The FY 2002-2003 biennial budget request reflects these projected revenue increases, and will allow DAPC to begin hiring the additional staff it requires to finish issuing all Title V permits by the deadline of December 2001.

DAPC requested \$13,905,573 in FY 2002 and \$14,268,222 in FY 2003 to fund all of its permitting programs. This request has been fully funded by the Executive recommendation. In addition, the Executive has funded DAPC's additional requests for \$124,619 in FY 2003 to GRF line item 719-321, Air Pollution Control, and a total of \$395,458 over the 2002-2003 biennium to Fund 4K2, Clean Air – Non-Title V. Funding will allow for a staff of 108 FTEs over each year of the biennium.

**Attaining
NAAQS**

Program Description: The primary goal of the Division of Air Pollution Control is to ensure that Ohio's air meets National Ambient Air Quality Standards (NAAQS), as required by the 1990 Amendments to the Federal Clean Air Act. To achieve this goal, and thereby be designated "attainment" status for NAAQS, the Division operates one of the largest air monitoring networks in the country, which in 1999 consisted of 215 monitors located throughout the state. In the late 1990s, Ohio achieved all ambient air quality standards under the one-hour ozone standard, although some areas in the state have not been formally redesignated through U.S. EPA. The one-hour ozone standard sets limits to how high ozone levels can be over a one-hour period before the standard is exceeded.

In July of 1997, U.S. EPA adopted revised NAAQS for ozone and particulate matter under a new eight-hour ozone standard. A number of parties, including Ohio EPA, appealed the revised standards to the United States Court of Appeals for the District of Columbia, arguing they were not based on scientific evidence. In addition, Ohio EPA forwarded to U.S. EPA a list of 32 Ohio counties where air quality exceeded the eight-hour standard. In May of 1999, the Court of Appeals remanded the standards back to U.S. EPA, and U.S. EPA appealed that decision to the United States Supreme Court. On February 27, 2001, the Supreme Court ruled that U.S. EPA's policy for implementing the new ozone rules was unlawful, and left it up to U.S. EPA to develop a reasonable interpretation of ozone standards. At this writing, it is unclear how the Supreme Court's ruling will affect operations at Ohio EPA.

A separate issue that affects DAPC's ability to attain and maintain ambient air quality standards involves U.S. EPA mandates to reduce nitrogen oxide emissions from utilities and large industrial boilers, referred to as the NO_xSIP (Nitrogen Oxide State Implementation Plan) Call. Under the U.S. EPA proposal, facilities must implement control measures to reduce NO_x emissions by May 1, 2003. DAPC will be required to modify the Title V permits of affected facilities to include the new requirements, which will challenge the Division's staffing resources, already working on the first issued Title V permits (discussed above).

To accurately evaluate whether Ohio's air quality is meeting NAAQS, DAPC operates a comprehensive air quality monitoring network which (a) provides timely monitoring data, (b) ensures that 100 percent of the monitors meet U.S. EPA standards for data capture and accuracy, and (c) verifies data when violations are measured and assesses whether the readings were accurate. DAPC will be adding more PM_{2.5} monitors in 2001 (which monitor particulate matter less than 2.5 microns), and will also conduct analysis of its PM_{2.5} filters to determine possible sources of emission of PM_{2.5}.

Funding Source: A blend of GRF and SSR Funds 4T3, 4K2, and 696

Line Items: 715-501; 719-321; 715-659; 715-648; 715-643

Implication of Recommendation: DAPC requested \$7,498,741 in FY 2002 and \$7,699,271 in FY 2003 to fund its goal of attaining and maintaining NAAQS throughout Ohio. This request has been fully funded by the Executive recommendation. Funding will allow for a staff of 47 FTEs over each year of the biennium.

Air Toxics *Program Description:* The 1990 Amendments to the Federal Clean Air Act established programs to identify and reduce air toxics. DAPC has implemented these programs as required, and has coordinated efforts with Local Air Agencies (LAA) to ensure the consistent application of these regulations throughout the state. Currently, the Division is seeking to obtain delegation of authority to fully implement and enforce specific pollution prevention standards.

DAPC has investigated ways of improving its ability to monitor for air toxics, and has been shifting resources toward the air toxics program to ensure adequate evaluation of monitoring data. The following studies or risk assessments have been completed or are currently underway: River Valley Middle School; the City of Cleveland; Kirby Tire fire; New Boston Coke; the City of Marietta; and Marion Steel.

DAPC also participates in the Regional Air Pollutant Inventory Development System (RAPIDS) program and has been preparing a comprehensive toxics emissions inventory. The RAPIDS inventory is supplemented with the Toxic Release Inventory (TRI), which is currently undergoing an evaluation of the quality of its data. TRI is supported through filing fees.

Finally, DAPC has continued the implementation of the 112(r) risk management planning program from the 1990 Amendments to the Federal Clean Air Act, which required facilities storing large quantities of hazardous chemicals to prepare risk management plans. Approximately 500 facilities filed these risk management plans for the first time in June 1999. Prior to the filing deadline, DAPC conducted extensive outreach through mailings and training seminars. The Division has continued outreach to potential non-reporters through targeted mailings and site visits. Fees paid by the reported facilities support the administration of the 112(r) program.

Funding Source: A blend of GRF and SSR Funds 4T3, 4K2, 696, 678, and 542

Line Items: 715-501; 719-321; 715-659; 715-648; 715-643; 715-635; 715-671

Implication of Recommendation: DAPC requested \$4,722,387 in FY 2002 and \$4,864,460 in FY 2003 to fund its efforts to identify and reduce air toxics in Ohio. This request has been fully funded by the Executive recommendation. Funding will allow for a staff of 15 FTEs over each year of the biennium.

Compliance and Enforcement *Program Description:* DAPC conducts inspections, and reviews test results and periodic reports, in accordance with U.S. EPA requirements to ensure compliance with state and federal regulations. DAPC routinely monitors the compliance of approximately 1,181 major sources of air pollution classified as high priority facilities by U.S. EPA. In 1999 and 2000, the compliance rate of these facilities was 94 percent. It is DAPC's goal that at least 95 percent of high priority facilities be in substantial compliance.

The Division's enforcement efforts can be initiated through plant inspections, citizen complaints, permit reviews, and stack testing data. Over FYs 1999 and 2000, DAPC resolved some 170 enforcement cases. During that biennium, DAPC focused much of its staffing efforts on the review and issuance of Title V permits, to the point where inspections of facilities were given a lower priority. Now that district offices and LAAs are completing the initial processing of Title V permits, the number of inspections and enforcement cases are expected to increase.

Currently, there are 120 enforcement cases pending; the Division's now expects to handle an average of 100 new cases annually. DAPC will begin to shift staff resources to compliance and enforcement efforts as the Title V permit workload decreases.

In FY 2000, DAPC collected approximately \$750,000 in cash settlements, and \$500,000 in credit projects.

Funding Source: A blend of GRF and SSR Funds 4T3, 4K2, 678, 542, and 592

Line Items: 715-501; 719-321; 715-659; 715-648; 715-635; 715-671; 715-627

Implication of Recommendation: DAPC requested \$4,204,284 in FY 2002 and \$4,332,270 in FY 2003 to fund its compliance and enforcement efforts. This request has been fully funded by the Executive recommendation. Funding will allow for a staff of 26 FTEs over each year of the biennium.

**Automobile
Inspection &
Maintenance
(Ohio E-Check)**

Program Description: The Ohio E-Check program is mandated by the Federal Clean Air Act of 1990, and authorized under Ohio Revised Code Chapters 3704-3709. The program was established in 1996. Fourteen Ohio counties initially designated "moderate nonattainment" status for ozone and carbon monoxide NAAQS are required to participate in the program. All gasoline and diesel powered passenger cars and light-duty trucks registered within these counties must pass a biennial emission inspection prior to vehicle registration with the Bureau of Motor Vehicles. Approximately 1.9 million vehicles are tested every year. The testing fee of \$19.50 is divided between the emissions testing contractor, Envirotest Systems, Corp, and Ohio EPA. Less than \$1.00 on average per vehicle is credited toward Fund 602 for Ohio EPA's administration and oversight of the E-check program. In December 1998, the Controlling Board approved conversion of the I/M 240 testing method to the current, and less intrusive ASM testing method for all E-Check areas in Ohio.

Funding Source: SSR Fund 602

Line Items: 715-626

Implication of Recommendation: DAPC requested \$2,653,217 in FY 2002 and \$2,795,062 in FY 2003 to fund the E-check program. This request has been fully funded by the Executive recommendation. Funding will allow for a staff of 31 FTEs over each year of the biennium.

Emergency & Remedial Response

Program Series 2

Purpose The mission of the Division of Emergency & Remedial Response (DERR) is to prevent, respond to, remove and cleanup releases of hazardous waste, hazardous substances and pollutants through compliance monitoring, enforcement and voluntary actions.

The following table shows the line items that are used to fund this program series, as well as the Governor’s recommended funding levels.

Fund	ALI	Title	FY 2002	FY 2003
GRF	726-321	Corrective Actions	\$3,291,490	\$5,078,217
FED-3F3	715-632	Fed Supported Cleanup & Response	\$4,551,830	\$4,600,910
FED-3K4	715-634	DOD Monitoring and Oversight	\$1,388,552	\$1,487,341
FED-3N4	715-657	DOE Monitoring and Oversight	\$4,080,203	\$4,162,907
SSR-4R9	715-658	Voluntary Action Program	\$760,038	\$880,324
SSR-500	715-608	Immediate Removal Special Account	\$508,000	\$428,547
SSR-505	715-623	Hazardous Waste Cleanup	\$12,786,201	\$13,427,443
SSR-541	715-670	Site Specific Cleanup	\$2,206,952	\$2,345,990
SSR-644	715-631	ER Radiological Safety	\$242,446	\$255,947
SSR-679	715-636	Emergency Planning	\$2,000,708	\$2,054,868
Total funding: Emergency & Remedial Response			\$31,816,420	\$34,722,494

Specific programs within the Division of Emergency & Remedial Response on which this analysis will focus include:

- **Voluntary Action Program**
- **Remedial Response**
- **Emergency Response**
- **Office of Federal Facilities Oversight**
- **Office of Special Investigations**
- **Office of Right-to-Know**

Voluntary Action Program *Introduction:* The Division of Emergency and Remedial Response is home to a variety of preparedness, prevention and cleanup programs. They include Right-to-Know; radiation safety; spill prevention, control and countermeasures; PCBs; Cessation of Regulated Operations; special investigations; site investigation field unit; orphan drum removals; emergency response; remedial response; and the Voluntary Action Program.

The focus of these programs is to provide information to the public regarding regulated chemical storage in communities; assist communities and regulated facilities in being prepared to respond to unplanned releases of hazardous substances and petroleum; investigate environmental conditions at sites; respond to emergency releases; and facilitate cleanup of historical hazardous waste releases and disposal sites.

Program Description: The Voluntary Action Program was established in 1994 under Ohio Revised Code Chapter 3746 to oversee voluntary cleanup efforts of contaminated sites in order to return them to productive use. Professionals in charge of the cleanups, and laboratories that analyze environmental samples under VAP, must be certified by Ohio EPA. Under the program, DERR reviews and approves No Further Action (NFA) letters for which volunteers request a covenant not to sue from the state. The VAP audits no less than 25 percent of cleanup sites annually to ensure that cleanup standards, which are based upon a site's proposed future industrial, commercial, or residential use, have been met. Occasionally, enforcement activities are required at some sites. The VAP also provides technical assistance to volunteers and the public to assist them with interpreting and applying cleanup standards.

Since the VAP's inception, 114 NFAs and 58 covenants not to sue have been issued. Countless other sites have been remediated to VAP cleanup standards and reused for new development, including many brownfield sites throughout the state.

In past years, VAP fee revenues were not sufficient to support the program's administrative costs. At the beginning of CY 2000, the VAP was downsized significantly in order for revenues and expenditures to balance. While the VAP now earns about 29 percent more than it spends, it routinely misses its statutory deadlines for issuing covenants.

Currently, DERR is on the verge of finalizing a Memorandum of Agreement (MOA) with U.S. EPA that will establish the Ohio VAP MOA Track. The MOA Track will promote the cleanup and redevelopment of contaminated properties according to standards developed and agreed to by both U.S. EPA and Ohio EPA. U.S. EPA provided federal funds to hire staff to support the increased level of oversight that voluntary work under the MOA will require (though U.S. EPA could not commit to sustaining the funding beyond the first half of FY 2002). Voluntary cleanups that go through the MOA Track will be assured that U.S. EPA will not require additional cleanup after Ohio EPA issues a covenant not to sue.

The MOA Track differs from the traditional VAP program because it requires more public notice and participation in cleanup efforts, and requires Ohio EPA to provide oversight throughout the cleanup process, rather than at the time an NFA letter is submitted for review. Plans for the ultimate remediation of a site also depend upon community involvement, rather than on individual private developers.

Based on a survey Ohio EPA conducted with volunteer groups, the agency projects that about half of the groups currently involved in cleanup efforts at contaminated sites will choose the new VAP MOA Track and the assurance it offers that U.S. EPA will not sue once Ohio EPA has issued a covenant not to sue. Others will remain with the traditional VAP program.

Funding Source: Fees are derived from the direct and indirect costs associated with the VAP application and activities. GRF, SSR Fund 4R9, FED Fund 3F3

Line Items: 726-321; 715-658; 715-632

Implication of Recommendation: The VAP requested core funding levels of \$1,655,217 in FY 2002 and \$1,796,818 in FY 2003. This request has been fully funded by the Executive recommendation. In addition, the Executive has funded VAP's additional requests for \$750,160 in FY 2002 and \$751,349 in FY 2003 to GRF line item 726-321, Corrective Actions, to support the expansion of VAP staff and the implementation of the VAP MOA Track. Funding will allow for a staff of 28 FTEs over each year of the biennium (18 FTEs in the core request and 10 FTEs in the supplemental request).

Remedial Response

Program Description: This program was established under the former Division of Hazardous Waste Management in 1982, under Ohio Revised Code Chapters 3734, 3750, and 6111. The Remedial Response (RR) program investigates hazardous waste sites statewide, including federal Superfund sites, and assists and oversees in their cleanup. Since the program's inception, about 13 sites have undergone full remediation, and interim remediation measures have been implemented at 26 other sites. In conjunction with U.S. EPA, the RR program has cleaned up 9 sites and implemented large removals at another 38 sites. Every year, the RR program works on about 140 sites undergoing investigation or cleanup, and assesses 60 sites for inclusion in the program. Ohio EPA's five district offices and central office participate in cleanup oversight activities. Program operations include investigations, feasibility studies, remedial (cleanup) design, remedial action, enforcement, and if necessary, actual operation and maintenance of hazardous waste sites. At state-designated sites, Ohio EPA provides direct oversight over responsible parties and their technical consultants. At federal Superfund sites, U.S. EPA generally takes the lead role.

At the beginning of FY 2000, the RR program was downsized in order for revenues to balance expenditures. At the same time, the program adopted a fiscally prudent approach to expenditures, which resulted in approximately \$3 million in excess appropriation authority. The RR program proposed to add a contract to develop its portion of DERR's Data Enterprise Model (see *Additional Facts and Figures*).

Funding Source: FED Fund 3F3, and SSR Funds 505 and 541

Line Items: 715-632; 715-623; 715-670

Implication of Recommendation: The RR program requested core funding levels of \$15,830,771 in FY 2002 and \$16,386,647 in FY 2003. This request has been fully funded by the Executive recommendation. Funding will allow for a staff of 73 FTEs over each year of the biennium.

Emergency Response

Program Description: The Emergency Response program was established in 1972 under Ohio Revised Code Chapters 3734, 6111, 3704 and 3750. The program provides 24-hour emergency response to sudden releases of contaminants, reports of orphaned drums, and radiation releases at nuclear power plants. The ER program coordinates with local and state emergency management officials to share information in an effort to minimize and prevent harmful releases to the environment. Based upon the location and type of release, the response unit often works in conjunction with ODOT, ODH, ODNR, ODA, PUCO, OEMA, and PUSTRCB. The ER program takes some 5,300 spill calls over its hotline annually, and responds to about 1,200 of these calls. The program also works with other agencies of the Utility Radiation Safety Board in support of nuclear power safety

and emergency responses to releases, and participates in two to three mock radiation release exercises every year. Finally, ER's Orphan Drum program contracts with a disposal firm (for approximately \$80,000 per year) and removes about 234 orphan drum containers annually.

In March 2000, the ER program responded to a 1.5 million gallon fertilizer tank spill at the Marion County Morral Companies facility. At its peak, the emergency response involved more than 100 people from at least six different contractors, and the cost of the incident has been estimated to exceed \$6 million. In July 2000, the unit responded to reports from ODNR Wildlife of an ongoing fish kill in the Darby Creek; the result of a spill of molasses and fermented grain at Darby Creek Ag, Inc. Over four days, the ER unit provided constant monitoring and advice on efforts to provide aeration and increase dissolved oxygen concentrations.

Funding Source: ER is financially supported by GRF, fees (SSR Fund 644), cost recovery (SSR Fund 500), Federal Superfund moneys (FED Fund 3F3), and a subsidy from hazardous waste cleanup (SSR Fund 505)

Line Items: 726-321; 715-631; 715-608; 715-632; 715-623

Implication of Recommendation: The ER program requested core funding levels of \$2,961,383 in FY 2002 and \$3,141,962 in FY 2003. This request has been fully funded by the Executive recommendation. In addition, the Executive has funded ER's additional request for \$43,531 in FY 2002 and \$45,995 in FY 2003 to SSR Fund 644, ER Radiological Safety, to continue funding at current staffing levels. Funding will allow for a staff of 31 FTEs over each year of the biennium.

Office of Federal Facilities Oversight

Program Description: The Office of Federal Facilities Oversight (OFFO) was created in the Spring of 1994 to oversee investigation and remediation activities at federal cleanup sites. The office provides cleanup oversight and facilitates environmental monitoring, emergency response, remedial actions and public outreach at Department of Energy (DOE) and Department of Defense (DOD) sites in Ohio.

One hundred percent of funding for OFFO is received from federal grants that are the result of consent decrees and numerous legal agreements. Cost recovery grants currently exist for three DOE sites: Fernald, Mound, and Portsmouth. Funding for 28 current and former DOD sites is received through the Defense/State Memorandum of Agreement (DSMOA). In addition, a Cooperative Agreement has been established with the U.S. Army Corps of Engineers for the Formerly Utilized Sites Remedial Action Program (FUSRAP) to clean up sites that were once used by the federal government as part of the Manhattan Project and for early weapons production and research.

OFFO is also conducting Pre-CERCLIS Screenings (PCS) for Formerly Used Defense Sites (FUDs) due to concern that some of these sites were given No Further Action (NFA) necessary designation by DOD without sufficient scrutiny, as is presumed to be the case at Marion River Valley School. This pilot program will help U.S. EPA and OFFO determine if additional investigations are needed for NFA FUD sites. OFFO has received funding to carry out Pre-CERCLIS Screenings at 5 FUD sites.

Funding Source: FED Funds 3F3, 3K4, 3N4

Line Items: 715-632; 715-634; 715-657

Implication of Recommendation: OFFO requested core funding appropriation levels of \$5,555,675 in FY 2002 and \$5,737,168 in FY 2003. This request has been fully funded by the Executive recommendation. Funding will allow for a staff of 38 FTEs over each year of the biennium.

Office of Special Investigations

Program Description: The Office of Special Investigations (OSI) conducts investigations into alleged environmental violations that potentially constitute criminal activities. These activities may endanger human health and the environment, and may include, but are not limited to, activities such as the burial of drums containing hazardous waste, unpermitted discharges of industrial waste, or emissions of air pollutants from open burns.

OSI holds a unique position at Ohio EPA because it is the only group within the Agency expressly designed to handle complex criminal environmental investigations. The outcome of these investigations often result in criminal and/or civil sanctions. Unlike most units, OSI is not bound to any particular program area. As such, the Office receives funding from six divisions within Ohio EPA that have regulatory authority under which OSI operates. Each division's contribution to OSI is determined by analyzing cost breakdowns based on OSI casework and administrative expenses.

Since its inception, OSI has developed hundreds of cases resulting in over 200 convictions, and typically has an open caseload of 100 criminal investigations. The Office is primarily a reactive body, responding to division referrals and complaints from a wide variety of sources. As each new case is received, it is evaluated in coordination with the Bureau of Criminal Investigation, the Attorney Generals Office, and U.S. EPA to determine if the allegations are criminal in nature. Investigations are conducted utilizing a team approach, bringing in expertise from state, local, and federal sources.

Funding Source: SSR Fund 505

Line Items: 715-623

Implication of Recommendation: OSI requested core funding levels of \$1,223,110 in FY 2002 and \$1,244,615 in FY 2003. This request has been fully funded by the Executive recommendation. In addition, the Executive has funded OSI's total additional requests for \$157,575 in FY 2002 and \$187,479 in FY 2003 to SSR Fund 505, Hazardous Waste Cleanup, to support existing Central Support indirect costs attributable to OSI and to replace field vehicles with mileages over 100,000. Funding will allow for a staff of 10 FTEs over each year of the biennium.

Office of Right-to-Know

Program Description: This program was initially established in 1987 under Ohio Revised Code Chapter 3750 to serve as the administrative support staff to the State Emergency Response Commission (SERC). The Commission is composed of 19 members who serve to ensure the improvement of statewide preparedness and response to chemical emergencies and to increasing the general public's awareness of potential chemical hazards. The Commission supervises and coordinates the activities of Local Emergency Planning Committees (LEPCs), which have the responsibility of developing and exercising Chemical Emergency Response Plans to chemical releases that may occur within or adjacent to their counties. The Chemical Emergency Preparedness Unit (CEPU) receives copies of over 13,000 reports from regulated facilities, and approximately \$2 million in fees are made

available to LEPCs as performance grants for conducting the activities set forth in section 3750.03 of the ORC.

In May 1999, DERR reorganized and the Right-to-Know program became an independent office, responsible for establishing its own self-supporting budget and funding streams. With this in mind, the Office has made it a priority to address its information management needs in order to increase program credibility and accountability to the LEPCs. The Office is updating its Chemical Inventory Tracking (CIT) System into Ohio EPA's CORE database.

Funding Source: GRF and SERC grant funding with moneys from SSR Fund 679

Line Items: 726-321; 715-636

Implication of Recommendation: The Office of Right-to-Know requested core funding levels of \$2,370,083 in FY 2002 and \$2,468,310 in FY 2003. This request has been fully funded by the Executive recommendation. Funding will allow for 1 FTE over each year of the biennium.

Hazardous Waste Management*Program Series 3*

Purpose The mission of the Division of Hazardous Waste Management (DHWM) is to protect human health and the environment for Ohio's citizens by promoting the minimization and proper handling of hazardous waste.

The following table shows the line items that are used to fund this program series, as well as the Governor's recommended funding levels.

Fund	ALI	Title	FY 2002	FY 2003
GRF	723-321	Hazardous Waste	\$148,000	\$148,000
FED-354	715-614	Hazardous Waste Management	\$3,900,000	\$3,900,000
SSR-4P5	715-654	Cozart Landfill	\$140,404	\$143,914
SSR-503	715-621	Hazardous Waste Facility Management	\$10,274,613	\$11,045,132
SSR-503	715-662	Hazardous Waste Facility Board	\$688,634	\$725,713
Total funding: Hazardous Waste			\$15,151,651	\$15,962,759

Specific programs within the Division of Hazardous Waste Management on which this analysis will focus include:

- **Hazardous Waste Management**
- **Cessation of Regulated Operations**

Hazardous Waste Management *Program Description:* This program is authorized under authority of Subtitle C of the Resource Conservation and Recovery Act (RCRA) of 1976, the Federal RCRA Hazardous and Solid Waste Amendments of 1984, and Ohio Revised Code Chapter 3734. The program was established in 1981. The Hazardous Waste Management Program regulates facilities that generate, transport, treat, store or dispose of hazardous waste. Hazardous waste is defined as waste that is toxic, ignitable, corrosive or reactive, or waste listed by name in state and federal law. DHWM's universe of regulated facilities includes 45 permitted treatment, storage and disposal facilities, approximately 1,300 large quantity hazardous waste generators, 11,000 small quantity generators, and approximately 25,000 conditionally exempt small quantity generators.

DHWM's full range of regulatory responsibilities include: conducting inspections; pursuing appropriate enforcement; responding to complaints; reviewing and approving closure/post-closure plans and corrective action plans; reviewing and issuing final actions on renewal and modification permit applications; and providing technical assistance and educational outreach to the regulated community and the public on regulatory compliance and pollution prevention.

In FY 2000, DHWM conducted inspections of 108 hazardous waste large quantity generators, 232 small and conditionally exempt generators, 1428 other types of inspections, and 137 inspections of treatment, storage, and disposal facilities. In addition, 27 closure plans were approved, and 35 closure certifications were accepted. Numerous other actions were taken in the areas of enforcement, complaint investigation, and renewal and modification permit application reviews.

Funding Source: Major sources include the hazardous waste fee account and a federal grant. SSR Funds 503 and 4P5, and FED Fund 354.

Line Items: 715-621; 715-654; 715-614.

Implication of Recommendation: The Hazardous Waste Management program requested core funding levels of \$12,920,066 in FY 2002 and \$13,397,946 in FY 2003. This request has been fully funded by the Executive recommendation. In addition, the Executive has funded the program's additional request for \$1,394,951 in FY 2002 and \$1,691,100 in FY 2002 to SSR Fund 503, Hazardous Waste Facility Management, to support a portion of all components of DHWM's federally delegated program. Total funding will allow for 155 FTEs over each year of the biennium.

**Cessation of
Regulated
Operations**

Program Description: Chapter 3752 of the Ohio Revised Code established the Cessation of Regulated Operations (CRO) program in 1996. DHWM began implementing the program in July 1999. Facilities that have threshold quantities of hazardous chemicals must ensure that they are properly sold, transferred or disposed of when those facilities close.

The universe of facilities subject to CRO requirements fluctuates in accordance with daily business decisions. In FY 2000, CRO conducted 56 inspections at facilities that provided notification that they were ceasing their regulatory operations. No enforcement actions were taken during that year. Facilities receive letters of compliance when they have met CRO requirements, which help owners sell the properties being vacated, and ensure that the public is protected from abandoned hazardous chemical releases.

Funding Source: GRF

Line Items: 723-321

Implication of Recommendation: The CRO program requested a core funding level of \$148,000 in both FY 2002 and FY 2003. This request has been fully funded by the Executive recommendation. Funding will allow for 2 FTEs over each year of the biennium.

Solid & Infectious Waste Management

Program Series 4

Purpose The mission of the Division of Solid & Infectious Waste Management (DSIWM) is to protect human health and the environment through responsible regulation supported by sound science, effective management, and comprehensive environmental education.

The following table shows the line items that are used to fund this program series, as well as the Governor’s recommended funding levels.

Fund	ALI	Title	FY 2002	FY 2003
SSR-4K3	715-649	Solid Waste	\$12,883,012	\$13,578,411
SSR-4R5	715-656	Scrap Tire Management	\$5,526,050	\$5,607,911
SSR-4U7	715-660	Construction & Demolition Debris	\$136,347	\$143,435
SSR-660	715-629	Infectious Waste Management	\$138,899	\$145,271
Total funding: Solid & Infectious Waste			\$18,684,308	\$19,475,028

Specific programs within the Division of Solid and Infectious Waste Management on which this analysis will focus include:

- **Scrap Tire Management / Scrap Tire Abatement and Removal Program**
- **Construction & Demolition Debris**
- **Solid Waste Management Districts**
- **Support to Other Programs and Offices**

**Scrap Tire Management/
Scrap Tire Abatement and Removal Program**

Program Description: The Scrap Tire Management Program regulates scrap tire transportation, collection, storage, processing, and disposal, and manages contracts to abate scrap tire piles. The program was created by Ohio’s scrap tire law and is funded by SSR Fund 4R5, Scrap Tire Management. Services funded by 4R5 include administering and enforcing scrap tire provisions and the Scrap Tire Abatement and Removal Program. Approved local boards of health license scrap tire facilities and receive a majority of the licensing fees.

The Scrap Tire Management Fund currently receives \$0.50 on the retail sale of all new tires in the state. This fee generates approximately \$3.5 million per year, the majority of which funds contracts to clean up some of Ohio’s worst scrap tire piles. The Scrap Tire Abatement and Removal Program uses criteria in the law to prioritize sites based on threats to public health, safety, and the environment. Under the program, scrap tires are properly disposed of, recycled, or converted into energy. The program provides a supplement to ongoing efforts by Ohio EPA, local health departments, and local law enforcement officials to have scrap tire facility operators and those responsible for illegal tire stockpiling and tire disposal to clean up the problem sites they’ve created.

Since the first cleanup contracts were bid in the summer of 1997, over 10 million tires have been removed from a total of six scrap tire sites in the state. Five of these sites have been completely cleaned up. The sixth site is the Kirby Tire site in Wyandot County, which represents the largest accumulation of scrap tires in Ohio (approximately 15 to 20 million before commencement of abatement efforts). In

August 1999, an arsonist set fire to a portion of the Kirby Tire site, and between five and seven million tires burned. Many partially burned tires and tire residuals were buried in an effort to control the fire. The resulting environmental damage has cost Ohio EPA over \$3 million to date, and DSIWM estimates that it will cost another \$20 million to remove all of the remaining tires from the site and \$2.4 to \$7.6 million to remove the fire residuals. The estimate is difficult to narrow because the amounts of buried residuals and subsurface oil, which requires constant collection and disposal, are not known. Ohio EPA estimates that under the current fee structure, cleanup at the Kirby site will take another 15 years, and the approximate 90 other illegal tire dumps in the state will not be adequately addressed.

Because language within Ohio Revised Code section 3734.82 does not clarify that money from the Scrap Tire Management Fund can be used for cleanup actions, and because funding within the Fund was not sufficient to support the cleanup efforts associated with the Kirby Tire fire regardless, Ohio EPA turned to SSR Fund 4K3, Solid Waste, for the \$3 million needed to begin remediation work at the site. However, Fund 4K3 can no longer support these activities, and the agency would like to repay the money borrowed. In order to continue cleanup efforts at the Kirby site, to pay back Fund 4K3, and to begin remediation work at other illegal tire sites in the state, Ohio EPA is requesting in its FY 2002-2003 biennial budget request, a \$0.50 increase to the current \$0.50 fee assessed on the retail sale of new tires (see *Permanent and Temporary Law*). The agency anticipates the fee increase will generate an additional \$3.5 million for the Scrap Tire Management Fund, most of which will be directed toward cleanup at the Kirby Tire site. The additional revenue will allow the agency to complete its work at the site in seven to eight years, rather than the projected 15 years under the current fee structure.

Funding Source: \$0.50 fee on every new tire sold in the state through June 30, 2006 and partial revenue from the licensing of monofill and monocell facilities. SSR Fund 4R5.

Line Items: 715-656

Implication of Recommendation: The Scrap Tire Management Program requested a core funding level of \$2,526,050 in FY 2002 and \$2,607,911 in FY 2003. This request has been fully funded by the Executive recommendation. In addition, the Executive has approved the agency's request to increase the fee on the retail sale of new tires to \$1.00, provided for in an additional funding request of \$3 million in each year of the biennium.

**Construction &
Demolition
Debris**

Program Description: Local boards of health that have been approved by Ohio EPA perform the licensing, inspection, and enforcement of construction and demolition debris (C&DD) facilities. In cases where no approved local board of health has jurisdiction, Ohio EPA administers the licensing, inspection and enforcement of a facility.

Proposed legislation from the 123rd General Assembly sought to expand the definition of construction and demolition debris, and created a funding source, in the form of a tipping fee, for health departments to administer the C&DD program locally. The expanded definition of construction and demolition debris would have allowed some percentage of waste that is currently disposed of in solid waste landfills to be deposited in C&DD landfills. Because the proposed C&DD tipping

fee would have been significantly less than the current solid waste tipping fee, solid waste management districts, and DSIWM's SSR Fund 4K3 (Solid Waste) stood to lose revenue. Although it was difficult to project exact amounts of revenue loss, since the solid waste diversion rate was unknown, LSC fiscal staff estimated that solid waste management districts could lose approximately \$360,000 annually, and Fund 4K3 could lose \$416,000 annually. Should similar legislation be introduced within the 124th General Assembly, DSIWM will be faced with the same issues.

Funding Source: Currently, the annual license fee for a C&DD facility is \$3,000, which is either collected by local boards of health and split with Ohio EPA, or collected by Ohio EPA in full. SSR Fund 4U7.

Line Items: 715-660.

Implication of Recommendation: DSIWM requested a core funding level of \$136,347 in FY 2002 and \$143,435 in FY 2003. This request has been fully funded by the Executive recommendation, and will allow the Division to continue operating at FY 2001 service levels.

**Solid Waste
Management
Districts**

Program Description: Ohio generates approximately 33 million tons of solid waste annually, of which nearly 13 million tons are recycled or reused every year. DSIWM's programs have been developed to ensure proper management of this waste and involve oversight of 70 operating landfills, 57 transfer facilities, 76 construction and demolition debris facilities, 540 composting facilities, 38 scrap tire facilities, and 90 scrap tire transporters. DSIWM recognizes that solid waste management in Ohio involves complex interactions and shared responsibilities among state and local governments, as well as private, residential, commercial, industrial, and institutional generators of solid waste.

Single and joint county solid waste management districts were established by county commissioners under the authority of Chapter 3734 of the Ohio Revised Code. Their primary purpose is to ensure that adequate solid waste management and disposal capacity is available within designated counties, and that effective and practical solutions are implemented to reduce the generation of solid waste through environmental education and recycling efforts. There are 52 solid waste management districts (SWMD) in Ohio. Each district is permitted to charge up to \$2 for disposing of in-district, in-state waste; \$4 for disposing of out-of-district, in-state waste; and \$2 for out-of-state waste.

Fund 4K3, Solid Waste, is made up of moneys deposited through an additional tipping fee of \$1.75 per ton of solid waste disposed of in municipal solid waste landfills. The account pays for all work done on landfill, transfer facility, composting, solid waste incineration, health department approval, and planning programs.

Funding Source: SSR Fund 4K3

Line Items: 715-649

Implication of Recommendation: DSIWM requested a core funding level of \$11,368,148 in FY 2002 and \$11,936,520 in FY 2003. This request has been fully funded by the Executive recommendation. In addition, the Executive funded DSIWM's additional request of \$1,404,864 in FY 2002 and \$1,531,891 in FY 2003 to SSR Fund 4K3, Solid Waste, in order to continue FY 2001 service levels,

and in support of other programs and offices DSIWM funds (see below for examples of these other programs and offices).

**Support to Other
Programs and
Offices**

Program Description: DSIWM provides funding to the Division of Drinking and Ground Water in return for ground water technical assistance within DSIWM programs. Services include: evaluation of ground water data from facility monitoring wells; review of hydrogeology studies; participation in enforcement actions involving ground water violations; review of ground water plans submitted as part of the permit application process; and participation in rule development activities.

In FY 2000, DSIWM began paying the Office of Special Investigations (OSI) directly to conduct investigations of alleged environmental violations that potentially involve criminal activities. Funding also includes certain cleanup activities performed by OSI of behalf of DSIWM. Anticipated funding levels for FY 2002 and 2003 are \$228,013 and \$238,070, respectively.

Beginning in FY 2002, DSIWM will also fund the Small Business Assistance Office (SBAO), located within the Central District Office. SBAO started as a pilot program in FY 1996, and was originally funded through Ohio EPA's Office of Environmental Education. It is intended as a multimedia program serving the interests of air, water, and waste. Services of the Office are free to small businesses, and participation is voluntary. The goal of SBAO is to assist small businesses in improving their compliance with Ohio EPA's regulations through comprehensive compliance assistance activities. Since opening in 1996, SBAO has logged nearly 2,500 calls on its telephone hotline, and has distributed tens of thousands of compliance assistance publications. The Office has also conducted numerous compliance assistance workshops in the central Ohio area.

Funding Source: SSR Fund 4K3

Line Items: 715-649

Implication of Recommendation: The recommended funding will allow the Division to continue operating at FY 2001 service levels, and will provide adequate funding for SBAO.

Drinking & Ground Waters

Program Series 5

Purpose The mission of the Division of Drinking & Ground Waters (DDAGW) is to protect human health and the environment by characterizing and protecting ground water quality and ensuring that Ohio's public drinking water systems provide adequate supplies of safe drinking water.

The following table shows the line items that are used to fund this program series, as well as the Governor's recommended funding levels.

Fund	ALI	Title	FY 2002	FY 2003
GRF	718-321	Groundwater	\$1,612,011	\$1,877,389
GRF	721-321	Drinking Water	\$3,170,010	\$3,350,768
FED-353	715-612	Public Water Safety	\$2,489,460	\$2,489,460
FED-362	715-605	Underground Injection Control-Federal	\$107,856	\$107,856
SSR-3T3	715-669	Drinking Water SRF	\$5,577,473	\$5,839,217
SSR-4J0	715-638	Underground Injection Control	\$377,268	\$394,097
SSR-4K5	715-651	Drinking Water Protection	\$5,420,914	\$5,780,021
SSR-5H4	715-664	Groundwater Support	\$1,718,659	\$1,820,773
Total funding: Drinking & Groundwater			\$20,473,651	\$21,659,581

Specific programs within the Division of Drinking & Ground Waters on which this analysis will focus include:

- **Drinking Water Program**
- **Ground Water Program**
- **New Rules Promulgation**
- **Source Water Assessment & Protection Program (SWAP)**
- **Water Supply Revolving Loan Account (WSRLA)**

Drinking Water Program *Program Description:* Ohio EPA has been delegated primary authority for implementing the federal Safe Drinking Water Act (SDWA) and its corresponding regulations in Ohio. The Division of Drinking and Ground Waters is responsible for ensuring Ohio's public water systems comply with all federal and state drinking water laws and provide adequate supplies of safe drinking water.

Goals within DDAGW for the FY 2002-2003 biennium include:

- Providing timely and efficient plan review and approval processes. Anyone constructing or making significant changes to a public water system is required to receive approval of the plans by Ohio EPA prior to construction. Currently over 1,700 sets of plans are submitted for review annually.

- Improving public water system design standards through increased evaluation and use of innovative technologies. During FY 2000, staff reviewed 29 pilot studies, which are conducted when a public water system proposes performing treatment using a new and innovative treatment technology not previously used in Ohio.
- Establishing effective backflow prevention and cross connection control programs at all public water systems serving over 250 people. A significant threat to public health is the contamination of drinking water through plumbing deficiencies after it has left the water treatment plant. This includes failing to use appropriate devices to prevent backflow or siphoning of water back into the public drinking system when a loss of pressure occurs in the system. Cross connections between public drinking water and other distribution systems (such as wastewater) pose a severe threat to public health.
- Inspecting all public water systems in a manner and at a frequency to ensure compliance with all safe drinking water laws and regulations. Division staff conducted a total of 2,947 sanitary surveys over FY 1999. This is one of the most resource intensive activities of the Drinking Water Program. A single comprehensive performance evaluation takes approximately one week to conduct, and several weeks to compile results and make recommendations.
- Ensuring that at least 95 percent of permitted and licensed facilities are in compliance with primary drinking water regulations. DDAGW staff is responsible for establishing, distributing, and tracking contaminant monitoring schedules for all public water systems. Staff review and process nearly 25,000 sample submission reports for chemical contaminants, 50,600 submissions for bacterial analysis, and 25,000 monthly monitoring reports for bacteriological plants distribution, fluoride, and turbidity analysis on an annual basis.
- Maintaining primacy for the Public Water System Supervision Program in Ohio. Failure to adequately implement and enforce federal laws and regulations could result in the withdrawal of primacy, the loss of federal grant funds, and the administration of the supervision program (see below for information on new rules promulgation).
- Expanding and enhancing information management capabilities. Over the last several years, the Division has been redesigning its information management systems into an integrated system referred to as the Drinking and Groundwater Information Network, or DRINK (see *Additional Facts and Figures* for more detail).
- Administering Ohio's public drinking water and wastewater Operator Certification Program. Current Ohio Administrative Code requires that any public water or wastewater system serving 250 or more people be under the responsible charge of a certified operator. There are approximately 10,000 certified operators in Ohio. Starting January 2001, all certified operators must obtain continuing education hours to maintain their certification.
- Improving the performance and data quality of laboratories providing services to public water systems through improved compliance inspections, education, and enforcement. The Laboratory Certification Program is carried out through a Memorandum of Agreement between the DDAGW and Ohio EPA's Division

of Environmental Services (DES). Under this agreement, DDAGW provides funding for approximately 6.5 FTEs to DES.

Funding Source: GRF, federal funds to support the Public Water System Supervision Program (Fund 353), and fees from annual licenses to operate public water systems (Fund 4K5)

Line Items: 721-321; 715-612; 715-651

Implication of Recommendation: DDAGW requested a core funding level of \$10,425,275 in FY 2002 and \$10,851,654 in FY 2003. This request has been fully funded by the Executive recommendation. In addition, the Executive funded the Division's additional requests of \$655,109 in FY 2002 and \$768,595 in FY 2003 to SSR Fund 4K5, Drinking Water Protection, to partially offset increased personnel and indirect costs. Funding will allow for a total of 114 FTEs over each year of the biennium.

Ground Water Program

Program Description: In addition to DDAGW's public drinking water responsibilities, the Division is charged with characterizing ground water quality conditions, providing technical support to Ohio EPA's other Divisions, and coordinating ground water monitoring and protection efforts with other state programs.

Division staff compiles and analyzes existing water quality data, collect ground water samples, and conduct studies to characterize ground water quality. The Division also maintains the Ambient Ground Water Monitoring Network to help characterize ground water quality for each major aquifer in Ohio. In total, the staff performs approximately 340 inorganic and 175 volatile organic sample analyses every year from the Ambient Network.

DDAGW also provides technical support on geologic and ground water related issues to Ohio EPA's Divisions of Emergency and Remedial Response, Hazardous Waste Management, Solid and Infectious Waste Management, Surface Water, Environmental and Financial Assistance, and the Office of Federal Facilities Oversight. By conducting all technical geologic and ground water related work for the Ohio EPA, DDAGW ensures that efforts to protect, monitor, and remediate ground water at waste management sites are technically sound, consistent between Divisions, and coordinated as appropriate with other state agencies. During FY 2000, DDAGW conducted over 3,000 projects for other Divisions (over half of which were conducted for DSIWM).

In addition, DDAGW administers and participates in the State Coordinating Committee on Ground Water, whose purpose is to promote and guide the implementation of a coordinated, comprehensive, and effective ground water protection and management program for the state. Membership in the committee includes representatives from the departments of Natural Resources, Health, Agriculture, Transportation, Development, Commerce, and the Public Utilities Commission.

Funding Source: GRF, FED Fund 3K2 (Clean Water Act 106 from the Division of Surface Water), and SSR Fund 5H4 (Groundwater Support)

Line Items: 718-321; 715-628; 715-664

Implication of Recommendation: DDAGW requested a core funding level of \$3,346,694 in FY 2002 and \$3,554,957 in FY 2003. This request has been fully

funded by the Executive recommendation. In addition, the Executive funded the Division's additional requests of \$187,282 in FY 2002 and \$197,844 in FY 2003 to SSR Fund 5H4, Groundwater Support, in order to continue FY 2001 service levels. Funding will allow for a total of 36 FTEs over each year of the biennium.

**New Rules
Promulgation**

Program Description: As a result of 1996 Amendments to the Safe Drinking Water Act (SDWA), the U.S. EPA is developing and adopting at least 13 new or revised rules for the Drinking Water Program. As a condition of having primary enforcement authority, Ohio EPA must adopt rules regulating public water systems at least as stringent as the new federal requirements. Failure to meet this requirement would result in the withdrawal of primacy, the loss of over \$2.8 million in federal grants, and administration of the Public Water System Supervision Program in Ohio.

DDAGW plans to adopt four sets of rules prior to FY 2002, and will need to develop and adopt the remaining rules by the end of FY 2003. The new rules include requirements for: consumer confidence reports; public notification; lead and copper; disinfection and disinfection byproducts; enhanced surface water treatment; unregulated contaminant monitoring; filter backwash; radon; system using ground water; arsenic; radionuclides; water system capacity development; and operator certification rules.

Once a rule is adopted, DDAGW must then take the necessary steps to implement the rule. Most often this means putting additional resources in place to provide technical assistance to public water systems in meeting the new requirements, and well as staff to verify, track, enforce, and report on compliance.

Implication of Recommendation: Executive recommendations for core and supplemental funding will provide for 6.5 FTEs for rule development.

SWAP

Program Description: Ohio has approximately 5,900 public water systems that provide drinking water to homes, businesses, schools and industry. To help ensure adequate supplies of safe drinking water, the 1996 Amendments to the Safe Drinking Water Act require all states to adopt a Source Water Assessment and Protection (SWAP) program. Source water protection safeguards the public health by preventing contamination of the drinking water supply. Wellhead Protection (WHP) is a term that has been used in the past to describe source water protection for public water supply systems that use ground water. The WHP is also required under the federal SWDA, and is designed to safeguard public drinking water supplies by preventing, detecting, and remediating ground water contamination in a zone around public water supply wells or wellfields. Ohio's WHP was approved by U.S. EPA in May 1992. Wellhead protection plans are developed and implemented by local owners/operators of large community public water systems utilizing ground water.

Wellhead protection planning consists of three steps:

1. Delineating a wellhead protection area by determining the source of ground water for a public water supply
2. Inventorying the potential contaminant sources or activities within the wellhead protection area that have a potential to contaminate ground water
3. Developing a management plan to prevent, detect, and remediate ground water contamination. The four required elements of a Management Plan are public participation and education, a contingency plan for water supply planning and

emergency spill response, an assessment of the need for ground water monitoring, and source control strategies.

Funding Source: Set-asides from the Drinking Water Assistance Fund Capitalization grants from U.S. EPA. SSR Fund 3T3

Line Items: 715-669

Implication of Recommendation: DDAGW requested a core funding level of \$3,587,046 in FY 2002 and \$3,774,217 in FY 2003. This request has been fully funded by the Executive recommendation. Funding will allow for a total of 28 FTEs over each year of the biennium.

WSRLA Program Description: Section 130 of the 1996 Amendments to the Safe Drinking Water Act established the Drinking Water State Revolving Fund program to provide below market loans for the planning, design, and construction of new and improvements to existing community and nonprofit non-community public water systems.

Ohio's Water Supply Revolving Loan Account (WSRLA) is jointly administered by DDAGW, the Division of Environmental and Financial Assistance (DEFA), and the Ohio Water Development Authority (OWDA). DEFA is responsible for loan administration, project planning, environmental review activities, and fund management. DDAGW is responsible for project engineering reviews and establishing program and project priorities.

The WSRLA program is funded through grants from U.S. EPA with a 20 percent state match. In previous year, those matching funds were provided by OWDA. More recently, Ohio EPA has provided the required match moneys through bond issuances. In FY 2000, WSRLA awarded 22 loans totaling \$52 million, and yielding interest savings to its borrowers of \$9.3 million.

Funding Source: SSR Fund 3T3

Line Items: 715-669

Implication of Recommendation: DDAGW requested appropriation authority of \$1,990,427 in FY 2002 and \$2,065,000 in FY 2003. This request has been fully funded by the Executive recommendation. Funding will allow for a total of 16 FTEs over each year of the biennium. Eight of these FTEs are housed within the Division of Drinking and Ground Waters. The other eight are housed within the Division of Environmental and Financial Assistance (DEFA). All 16 FTEs are funded through the DDAGW budget request.

Surface Water

Program Series 6

Purpose The mission of the Division of Surface Water (DSW) is to protect, improve and restore the integrity of all waters of the state.

The following table shows the line items that are used to fund this program series, as well as the Governor's recommended funding levels.

Fund	ALI	Title	FY 2002	FY 2003
GRF	717-321	Water Quality Planning/Assessment	\$10,533,042	\$11,675,650
GRF	725-321	Laboratory	\$1,469,997	\$1,615,981
GSF-199	715-602	Laboratory Services	\$1,003,616	\$1,042,081
FED-3F4	715-633	Water Quality Management	\$702,849	\$702,849
FED-3F5	715-641	Nonpoint Source Pollution Management	\$5,820,330	\$5,820,330
FED-3J1	715-620	Urban Stormwater	\$522,000	\$348,000
FED-3J5	715-615	Maumee River	\$61,196	\$0
FED-3K2	715-628	Clean Water Act 106	\$3,769,255	\$3,769,254
FED-3K6	715-639	Remedial Action Plan	\$600,000	\$270,000
FED-352	715-611	Wastewater Pollution	\$200,000	\$278,000
SSR-4K4	715-650	Surface Water Protection	\$9,052,930	\$9,053,183
SSR-699	715-644	Water Pollution Control Administration	\$250,000	\$250,000
Total funding: Surface Water			\$33,985,215	\$34,825,328

Specific programs within the Division of Surface Water on which this analysis will focus include:

- **Surface Water Protection**
- **TMDL (Total Maximum Daily Load)**
- **Storm Water Program**
- **National Pollution Discharge Elimination System (NPDES)**
- **Division of Environmental Services**

Surface Water Protection *Program Description:* Ohio EPA's Division of Surface Water (DSW) implements the programs and objectives of the federal Clean Water Act (CWA) with the goal of all of Ohio's lakes, rivers, and streams attaining fishable and swimmable standards.

The Division's complex and varied responsibilities include: issuing wastewater treatment facility and discharge permits; monitoring and enforcing permit compliance; overseeing the treatment of industrial wastewater; regulating and providing technical assistance toward the control of nonpoint sources of pollution; establishing water quality standards; assessing relative conditions of waters through monitoring; administering a revolving loan program for wastewater facility construction and upgrades; and increasing general knowledge about water quality in Ohio.

Seven major programs carry out these tasks:

- Lake Erie Program
- National Pollutant Discharge Elimination System Permit Program (NPDES)
- Nonpoint Source Program
- Permit to Install (PTI) Program
- Section 101/Wetlands Program
- Storm Water Program
- Total Maximum Daily Load (TMDL) Program

TMDL *Program Description:* The Total Maximum Daily Load (TMDL) program, established under Section 303(d) of the Clean Water Act (CWA), focuses on identifying and restoring polluted rivers, streams, lakes and other surface water bodies. A TMDL is a written, quantitative assessment of water quality problems in a water body and contributing sources of pollution. It specifies the amount a pollutant needs to be reduced to meet Water Quality Standards (WQS), allocates pollutant load reductions, and provides the basis for taking actions needed to restore a water body.

Each state is required to submit a prioritized list of impaired waters to U.S. EPA for approval (the “303(d) list”). Ohio’s 1998 list of impaired waters indicates that 881 of 5000 water body segments are impaired or threatened; of the 326 watersheds in Ohio, 276 contain at least one listed segment. The federal CWA not only assumes, but requires that impaired water bodies be assessed and restored in the TMDL program. As such, Ohio is currently under a federal mandate to complete 276 TMDLs in 90 project-areas over the next 12 years (to be completed by 2013). Failure to show suitable progress in this regard could lead to the withdrawal of federal funding for Ohio EPA’s surface water program. Four TMDLs are scheduled per year over the 2002-2003 biennium, which will increase to eight per year for the remaining 10 years prior to the deadline. Because each TMDL project takes about two and one-half years to develop and implement, workloads increase beyond the number of TMDLs scheduled in a given year. Early in 2001, DSW will have completed five TMDLs and currently has 13 in process.

The TMDL program integrates several important DSW activities, such as stream monitoring, modeling, permit issuance, nonpoint source management, control of storm water, data management, and customer outreach and involvement on a watershed basis. The program has been a catalyst for program integration in DSW such that traditional regulatory programs – such as NPDES, Stormwater and PTI – and incentive based programs – such as the Section 319-funded DSW activities – have had to integrate their program elements toward watershed restoration strategies. Integration also involves other Ohio EPA programs and divisions, other state agencies – such as the departments of Natural Resources, Agriculture, and Development – regulated entities, and nonprofit environmental and watershed groups.

Several states have been successfully sued over their failure to comply with TMDL restoration requirements, and have been ordered to complete the work in as little as 17 months. Ohio EPA has already received two notices of intent to sue, but has thus far avoided formal legal action through its repeated commitment to meeting TMDL requirements.

Funding Source: GRF

Line Items: 717-321

Implication of Recommendation: DSW's core budget request for GRF line item 717-321 is \$9,676,710 in FY 2002 and \$11,455,442 in FY 2003. The Executive recommendations fund this request, minus a total of \$634,334 from FY 2003 to account for payroll and indirect cost adjustments determined by OBM. The readjusted core funding level for FY 2003 is \$10,821,108. In addition, the Executive recommendations provide for an additional \$750,000 in each fiscal year for implementation of the TMDL program. Ohio EPA is requesting that the \$750,000 from FY 2002 be reconfigured to cover both years of the biennium, in order to offset moneys lost when OBM readjusted core funding in FY 2003. This would provide for approximately \$375,000 for the TMDL program each year.

**Storm Water
Program**

Program Description: The objective of the Storm Water Program is to minimize the introduction of pollutants into storm water discharges that enter Ohio's surface waters. The program has been segmented into phases: Phase I regulates industrial activity, construction activity, and large municipal storm water discharges; Phase II includes small municipal and small construction storm water discharges and industrial no exposure certifications. Sources under Phase I of the program are currently under permit; permits for Phase II are to be developed and implemented by December 2002.

Storm water discharges are regulated by general permits. Those seeking coverage under the general permit process must submit a Notice of Intent (NOI) to comply with the general permit. DSW staff conduct inspections to ensure compliance and also provide technical assistance to new facilities and to facilities not in compliance.

Implementing Phase II of the Storm Water Program will require permitting decisions on thousands of small construction sites, almost 300 small municipalities, county, and township areas, and thousands of small industrial facilities. In addition, DSW staff will provide education, guidance, and technical assistance for the small municipalities and small construction sites; will process Notices of Intent (NOI) for general permit coverage; and will review storm water management plans developed by the small municipalities. The immediate result of program implementation will be the submission of NOIs for coverage under a general permit by the regulatory deadline of March 10, 2003.

Ohio EPA's intent is to fund the development and start-up of the program using GRF moneys, since permits will not be issued until the end of the 2002-2003 biennium. Ohio EPA projects that existing permit application fees under the NOIs will not be adequate to fully fund the implementation and enforcement of the Phase II program. As such, Ohio EPA has proposed new fees that will be credited to SSR Fund 4K4, Surface Water Protection, which will be used to supplement GRF moneys for the continued funding of Phase II storm water activities.

Municipal Storm Water Permits

Permitting small municipal water discharges is a new program. Initial general permits will be issued in December 2002, and NOIs will be due in March 2003 for approximately 300 permittees. The existing fee structure of \$200 every five years will generate \$60,000 in FY 2003, and approximately the same amount in every

fiscal year thereafter. Ohio EPA has proposed a separate *annual* fee beginning in FY 2004 of \$100 per square mile of area, with a maximum annual fee of \$10,000. It is estimated that this annual fee will generate \$200,000 per year from municipalities, counties, and townships.

Industrial General Permits

Industrial general permittees pay an NOI fee of \$200 every five years, generating \$600,000 every five years in fees. Ohio EPA is requesting an additional flat surcharge fee of \$150 for industrial facilities to be paid when the NOI fee is paid. It is estimated that the 3000 industrial general permittees would pay an additional \$450,000 over a five-year permitting cycle, which is prorated to \$90,000 annually.

Construction Activity

Construction activity is similar to industrial activity, in that construction general permittees pay an NOI fee of \$200 every five years. The existing Phase I program for construction sites greater than five acres will be expanded in 2003 by the Phase II program to include smaller construction site one to five acres. Currently, there are approximately 1,200 new construction sites per year greater than five acres, generating \$240,000 every five years in NOI fees. The number of construction sites one to five acres to be regulated is significantly larger, and likely exceeds 3,000 per year. Ohio EPA is requesting a surcharge for construction sites greater than five acres of \$20 per acre, with a maximum of \$300 per site. It is estimated that new fees will generate \$210,000 per year – this in addition to the \$600,000 *small* construction sites will begin paying in NOI fees over a five-year permitting cycle, beginning FY 2004.

Funding Source: GRF, federal CWA Section 106 formula grant FED Fund 3K2, and fee revenues deposited into SSR Fund 4K4

Line Items: 717-321; 715-628; 715-650

Implication of Recommendation: The Executive recommendations fund DSW's request for fee increases, to be deposited into SSR Fund 4K4, Surface Water Protection. The additional funding request was \$199,747 in FY 2002 and \$200,000 in FY 2003, which will allow for approximately 2.5 additional FTEs in each year of the biennium.

NPDES Program Description: The objective of the National Pollution Discharge Elimination System (NPDES) Permit Program is to regulate point source pollution, thereby protecting Ohio's rivers and streams. This program is mandated by both federal and state law, and applies to any single point of wastewater discharged into waters of the state.

NPDES permit point sources are grouped into major and minor classifications. Major permits (totaling about 325) apply to significant discharges and require substantial site, data, and water quality evaluation. Minor permits apply to approximately 2,800 sites.

Moderate to major sources of impairment to Ohio rivers and streams are combined sewer overflows (CSO), the physical impacts of which can include sewage sludge and solids being delivered directly to streams and rivers during overflow events. U.S. EPA estimates between \$10 and \$18 billion capital cost in Ohio is required to control CSO discharges. Ohio EPA asserts that the means to achieving compliance with the federal CSO strategy is a strong state permitting and oversight program.

In addition, DSW will soon complete development and begin operation of a new sewage sludge program currently administered by U.S. EPA. In March 2000, the General Assembly amended the Ohio Revised Code such that Ohio EPA has obtained delegation to run the federal program. The same legislation established fees on sewage sludge generated by the regulated community.

Sewage sludge, also referred to as biosolids, is material that is removed during the treatment of municipal wastewater. Sewage sludge from wastewater treatment plants can be disposed of by several methods, including land application, incineration, landfills, and sludge-only disposal sites (such as lime lakes or monofills), or it can be transported to larger treatment plants for processing.

Over the FY 2002-2003 biennium, DSW will focus its core budget resources on reducing the current backlog of expired NPDES permits, as required by U.S. EPA. The Division has also requested supplemental funding to address the staffing resources it will require to further reduce, if not eliminate, the permit backlog and to implement its new sewage sludge program.

Funding Source: GRF, federal CWA Section 106 formula grant FED Fund 3K2, and fee revenues deposited into SSR Fund 4K4

Line Items: 717-321; 715-628; 715-650

Implication of Recommendation: The Executive recommendations fund DSW's additional funding requests for SSR Fund 4K4, Surface Water Protection. To continue current staffing levels, \$600,520 in FY 2002 and \$50,716 in FY 2003 were requested. To implement Ohio EPA's new sewage sludge program, \$598,997 in FY 2002 and \$736,937 in FY 2003 were requested. These funding recommendations, in concert with GRF and federal moneys, will allow for 85 and 90 FTEs in each year of the biennium, respectively.

**Division of
Environmental
Services**

Program Description: The primary business of the division of Environmental Services (DES) is to provide laboratory services to other Divisions within Ohio EPA. DES acts as the primary source of scientific data on environmental conditions throughout the state. Laboratory support for Ohio EPA monitoring efforts is provided by analyses of pollutants in water, sediment, soil, manure, air filters, air canisters, and fish and turtle tissue. Analytical capability ranges from tests for "conventional" pollutants such as metals and nutrients, to tests for organic chemicals, including herbicides, pesticides, and PCBs. DES also conducts toxicity studies of effluents or sediments on aquatic organisms to measure the effect of pollutants in streams.

DES' capacity to provide analytical services required by Ohio EPA at current FY 2001 staff levels are summarized below:

- Water, sediment, air, and tissue samples 9000
- Demand analyses conducted..... 29,510
- Microbiological analyses conducted..... 3,000
- Nutrient analyses conducted 39,180
- Metal analyses conducted 78,000
- Volatile Organic Compound samples processed 1,590
- BNA samples processed 1,350
- Pesticides/PCS samples processed..... 1,615
- Bioassay tests conducted 190

The most frequent user of DES services is Ohio EPA's Division of Surface Water. Approximately 60 percent of all sample analyses, 83 percent of inorganic tests, and 42 percent of organic scans are conducted on behalf of DSW.

DES has established a goal of meeting 95 percent of all Ohio EPA's laboratory analytical needs by FY 2006. Other long range goals of the Division include:

- Ensuring that all analytical data meets quality requirements and is provided in a timely, cost-effective manner
- Seeing that the capabilities of the Environmental Laboratory Information Managements System (ELIMS) are fully utilized
- Meeting all quality assurance/quality control requirements for laboratory data generated by 400 commercial and governmental laboratories, as verified by DES' Laboratory Certification program
- Incorporating requirements for a Wastewater Laboratory Certification program by FY 2010
- Cross-training all DES staff in at least two separate analytical areas

Laboratory Certification Program

Laboratories and analysts that analyze drinking water samples from public water systems must be certified as having the correct equipment, accepted facilities and as using proper analytical tools. The Drinking Water Certification Program covers the inspections and certifications of these laboratories and analysts. Approximately 380 labs participate in the program, and 350 to 400 inspections are carried out annually. Staff assigned to this program also respond to over 2,000 technical assistance requests from outside Ohio EPA and 550 requests from inside the Agency every year.

DES also inspects labs, makes certification recommendations, and assists in the development of rules and procedures for the Voluntary Action Program (VAP) administered by the Division of Emergency and Remedial Response.

Funding for the Drinking Water Certification Program is handled as a contractual arrangement between DES and the Division of Drinking and Ground Waters. The cost of the contract is estimated to be \$661,772 in FY 2002 and \$696,121 in FY 2003. Payments are made to GSF Fund 199, Laboratory Services. DES requests that spending authority for Fund 199 be increased above core budget levels in order to support all existing FTEs assigned to the program and to accept and utilize the funds.

Funding Source: GRF, federal grants, surface water fees, and direct billing of customers. GRF, FED Fund 3K2, SSR Fund 4K4, GSF Fund 199

Line Items: 725-321; 715-628; 715-650; 715-602

Implication of Recommendation: DES requested core budget funding levels of \$3,267,873 in FY 2002 and \$3,405,304 in FY 2003. Services supported by this request include laboratory services for the analysis of water, soil, sediment, and tissue samples. The Executive recommendations fully fund this request, which provides for 32 FTEs each year of the biennium.

In addition, recommended core funding levels for DES' Laboratory Certification Program are \$758,623 and \$767,176 in FYs 2002 and 2003, respectively. DES also

requested supplemental appropriation authority for GSF Fund 199, Laboratory Services, in order to maintain staff at current levels and cover the full cost of the Drinking Water Certification Program. Supplemental requests were also fully funded, and provide for an additional \$180,723 in FY 2002 and \$219,188 in FY 2003. Total funding provides for approximately 6.5 FTEs. Funding for one additional FTE is provided directly by the Division of Emergency and Remedial Response to support DES' laboratory certification activities related to the Voluntary Action Program.

Environmental Education

Program Series 7

Purpose The mission of the Office of Environmental Education (OEE) is to provide accessible environmental education, support interdisciplinary environmental education in higher education, and maintain a credible and fair environmental grant program.

The following table shows the line items that are used to fund this program series, as well as the Governor’s recommended funding levels.

Fund	ALI	Title	FY 2002	FY 2003
SSR-6A1	715-645	Environmental Education	\$1,500,000	\$1,500,000
Total funding: Environmental Education			\$1,500,000	\$1,500,000

Specific programs within the Office of Environmental Education on which this analysis will focus include:

■ **Environmental Grant Program**

Environmental Grant Program

Program Description: The Office of Environmental Education (OEE) was created to enhance Ohio EPA’s efforts to educate students, the general public, and the regulated community on environmental issues, through administration of the Ohio Environmental Education Fund (OEEF). Monies credited to OEEF consist of half of all penalty moneys collected by Ohio EPA’s air and water pollution control programs, as well as gifts, grants, and contributions. The Director of Ohio EPA, under the advice and assistance of a 12-member Advisory Council and more than 300 volunteer peer reviewers, may award grants from the OEEF. The OEEF awards approximately \$1 million annually in general grants of \$5,000 to \$50,000 and mini grants of \$500 to \$5,000 to primary and secondary schools, colleges, universities, environmental advocacy groups, industry associations, and others for projects that increase awareness and understanding of environmental issues throughout Ohio. During its first 10 years (1990-2000), the OEEF funded 370 projects in every part of Ohio.

Specific objectives for the FY 2002-2003 biennium include:

1. Continued improvement of the grant project monitoring and evaluation process. Significant steps have already been taken to improve grant administration, timeliness of staff intervention on overdue grant projects, and increasing site visits from two to eight per year. OEE would now like to increase site visits to 12 to 15 per year and initiate a random audit program of at least two to three grants per year.
2. Continued partnership with the Environmental Education Council of Ohio. The Council is the state’s largest organization of professional environmental educators. Partnership goals are to provide skills, curriculum resources, and professional development opportunities to Ohio’s teachers and non-formal environmental educators in nature centers, nonprofit organizations, and local

government agencies. Partnership services are distributed through a growing network of 1,539 teacher contacts and regional directors in each of Ohio's 12 education regions.

3. Completion and evaluation of the three-year pilot environmental science and engineering scholarship program initiated in 2000. OEE is partnering with the Ohio Academy of Science to offer environmental science and engineering scholarships to students at two-year and four-year state supported universities. The pilot project provides \$50,000 annually for this purpose.
4. Improved accessibility of environmental education resources to minority, low income, and geographically remote audiences. A four-year partnership with the Ohio Alliance for the Environment was initiated in 1998 to continue the work of the Ohio Comparative Risk Project, through environmental education program targeting minorities, rural low income and other underserved adult audiences.
5. Technical and logistical support and coordination for the environmental education objectives identified by Ohio EPA divisions and district offices in their strategic plans, and for agency-wide initiatives such as Ohio Reads and Adopt-A-School. Over the past six years, 469 Ohio EPA employees dedicated more than 27,178 hours of volunteer time to mentoring and tutoring in reading, math, science, and other education proficiencies. OEE will continue to provides staff support for ongoing statewide initiatives, such as implementation of the Ohio EE 2000 strategic plan for environmental education.

Funding Source: SSR Fund 6A1.

Line Items: 715-645.

Implication of Recommendation: OEE experienced a serious revenue shortfall in FY 2000 that is expected to continue for at least the first half of FY 2001. OEE anticipates FY 2001 revenues of approximately \$800,000, which should slowly return to "normal" revenue levels (\$1.5 million) by the end of FY 2003. In the meantime, OEE does not plan to adjust FTE levels, but instead will adjust the number of new grants awarded to accommodate revenue fluctuations. Executive recommended funding levels for FYs 2002 and 2003 are \$1,500,000. The activities, objectives, and improvements outlined above can be maintained at this funding level. Funding allows for 4 FTEs in each year of the biennium.

Pollution Prevention

Program Series 8

Purpose The mission of the Office of Pollution Prevention (OPP) is to develop and implement pollution prevention initiatives that effectively reduce pollution in Ohio.

The following table shows the line items that are used to fund this program series, as well as the Governor’s recommended funding levels.

Fund	ALI	Title	FY 2002	FY 2003
GRF	724-321	Pollution Prevention	\$965,855	\$1,027,743
Total funding: Pollution Prevention			\$965,855	\$1,027,743

Specific programs within the Office of Pollution Prevention on which this analysis will focus include:

■ **Pollution Prevention**

Pollution Prevention

Program Description: Ohio EPA’s Office of Pollution Prevention (OPP) was designed to work with businesses, governments, and other Ohio EPA Divisions on a voluntary, non-regulatory basis to provide technical assistance in the modification of operating processes in ways that generate less pollution, in a cost-effective and technically feasible manner.

Ohio has one of the leading technical assistance programs in the country for a state without mandatory pollution prevention legislation. In FY 2000, OPP helped more than 350 Ohio businesses and provided technical assistance to nearly 550 companies, organizations, and individuals. This includes 22 site visits to help Ohio companies implement pollution prevention programs and nearly 50 presentations and training events to educate Ohio businesses and organizations about pollution prevention.

Ohio is recognized as a national leader in incorporating pollution prevention into enforcement settlements where a portion of an enforcement penalty is reduced in exchange for completing some type of pollution prevention activity. Ohio has incorporated pollution prevention into 84 enforcement settlements to date, including 8 in FY 2000.

In FY 2000, OPP continued its efforts to integrate pollution prevention into Ohio EPA programs. With the support of OPP, each of Ohio EPA’s major Divisions established a pollution prevention team. OPP’s focus for the upcoming biennium will be to integrate pollution prevention in other Ohio EPA programs as well. In addition, OPP’s goal is to change the focus of Ohio EPA, businesses, and governments from controlling pollution after it is generated, to preventing it from being generated.

OPP faces three challenges over FYs 2002 and 2003: 1) increasing personnel costs; 2) the amount of time other programs in Ohio EPA can dedicate to integrating pollution prevention into their activities; and 3) statewide GRF budget cuts. OPP is currently funded entirely by GRF, and will lose 3.0 FTEs over the FY 2002-2003 biennium, decreasing its level of service by 30 percent.

Funding Source: GRF

Line Items: 724-321.

Implication of Recommendation: Federal funding for OPP is not available for the FY 2002-2003 biennium, and as such, the Office will be funded entirely through GRF. Executive recommendations allow for \$965,855 in FY 2002, which is a 17.9 percent increase above FY 2001 funding. In FY 2003, recommended funding is \$1,027,743, which is 6.4 percent higher than FY 2002 funding. Despite these increases, OPP will lose 3.0 FTEs over the biennium; 6 FTEs will staff the Office.

Environmental & Financial Assistance

Program Series 9

Purpose The mission of the Division of Environmental and Financial Assistance (DEFA) is to provide technical and financial assistance for implementable solutions to environmental needs.

The following table shows the line items that are used to fund this program series, as well as the Governor’s recommended funding levels.

Fund	ALI	Title	FY 2002	FY 2003
FED-3F2	715-630	Revolving Loan Fund-Operating	\$33,700	\$80,000
FED-3T1	715-668	Rural Hardship Grant	\$50,000	\$50,000
SSR-676	715-642	Water Pollution Control Loan Administration	\$4,874,302	\$5,252,873
Total funding: Environmental & Financial Assistance			\$4,958,002	\$5,382,873

Specific programs within the Division of Environmental & Financial Assistance on which this analysis will focus include:

- **Water Pollution Control Loan Fund (WPCLF)**
- **Water Supply Revolving Loan Account (WSRLA)**

WPCLF *Program Description:* The Water Pollution Control Loan Fund (WPCLF) provides below-market interest rate loans for municipal wastewater treatment improvements, and for nonpoint source pollution activities that implement the state’s nonpoint source management program, including those identified in Ohio EPA’s Total Maximum Daily Load (TMDL) analyses.

Since its inception in October 1989, the WPCLF has provided over \$1.6 billion in loans to Ohio municipalities, as well as private entities. Ohio EPA’s recently completed water resources inventory shows that water quality and aquatic resources in Ohio’s rivers and streams continue to improve. Discharges from point sources impacted only 777 miles of rivers and streams in the 2000 study, compared to 2,453 miles in 1988. Thus there has been a major shift from point to nonpoint sources of pollution as the predominant sources of water quality impairment in Ohio.

As part of a developing business plan for the WPCLF in 1998, DEFA assessed both the point source and nonpoint source needs in Ohio. This analysis, based on needs data collected by DEFA for the National Municipal Needs Survey, showed the following estimated needs by general category: wastewater treatment – \$700 million; sewers – \$5.6 billion; storm water – \$313 million; nonpoint sources – \$765 million. These identified needs total to approximately \$7.4 billion. Based on these data, DEFA expects significant demand for WPCLF funds over the next biennium.

Since 1994, an average of 65 direct and 28 linked deposit loans have been made annually, for an average of 94 loans per year and an estimated \$200 million per year in obligated funds. The WPCLF is expected to maintain or exceed this level of activity over the FY 2002-2003 biennium.

For FYs 2002 and 2003, DEFA will begin to shift the base of its support from the WPCLF four percent administration allowance under the Federal Clean Water Act (FED Fund 3F2) to the WPCLF administrative fund (SSR Fund 676). This change is the beginning of a transition in the source of administrative funding for the Division that has been planned since the inception of the WPCLF program 10 years ago. The source of funding for SSR 676 is 0.2 percent annual interest included in WPCLF loans in order to defray the costs of administering the program. SSR 676 will be the primary support fund used for the Division.

Projected income for WPCLF Fund 676

<u>Fiscal Year</u>	<u>Amount</u>
2001	\$7,174,654
2002	\$1,862,616
2003	\$2,198,783
2004	\$2,606,639
2005	\$3,143,821
2006	\$3,488,701
2007	\$3,810,836
2008	\$4,109,725
2009	\$4,383,934

Funding Source: FED Fund 3F2, SSR Fund 676

Line Items: 715-630; 715-642

Implication of Recommendation: Core budget levels for FED Fund 3F2 are \$33,700 in FY 2002 and \$80,000 in FY 2003. Executive recommendations for SSR Fund 676 total \$4,958,002 and \$5,382,873 in FYs 2002 and 2003, respectively. This includes funding for DEFA’s supplemental request of \$3,742,968 in FY 2002 and \$4,046,871 in FY 2003 to Fund 676, for the continuation of services previously provided under Fund 3F2 as DEFA begins the transition of its source of base funding to Fund 676 (in FYs 2000 and 2001, Fund 3F2 appropriation authority was \$2,990,647 and \$3,716,000). Total FTEs supported by these funding levels is 43 in both years of the biennium.

WSRLA

Program Description: Section 130 of the 1996 Amendments to the Safe Drinking Water Act established the Drinking Water State Revolving Fund program to provide below market loans for the planning, design, and construction of new and improvements to existing community and nonprofit non-community public water systems.

Ohio’s Water Supply Revolving Loan Account (WSRLA) is jointly administered by DEFA, the Division of Drinking and Ground Waters (DDAGW), and the Ohio Water Development Authority (OWDA). DEFA is responsible for loan administration, project planning, environmental review activities, and fund management. DDAGW is responsible for project engineering reviews and establishing program and project priorities.

The WSRLA program is funded through grants from U.S. EPA with a 20 percent state match. In previous year, those matching funds were provided by OWDA. More recently, Ohio EPA has provided the required match moneys through bond issuances. In FY 2000, WSRLA awarded 22 loans totaling \$52 million, and yielding interest savings to its borrowers of \$9.3 million.

Funding Source: GRF, FED Fund 3T1

Line Items: 715-642; 715-668

Implication of Recommendation: DEFA has committed to providing up to 8 FTEs for the WSRLA program. Staff resources will be shifted from the WPCLF to the WSRLA as the need arises, up to the 8 FTE limit. Funding for the 8 FTEs is included in the Division of Drinking and Ground Waters' budget request, under SSR Fund 3T3, Drinking Water SRF. Appropriation authority for FED Fund 3T1 is \$50,000 in both FYs 2002 and FY 2003. All of this money is classified under object code 50, subsidy payments. In addition, DEFA has requested the appropriate level of spending authority, under GRF 715-642, to pay the salaries of the 8 FTEs when those staff members are not performing WSRLA work.

Central Administration

Program Series 10

Purpose The mission of Central Administration is to provide customer service to Ohio EPA Divisions and to assist those Divisions in carrying out their missions.

The following table shows the line items that are used to fund this program series, as well as the Governor’s recommended funding levels.

Fund	ALI	Title	FY 2002	FY 2003
GRF	716-321	Central Administration	\$0	\$0
GSF-219	715-604	Central Support Indirect	\$14,935,955	\$16,462,642
GSF-4A1	715-640	Operating Expenses	\$3,214,075	\$3,304,835
FED-3V7	715-606	Agencywide Grants	\$360,000	\$80,000
FED-356	715-616	Indirect Costs	\$0	\$0
SSR-4C3	715-647	Central Support Indirect	\$0	\$0
Total funding: Central Administration			\$18,510,030	\$19,847,477

Specific programs within Central Administration on which this analysis will focus include:

- **Central Support**
 - **Director’s Office**
 - **Office of Employee Services**
 - **Office of Data and Systems**
 - **Legal Office**
 - **Office of Equal Employment Opportunity**
 - **Public Interest Center**
 - **Office of Operations and Facilities**
 - **Library**
 - **Office of Fiscal Administration**
- **District Operations**
- **Goods and Services (Motor Pool)**

Central Support: Director’s Office *Program Description:* The Director’s Office includes the Assistant Director, deputy directors, liaison officers and quality coordinators. These individuals oversee all aspects of Ohio EPA’s activities, from primary programs and five district offices, to policy/legislation, legal affairs, fiscal administration, and training. The Office is also responsible for addressing and coordinating environmentally-oriented issues with industry, local governments, other state agencies, the General Assembly, and the Governor’s Office.

Central Support: Office of Employee Services *Program Description:* The Office of Employee Services administers personnel-related services to Ohio EPA employees, other state and federal agencies, organization, and the general public. These services include employment, benefits, recruitment and outreach, classifications, discipline, employment policy, and general personnel support.

The Office of Employee Services receives, screens, and processes approximately 5,500 applications each year, prepares 350 postings and interview packages, and reviews interview questions for each posting. Annually, approximately 2,600 information changes are processed through Personnel Action Requests.

Recruitment services include visits to approximately 45 colleges and universities. An expressed priority of the Governor is an increased number of minorities in Ohio EPA's technical/professional classification. In response, the Office plans to add approximately 10 out-of-state traditionally black colleges and universities to its schedule.

The Office was also the first office within a large state agency to decentralize from the Department of Administrative Services. A major benefit of decentralization is that personnel actions and position descriptions can be approved and processed in several minutes rather than several days. Every agency position description is stored electronically, and the Office has the capability to generate and store records of personnel actions electronically.

Central Support: *Program Description:* The Office of Data and Systems coordinates the information technology activities of Ohio EPA, and provides services to the agency in the areas of systems analysis and programming, database administration, technical support services, media conversion (data entry), software and hardware acquisition and management, and information technology planning.

Office of Data & Systems

For several years, Ohio EPA has been pursuing a strategy to coordinate and integrate data management across its environmental programs, and developing program-specific business support systems to access and update a single shared database known as the Enterprise Data Model (EDM). The effort to achieve this strategy will allow Ohio EPA to operate more efficiently, serve regulated facilities better, and ultimately provide better environmental and accountability information to the public. The EDM combines efforts in upgrading and standardizing the data network, developing agency-wide data standards and policies, and building new programmatic software systems – all aimed at accomplishing the same goals. The Office of Data and Systems has taken the lead in this agency-wide effort.

Program-specific business support systems now populate the database (see *Additional Facts and Figures*). These systems help facilitate Ohio EPA's business processes by tracking the status of individual permits and providing performance measures and data for process quality improvement. Many of them also provide software to the regulated community, which can be used to do business with Agency program electronically. These data entry modules (DEMs) help prompt users for correct information, facilitating the submission of numerous and complicated forms. One by one, these systems are coming on line, and the Agency's vision for integrated data management is being realized.

Major Goals supported by the Office of Data and Systems:

- **Perform maintenance and accomplish enhancements for existing Core-based systems and applications:** These include STARS and STARShip (Division of Air Pollution Control); SWIMS and SWIMWare (Division of Surface Water); DRINK and DRINKWare (Division of Drinking and Ground Waters); SIIMAN and SIIMANWare (Division of Solid and Infection Waste Management); DRUMS and DRUMWare (Division of Hazardous Waste Management); REVENUES and Time Accounting System (Office of Fiscal

Administration). The projected average cost of maintaining each division's data management system in FY 2002 is approximately \$225,000.

- **Continue the ongoing maintenance and enhancement of Ohio EPA's information infrastructure:** The projected total for infrastructure support and upgrades in FY 2002 is \$1,478,855 and \$1,312,020 in FY 2003.
- **Complete Enterprise Data Model approach to information management:** This includes overseeing the replacement of STARS, adding new Operator Certification functions to DRINK, and overseeing the development of CLEANS, the new Core-based system for the Division of Emergency and Remedial Response, which will include a Release Reporting System for chemical spills. Projected costs associated with the development of CLEANS are \$1,075,382 in both FY 2002 and 2003.
- **Develop an agency-wide Geographic Information System (GIS) Strategy:** This, in order to determine standards and architecture needed to 1) make GIS coverages universally available throughout the Agency and 2) link GIS data and applications to Core data and associated systems and applications. Projected costs associated with GIS support and strategy development are \$192,955 in FY 2002 and \$131,825 in FY 2003.
- **Develop and enhance e-government applications on the World Wide Web:** This, by supporting the reorganization of Ohio EPA's website, continuing to support the availability of informational and policy-oriented documents online, integrating program-specific DEMs into a single web-based application, and establishing compliance with H.B. 488 requirements for electronic signatures in transferring and maintaining electronic records and documents.
- **Continue the process of increasing and monitoring the security of Ohio EPA's mission-critical data and systems**
- **Comply with federal data reporting requirements**
- **Determine the specifications and standards for an agency-wide document management architecture, to facilitate management and sharing of electronic documents**

**Central Support:
Legal Office**

Program Description: The Legal Office provides a variety of legal services for Ohio EPA's divisions and offices, including legal counsel, general counsel on rulemaking, enforcement, permits and contracting matters. The Office also maintains the Director's journal and coordinates the publication of public notices of the Director's proposed and final actions.

Agency attorneys assist divisions with rule development, compliance assistance and enforcement. The Legal Office implemented a professional development program that encourages staff to continually improve their legal skills and facilitates the development of multi-program experience. The Office also assisted in many efforts to improve enforcement processes, including working with the Attorney General's Office to encourage greater cooperation and communication on enforcement matters.

In FY 2001, much of the cost for the legal staff was shifted from Central Support and directly charged to Agency programs. This was done due to a reorganization

of how attorneys are assigned, which no longer permitted them to be included in the Agency cost pool. The result has been a major shift in sources of funding for the Legal Office.

In FY 2000, the Legal Office has 10 FTEs funded directly by divisions and 18 FTEs funded through Central Support. In FY 2001, the Office has 19 FTEs funded through divisions, and 9 FTEs funded through Central Support. In FYs 2002 and 2003, the total FTEs funded through Central Support will be 8.

Central Support: *Program Description:* The Office of Equal Employment Opportunity (EEO) is charged with the responsibility of assuring the Agency is in full compliance with the state of Ohio's Equal Employment Opportunity Program and assuring that the Agency abides by all applicable federal, state, and local rules and regulations governing nondiscrimination in employment.

**Office of Equal
Employment
Opportunity**

The Office of EEO prepares and conducts necessary training for all Ohio EPA staff, which includes Sexual Harassment Awareness, EEO Policies and Procedures, Diversity Training, and Manager/Supervisor Training in EEO Liabilities and Responsibilities. In addition, EEO received, processes, and evaluates the resolution of all complaints and/or inquiries and conducts investigations of all allegations of discrimination.

Central Support: *Program Description:* The Public Interest Center provides communications on Ohio EPA programs, decisions, projects and activities to interested parties. The Center educates the public about environmental issues and Ohio EPA's activities, and encourages public participation in the Agency's decision-making processes.

**Public Interest
Center**

In FY 2000, the Center responded to more than 3,800 citizen telephone calls, letters and various information requests and conducted 88 public meetings. Media Relations issued 295 news releases to inform the media about Ohio EPA activities and responded to 1,885 media calls. The Publication staff produced 26 issues of the employee newsletter, the annual report, a style manual for employees, and numerous brochures, fact sheets, and newsletters.

Central Support: *Program Description:* The Office of Operations & Facilities oversees leasing and property management, mail services, fleet operations, supplies, and telecommunications. The Office also provides support services in the areas of real estate acquisition, inventory, motor pool, supply and receiving, security, cabling, high speed data circuitry, space modification, facility maintenance, insurance, copier and fax acquisition, and central processing of facility related invoices.

**Office of
Operations and
Facilities**

Central Support: *Program Description:* The primary function of Ohio EPA's library is to maintain an up-to-date source or repository of environmental information in the format of books, magazines, CD-ROMs, and library-specific databases that index the information. The library also maintains all Division policy and guidance documents.

Library

These various types of information are provided to Agency staff, consultants, students, and the general public. In FY 2000, library staff answered or provided information to various people over 1,800 times, lent 120 books or articles to other libraries, checked out over 300 books to staff, borrowed 700 books or articles from other libraries, conducted 100 literature searches, trained Agency staff on the use of CD-ROMs, and kept staff updated on new and useful sites on the Internet.

Central Support Office of Fiscal Administration *Program Description:* The Office of Fiscal Administration (OFA) coordinates and controls the following Ohio EPA functions: purchasing, accounts payable, payroll, grants administration, economic analysis, budgeting, and internal accounting review.

Ohio EPA is 62 percent supported by fees and charges for services. These must be documented, collected, and deposited with the Treasurer of State. Annually, over 1,600 pay-in documents are prepared in order to deposit 34,000 checks. Revenues collected in FY 2000 totaled \$116 million.

Grants make up about 23 percent of Ohio EPA's funding. OFA records and monitors grant awards and expenditures and prepares fiscal reports for the granting agencies. Annually, about 100 grants to the Agency are tracked and monitored. In FY 2000, the grants section prepared and submitted over 500 quarterly financial reports and over 50 final grant reports.

Interrelated with all of OFA's activities, the Office projects the financial needs and manages the available funding to provide financial support for the Agency's divisions and offices. Most of these programs have multiple funding sources with restrictions on how certain funds can be used as well as timing issues that affect when the revenues become available each fiscal year. Within this environment, budgets are prepared and monitored for 10 programs and numerous subprograms across five district offices.

Central Support *Funding Source and Explanation of Funding Changes:* GSF Fund 219 and FED Fund 3V7

Until the end of FY 2001, the Administration program series will be funded from four sources: GRF, SSR Fund 4C3 (Central Support Indirect), FED Fund 356 (Indirect Costs), and GSF Fund 4A1 (Operating Expenses). Fund 4C3 is supported by a 12 percent indirect fee assessed against the Agency's other non-GRF funds, based on the amount allotted for certain payroll, maintenance, and equipment expenses. Fund 356 is supported by a federal indirect rate negotiated annually with U.S. EPA. The charge is applied only to actual federal payroll disbursements (object code 10 expenses), and is currently assessed at a rate of 18.59 percent. Fund 4A1 is a Goods and Services fund that is self-supporting – it assesses only those program funds for which a particular service was provided (for example, Motor Pool). In FY 2001, Administration also received a GRF appropriation of \$3,877,566.

In response to past situations in which Administration line items were pressed to match available dollars to existing staff, Ohio EPA and the Office of Budget and Management have restructured the current system of assessing indirect rates in order to provide a steady cash flow for administrative functions.

Beginning in FY 2002, Administration will no longer receive a direct GRF appropriation. In addition, the line items corresponding to Fund 4C3 and Fund 356 have been eliminated. To take their place, GSF Fund 219 has been created. 219 will be supported by an indirect rate of 18.59 percent assessed to *all* agency operating funds, based on the amount of object code 10 appropriation in each fund. The indirect cash will then be transferred from each fund's object 20 (maintenance) appropriation, through an ISTV, and deposited into 219. GRF moneys previously appropriated to Administration have been redistributed to each Division's GRF line items (object code 20) to offset these indirect charges.

Line Items: 715-604; 715-606

Implication of Recommendation: Under the proposed indirect funding methodology, revenues received from the new indirect charge will be less than FY 2001 levels. In order to operate within estimated revenues, Central Support will reduce spending by eliminating vacant position, attrition of filled positions, and reducing maintenance and equipment expenditures.

- The Director's Office will absorb a reduction of 2 filled positions in FY 2002 and 3 positions in FY 2003. Funding will support 20 employees in FY 2002 and 19 in 2003.
- The Office of Employee Services will staff 7 full-time and 4 part-time employees.
- The Office of Data and Systems will support 29 positions; a reduction of 3 filled positions from FY 2001.
- The Legal Office will fund 8 FTEs; approximately 20 FTEs will be supported directly by Ohio EPA Divisions.
- The Office of Equal Employment Opportunity will fund 4 full-time positions.
- The Public Interest Center will fund 18 full-time positions. Recently vacated positions will not be filled.
- The Office of Operations and Facilities will support 8 FTEs; 7 additional FTEs are funded through the Motor Pool.
- The library staffs 3 full-time positions. Recently vacated positions will not be filled.
- The Office of Fiscal Administration will fund 19 employees; a reduction of 4 filled positions from FY 2001. An additional 13 employees are funded directly by divisions.

Executive recommendations provide a total of \$11,134,619 in FY 2002 and \$12,427,388 in FY 2003 to GSF Fund 219.

In addition, Fund 3V7, Agencywide Grants, is appropriated \$360,000 in FY 2002 and \$80,000 in FY 2003. The federal grant provides authority to the Office of Data and Systems for upgrades to SWIMS, the Division of Surface Water's Core-based data management system.

**District
Operations**

Program Description: The goal of District Operations is to achieve the efficient and effective operation of each of the five Ohio EPA field offices as they undertake their statutorily mandated activities across the state. This is accomplished by providing managerial, administrative, public information and outreach, information technology, and secretarial support for over 580 program staff.

Funding Source: GSF Fund 219

Line Items: 715-604

Implication of Recommendation: Executive recommendations provide for \$3,801,336 in FY 2002 and \$4,035,254 in FY 2003. Funding will support 51 FTEs in 2002 and 50 FTEs in 2003. These are reductions from FY 2001 levels, which

will be achieved by not filling 5 current vacancies and by the additional reduction of 2 positions through attrition.

Goods and Services

Program Description: Goods and Services provides the following services to all Ohio EPA staff:

The Motor Pool provides Ohio EPA with vehicles and maintenance for traveling in and out of the State of Ohio. The motor pool fleet consists of cars and trucks in Central Office, district offices, and dedicated program cars. Motor pool personnel ensure that all cars are in good working condition. All maintenance for the upkeep of these vehicles is provided through GSF Fund 4A1.

The mailroom handles all incoming packages and deliveries and processes receiving reports.

Operations maintains a supply of stock and distributes commonly used supplies.

The legal office submits information to newspapers for all legal advertising.

Funding Source: GSF Fund 4A1

Line Items: 715-640

Implication of Recommendation: Executive recommendations provide \$3,139,075 in FY 2002 and \$3,229,835 in FY 2003, which supports 7 FTEs in each year of the biennium. All activities and personnel are supported by these appropriation levels.

PERMANENT AND TEMPORARY LAW

This section describes permanent and temporary law provisions contained in the executive budget that will affect Ohio EPA's activities and spending decisions during the next biennium.

Permanent Law

Extension of Sunset Fees and Addition of Surcharge Fees (ORC Section 3745.11)

Revises permanent language to extend the Sunset dates for fees applicable to the Division of Surface Water, Air Pollution Control, and Drinking and Ground Waters and establishes surcharge fees within the Division of Surface Water

Division of Surface Water:

- **Wastewater Treatment Plan Approval Fees** – extends first tier fee (\$100 plus 0.65 of 1.0 percent of the estimated project cost, up to \$15,000) to June 30, 2004 and second tier fee (\$100 plus 0.2 of 1.0 percent of the estimated project cost, up to \$5,000) to on or after July 1, 2004;
- **NPDES (National Pollutant Discharge Elimination System) Public Discharger and Industrial Discharger** – extends the fee schedules due by January 30, 2001 to both January 30, 2002 and January 30, 2003;
- **NPDES Industrial Discharger Surcharge** – extends \$7,500 surcharge that is required to be paid annually by January 30, 2001 to both January 30, 2002 and January 30, 2003;
- **NPDES Public Discharger category “I” and Industrial Discharger categories “I, J, L, V, W, X, Y, Z”** – extends annual discharge fee of \$180 to be paid annually by January 30, 2002 and January 30, 2003;
- ****NPDES Municipal Storm Water General Permit Surcharge** – establishes surcharge of \$100 per square mile of area, not to exceed \$10,000;
- **Industrial Water Pollution Control Certificate** – application fee of \$500 extended to June 30, 2004;
- **NPDES permit application** – application fee of \$200 extended to June 30, 2004 and \$15 fee to on or after July 1, 2004;
- ****NPDES Construction Storm Water General Permit Surcharge** – establishes surcharge of \$20 per acre for construction sites larger than 5 acres, not to exceed \$300;
- ****NPDES Industrial Storm Water General Permit Surcharge** – establishes an annual surcharge of \$150

Division of Air Pollution Control:

- **Phase I units under Title IV** – clarifies that fees commencing in calendar year 2001 will continue to be assessed each subsequent calendar year;
- **Synthetic Minor Facilities FESOP fees** – extends annual fee through June 30, 2004.

Division of Drinking and Ground Waters:

** See *Analysis of Executive Proposal*, Page A27 and *Additional Facts and Figures*, Page A47 for further detail concerning these fees and surcharges

- **Public Water System initial and annual renewal license** – extends fees through June 30, 2004;
- **Public Water System construction, installation, or modification plan approval** – extends \$15,000 fee limit to June 30, 2004 and \$5,000 fee limit to on or after July 1, 2004;
- **Laboratory Evaluation** – extends higher fee schedule through June 30, 2004 and applies the lower fee schedule to evaluations conducted after that date; Water Supply System Operator Certification Examination – extends \$25 fee to June 30, 2004 and \$10 fee on or after July 1, 2004

NPDES Permits – Public Notice (ORC Section 6111.035)

Revises permanent law to no longer require the Director of Ohio EPA to provide public notice of the entire text of a permit action related to the issuance, modification, revocation, or termination of an NPDES permit. Instead, the Director may provide a summary of the permit action and instructions on how to obtain a copy of the full text.

Solid Waste Disposal Fee Extension (ORC Section 3734.57)

Revises permanent language to extend solid waste disposal at current amount fees through June 30, 2004. The fee is due to expire on June 30, 2001. Without the language revision, revenue from the disposal fee will drop from \$1.75 per ton to \$1 per ton, a 43% decrease in revenue.

Scrap Tire Management Program: Tire Sale Fee Increase (ORC section 3734.901) – Clarification of Use of Scrap Tire Management Fund – Transfer of Excess Moneys in Scrap Tire Management Fund (ORC Section 3734.82)

Revises permanent law to increase the per tire fee on the sale of new tires from \$0.50 to \$1.00.

Eliminates permanent language requiring money from the Scrap Tire Management Fund to be paid to the Polymer Institute at the University of Akron and to be provided to the Central Support Indirect Fund.

Adds permanent language requiring the Director of Ohio EPA to expend not more than \$3 million per year during FYs 2002 and 2003 to conduct scrap tire removal actions and to make grants to local boards of health for the purpose of addressing accumulations of scrap tires. This amount increases to \$4.5 million in subsequent fiscal years.

Revises permanent law to say that moneys credited to the Scrap Tire Management Fund in excess of \$7 million during a single fiscal year must be evenly divided, and half of the excess must be transferred to the Department of Natural Resources' Scrap Tire Recycling Fund (newly created). The remaining excess must be used to conduct scrap tire removal actions.

See *Analysis of Executive Proposal*, Page A16 and *Additional Facts and Figures*, Page A47 for further detail on this fee increase and proposed uses for additional revenues.

Central Support Indirect Fund (ORC Section 3745.014)

Revises permanent law to allow Ohio EPA's Central Support Indirect Fund to assess an indirect charge to all of Ohio EPA's operating funds (rather than only GSF and SSR Funds, and excepting the Central Support Indirect Fund itself) in order to cover costs associated with the administration of the Agency.

See *Analysis of Executive Proposal*, Page A43 for further detail on the restructuring of Central Support administrative costs.

Temporary Law

Central Support Indirect (section 51 of H.B. 95)

Adds temporary language that requires the Director of Ohio EPA, with the approval of the Office of Budget and Management, to determine each Division's payment to the Central Support Indirect Fund (Fund 219). As discussed above and on Page A43 of *Analysis of Executive Proposal*, an indirect rate will be assessed to each of Ohio EPA's operating funds in order to cover costs associated with the administration of the Agency. Payments will be deposited via an intrastate transfer voucher.

Solid Waste Fund Transfer (section 51 of H.B. 95)

Adds temporary language that requires the Director of Ohio EPA to certify the amount expended from the Solid Waste Fund (Fund 4K3) during FYs 2000 and 2001 for emergency expenses incurred as a result of the Kirby Tire fire, and to transfer up to one-half of that certified amount during FY 2002, and the balance of the certified amount during FY 2003, from the Scrap Tire Management Fund (Fund 4R5) to the Solid Waste Fund. Further detail on the need for this transfer can be found on Page A16 of *Analysis of Executive Proposal*.

Provisions not retained from H.B. 283 of the 123rd G.A.: (1) temporary language requiring the Director of Ohio EPA to actively pursue a Memorandum of Agreement with U.S. EPA for the Voluntary Action program in Ohio; (2) temporary language that transfers \$400,000 from the Scrap Tire Management Fund (Fund 4R5) to the Department of Development's Scrap Tire Loans and Grants Fund (Fund 586) for expenditures made for a tire development and reprocessing project; (3) temporary language that transfers \$1,000,000 from the Scrap Tire Management Fund (Fund 4R5) to the Department of Development's Scrap Tire Loans and Grants Fund (Fund 586); (4) temporary language that transfers \$4,000,000 in FY 2000 and \$3,000,000 in FY 2001 from the Hazardous Waste Cleanup Fund (Fund 505) to the Environmental Protection Remediation Fund (Fund 541); (5) temporary language specifying the use of \$100,000 for the Toussaint River Ordinance Clean Up Project; (6) temporary language specifying the use of \$450,000 to be divided between six areawide planning agencies; (7) temporary language requiring the Director of Ohio EPA to conduct a study of operations of the Divisions of Surface Water and Air Pollution Control and to make recommendations for improving efficiencies within those divisions.

REQUESTS NOT FUNDED

Division of Surface Water -- GRF						
Fund Line Item	FY 02 Requested	FY 02 Recommended	Difference	FY 03 Requested	FY 03 Recommended	Difference
GRF 717-321	\$13,564,816	\$10,533,042	(\$3,031,774)	\$15,415,762	\$11,675,650	(\$3,740,112)

This request would be used to implement the Division of Surface Water's Total Maximum Daily Load (TMDL) program. Ohio is currently under a federal mandate to complete 276 TMDLs in 90 project-areas over the next 12 years (to be completed by 2013).

Core funding levels of \$9,676,710 in FY 2002 and \$10,821,108 in FY 2003 were fully funded by the Executive recommendations. However, \$634,334 was subtracted from Ohio EPA's initial core budget request of \$11,455,442 in FY 2003 to account for payroll adjustments and indirect cost adjustments determined to be necessary by the Office of Budget and Management. The Division's total supplemental request for this line item is \$3,888,106 in FY 2002, of which \$750,000 was funded by the Executive. The total supplemental request in FY 2003 is \$3,960,320, of which \$750,000 was funded by the Executive.

The supplemental request would have funded approximately 22 FTEs in the TMDL program in each year of the biennium. In light of current funding recommendations, Ohio EPA is requesting that the \$750,000 that was funded in FY 2002 be reconfigured to cover both years of the biennium, in order to offset moneys lost when OBM readjusted core funding in FY 2003. This would provide for approximately \$375,000 for the TMDL program each year.

LSC Budget Spreadsheet by Line Item, FY 2002 - FY 2003

Fund	ALI	ALI Title	2000	Estimated 2001	Executive 2002	% Change 2001 to 2002	Executive 2003	% Change 2002 to 2003
EPA Environmental Protection Agency								
GRF	715-501	Local Air Pollution Control	\$ 1,295,661	\$1,331,940	\$ 1,420,949	6.7%	\$ 1,504,237	5.9%
GRF	715-503	Science Advisory Program	\$ 163,188	\$0	\$ 0	N/A	\$ 0	N/A
GRF	716-321	Central Administration	\$ 3,652,648	\$3,877,556	\$ 0	-100.0%	\$ 0	N/A
GRF	717-321	Surface Water	\$ 8,669,713	\$8,947,356	\$ 10,533,042	17.7%	\$ 11,675,650	10.8%
GRF	718-321	Groundwater	\$ 1,106,575	\$1,147,341	\$ 1,612,011	40.5%	\$ 1,877,389	16.5%
GRF	719-321	Air Pollution Control	\$ 2,582,397	\$2,662,369	\$ 2,956,660	11.1%	\$ 3,141,087	6.2%
GRF	721-321	Drinking Water	\$ 2,791,171	\$2,879,263	\$ 3,170,010	10.1%	\$ 3,350,768	5.7%
GRF	723-321	Hazardous Waste	\$ 191,540	\$250,883	\$ 148,000	-41.0%	\$ 148,000	0.0%
GRF	724-321	Pollution Prevention	\$ 645,599	\$819,356	\$ 965,855	17.9%	\$ 1,027,743	6.4%
GRF	725-321	Laboratory	\$ 1,137,916	\$1,182,713	\$ 1,469,997	24.3%	\$ 1,615,981	9.9%
GRF	726-321	Corrective Actions	\$ 1,581,274	\$1,538,553	\$ 3,291,490	113.9%	\$ 5,078,217	54.3%
GRF	728-321	Environmentl Financial Assist	\$ 25,499	\$30,137	\$ 0	-100.0%	\$ 0	N/A
GRF	729-321	Solid and Infectious Waste	\$ 61,568	\$72,766	\$ 0	-100.0%	\$ 0	N/A
General Revenue Fund Total			\$ 23,904,749	\$ 24,740,233	\$ 25,568,014	3.3%	\$ 29,419,072	15.1%
199	715-602	Laboratory Services	\$ 651,657	\$822,893	\$ 1,003,616	22.0%	\$ 1,042,081	3.8%
219	715-604	Central Support Indirect	----	\$0	\$ 14,935,955	N/A	\$ 16,462,642	10.2%
491	715-665	Moving Expenses	\$ 4,034	\$0	\$ 0	N/A	\$ 0	N/A
4A1	715-640	Operating Expenses	\$ 2,913,890	\$4,019,750	\$ 3,214,075	-20.0%	\$ 3,304,835	2.8%
General Services Fund Group Total			\$ 3,569,581	\$ 4,842,643	\$ 19,153,646	295.5%	\$ 20,809,558	8.6%
352	715-611	Wastewater Pollution	\$ 216,350	\$240,425	\$ 200,000	-16.8%	\$ 278,000	39.0%
353	715-612	Public Water Supply	\$ 2,264,280	\$2,699,000	\$ 2,489,460	-7.8%	\$ 2,489,460	0.0%
354	715-614	Hazardous Waste Management-Federal	\$ 3,942,346	\$4,100,000	\$ 3,900,000	-4.9%	\$ 3,900,000	0.0%
356	715-616	Indirect Costs	\$ 3,252,351	\$3,800,000	\$ 0	-100.0%	\$ 0	N/A
357	715-619	Air Pollution Control-Federal	\$ 4,084,317	\$4,004,664	\$ 4,919,683	22.8%	\$ 4,835,600	-1.7%
362	715-605	Underground Injection Control-Fed'l	\$ 139,932	\$119,000	\$ 107,856	-9.4%	\$ 107,856	0.0%
3F2	715-630	Revolving Loan Fund-Operating	\$ 2,990,647	\$3,716,000	\$ 33,700	-99.1%	\$ 80,000	137.4%
3F3	715-632	Fed Supprtd Cleanup & Response	\$ 2,227,669	\$4,464,910	\$ 4,551,830	1.9%	\$ 4,600,910	1.1%

LSC Budget Spreadsheet by Line Item, FY 2002 - FY 2003

Fund	ALI	ALI Title	2000	Estimated 2001	Executive 2002	% Change 2001 to 2002	Executive 2003	% Change 2002 to 2003
EPA Environmental Protection Agency								
3F4	715-633	Water Quality Management	\$ 568,224	\$1,058,000	\$ 702,849	-33.6%	\$ 702,849	0.0%
3F5	715-641	Nonpoint Source Pollution Mngt	\$ 3,421,301	\$9,870,182	\$ 5,820,330	-41.0%	\$ 5,820,330	0.0%
3J1	715-620	Urban Stormwater	\$ 247,795	\$500,000	\$ 522,000	4.4%	\$ 348,000	-33.3%
3J5	715-615	Maumee River	\$ 100,598	\$300,000	\$ 61,196	-79.6%	\$ 0	-100.0%
3K2	715-628	Clean Water Act 106	\$ 2,461,020	\$3,784,603	\$ 3,769,255	-0.4%	\$ 3,769,254	0.0%
3K4	715-634	DOD Monitoring and Oversight	\$ 622,644	\$682,460	\$ 1,388,552	103.5%	\$ 1,487,341	7.1%
3K6	715-639	Remedial Action Plan	\$ 587,300	\$722,100	\$ 600,000	-16.9%	\$ 270,000	-55.0%
3M5	715-652	Haz Mat Transport Uniform Safety	\$ 154,647	\$7,761	\$ 0	-100.0%	\$ 0	N/A
3N1	715-655	Pollution Prevention Grants	\$ 71,454	\$25,000	\$ 0	-100.0%	\$ 0	N/A
3N4	715-657	DOE Monitoring and Oversight	\$ 1,960,655	\$3,883,118	\$ 4,080,203	5.1%	\$ 4,162,907	2.0%
3S4	715-653	Performance Partnership Grants	\$ 2,024,655	\$67,786	\$ 0	-100.0%	\$ 0	N/A
3T1	715-668	Rural Hardship Grant	\$ 126,600	\$100,000	\$ 50,000	-50.0%	\$ 50,000	0.0%
3V7	715-606	Agencywide Grants	---	\$0	\$ 360,000	N/A	\$ 80,000	-77.8%
Federal Special Revenue Fund Group Total			\$ 31,464,785	\$ 44,145,009	\$ 33,556,914	-24.0%	\$ 32,982,507	-1.7%
3T3	715-669	Drinking Water SRF	\$ 1,534,108	\$5,260,936	\$ 5,577,473	6.0%	\$ 5,839,217	4.7%
4C3	715-647	Central Support Indirect	\$ 6,673,407	\$7,150,702	\$ 0	-100.0%	\$ 0	N/A
4D7	715-603	Natural Resources Damage Assesemnt	\$ 108,042	\$0	\$ 0	N/A	\$ 0	N/A
4J0	715-638	Underground Injection Control	\$ 254,065	\$357,265	\$ 377,268	5.6%	\$ 394,097	4.5%
4K2	715-648	Clean Air - Non Title V	\$ 2,139,382	\$3,183,577	\$ 3,558,719	11.8%	\$ 3,725,707	4.7%
4K3	715-649	Solid Waste	\$ 10,945,901	\$12,079,002	\$ 12,883,012	6.7%	\$ 13,578,411	5.4%
4K4	715-650	Surface Water Protection	\$ 7,523,149	\$8,842,192	\$ 9,052,930	2.4%	\$ 9,053,183	0.0%
4K5	715-651	Drinking Water Protection	\$ 4,901,462	\$4,460,047	\$ 5,420,914	21.5%	\$ 5,780,021	6.6%
4P5	715-654	Cozart Landfill	\$ 91,777	\$137,382	\$ 140,404	2.2%	\$ 143,914	2.5%
4R5	715-656	Scrap Tire Management	\$ 2,956,913	\$2,441,618	\$ 5,526,050	126.3%	\$ 5,607,911	1.5%
4R9	715-658	Voluntary Action Program	\$ 479,321	\$801,634	\$ 760,038	-5.2%	\$ 880,324	15.8%
4T3	715-659	Clean Air - Title V Permit Program	\$ 13,844,062	\$14,500,000	\$ 16,330,021	12.6%	\$ 16,919,482	3.6%
4U7	715-660	Cnstruct & Demolition Debris	\$ 99,543	\$217,500	\$ 136,347	-37.3%	\$ 143,435	5.2%

LSC Budget Spreadsheet by Line Item, FY 2002 - FY 2003

Fund	ALI	ALI Title	2000	Estimated 2001	Executive 2002	% Change 2001 to 2002	Executive 2003	% Change 2002 to 2003
EPA Environmental Protection Agency								
500	715-608	Immediate Removal Special Acct	\$ 565,676	\$601,597	\$ 508,000	-15.6%	\$ 428,547	-15.6%
503	715-621	Hazardous Waste Facility Management	\$ 8,266,314	\$8,731,100	\$ 10,274,613	17.7%	\$ 11,045,132	7.5%
503	715-662	Hazardous Waste Facility Board	\$ 503,340	\$641,903	\$ 688,634	7.3%	\$ 725,713	5.4%
505	715-623	Hazardous Waste Clean-Up	\$ 8,592,745	\$11,881,896	\$ 12,786,201	7.6%	\$ 13,427,443	5.0%
541	715-670	Site Specific Cleanup	\$ 280	\$2,024,727	\$ 2,206,952	9.0%	\$ 2,345,990	6.3%
542	715-671	Risk Management Reporting	\$ 50,689	\$140,000	\$ 174,924	24.9%	\$ 185,605	6.1%
592	715-627	Anti Tampering Settlement	\$ 0	\$6,000	\$ 10,000	66.7%	\$ 10,000	0.0%
5H4	715-664	Groundwater Support	\$ 1,010,564	\$1,412,845	\$ 1,718,659	21.6%	\$ 1,820,773	5.9%
602	715-626	Mtr Veh Inspection & Maintenance	\$ 3,739,565	\$2,474,801	\$ 2,653,217	7.2%	\$ 2,795,062	5.3%
644	715-631	ER Radiological Safety	\$ 155,077	\$184,893	\$ 242,446	31.1%	\$ 255,947	5.6%
660	715-629	Infectious Waste Management	\$ 114,497	\$131,251	\$ 138,899	5.8%	\$ 145,271	4.6%
676	715-642	Water Pollutn Cntrl Loan Admin	\$ 0	\$0	\$ 4,874,302	N/A	\$ 5,252,873	7.8%
678	715-635	Air Toxic Release	\$ 259,268	\$370,598	\$ 394,489	6.4%	\$ 413,938	4.9%
679	715-636	Emergency Planning	\$ 1,795,790	\$1,950,986	\$ 2,000,708	2.5%	\$ 2,054,868	2.7%
696	715-643	Air Pollution Control Admin.	\$ 296,871	\$790,153	\$ 750,000	-5.1%	\$ 750,000	0.0%
699	715-644	Water Pollution Control Admin.	\$ 464,446	\$250,000	\$ 250,000	0.0%	\$ 250,000	0.0%
6A1	715-645	Environmental Education	\$ 1,989,805	\$1,300,000	\$ 1,500,000	15.4%	\$ 1,500,000	0.0%
State Special Revenue Fund Group Total			\$ 79,356,059	\$ 92,324,605	\$ 100,935,220	9.3%	\$ 105,472,864	4.5%
Total All Budget Fund Groups			\$ 138,295,174	\$ 166,052,490	\$ 179,213,794	7.9%	\$ 188,684,001	5.3%

General Revenue Fund

GRF 715-501 Local Air Pollution Control

1998	1999	2000	2001 Estimate	2002 Executive Proposal	2003 Executive Proposal
\$1,335,186	\$1,295,796	\$1,295,661	\$1,331,940	\$1,420,949	\$1,504,237
	-3.0%	0.0%	2.8%	6.7%	5.9%

Source: GRF monies provided to local air agencies under contract with EPA based upon: the projected amounts of local funds available for the program; the number of pollution sources; the size of population exposed; and, the geographical area within the jurisdiction of each local air pollution control agency

Legal Basis: ORC 3704

Purpose: EPA monitors air quality, issues permits, and investigates complaints through this program.

GRF 715-503 Science Advisory Program

1998	1999	2000	2001 Estimate	2002 Executive Proposal	2003 Executive Proposal
\$180,000	\$321,829	\$163,188	\$0	\$0	\$0
	78.8%	-49.3%	-100.0%	N/A	N/A

Source: GRF

Legal Basis: ORC 3745.01

Purpose: Funds for this program supported research on environmental regulation and its effect upon the environment, health and economy. A transfer was made out of this fund into the Moving Expenses Fund in FY 1999 to help pay for the costs of moving the agency into the Lazarus Government Center.

GRF 715-504 Special Sanitary District Distress

1998	1999	2000	2001 Estimate	2002 Executive Proposal	2003 Executive Proposal
\$3,000,000	\$0	\$0	\$0	\$0	\$0
	-100.0%	N/A	N/A	N/A	N/A

Source: GRF

Legal Basis: Am. Sub. H.B. 215 of the 122nd General Assembly

Purpose: Funds in this program were used to abate or correct unsanitary conditions in a special sanitary district. This money addressed problems with the sanitary system serving the Rocky Fork State Park in Highland County. The fund was abolished on June 30, 1999 or when the balance reached \$0.

GRF 716-321 Central Administration

1998	1999	2000	2001 Estimate	2002 Executive Proposal	2003 Executive Proposal
\$3,689,094	\$4,134,210	\$3,652,648	\$3,877,556	\$0	\$0
	12.1%	-11.6%	6.2%	-100.0%	N/A

Source: GRF

Legal Basis: ORC 3745.01

Purpose: Until the end of FY 2001, these funds will be used by Ohio EPA's Administration Program Series, which performs administrative support functions for the agency's operating divisions. Beginning in FY 2002, the money in this fund will be distributed to the agency's other operating funds to cover the cost associated with a new indirect charge that will be transferred to Fund 219, Central Support Indirect.

GRF 717-321 Surface Water

1998	1999	2000	2001 Estimate	2002 Executive Proposal	2003 Executive Proposal
\$7,906,847	\$8,257,667	\$8,669,713	\$8,947,356	\$10,533,042	\$11,675,650
	4.4%	5.0%	3.2%	17.7%	10.8%

Source: GRF

Legal Basis: ORC 6111

Purpose: Before FY 1990 this line item provided funding for the former Division of Water Quality Monitoring and Assessment (DWQMA), which included the Water Quality Laboratory and ground water activities. In FY 1990, separate GRF appropriations to support the Water Quality Laboratory (elevated to the Division of Environmental Services) and ground water activities (elevated to the Division of Drinking and Ground Waters in February 1987) were established. In September 1989, DWQMA merged with the former Division of Environmental Planning and Management to create the former Division of Water Quality Planning and Assessment.

Currently, the line item partially funds the Division of Surface Water's efforts to implement the programs and objectives of the federal Clean Water Act (CWA) with the goal of all of Ohio's lakes, rivers, and streams attaining fishable and swimmable standards.

GRF 718-321 Groundwater

1998	1999	2000	2001 Estimate	2002 Executive Proposal	2003 Executive Proposal
\$1,052,982	\$1,085,594	\$1,106,575	\$1,147,341	\$1,612,011	\$1,877,389
	3.1%	1.9%	3.7%	40.5%	16.5%

Source: GRF

Legal Basis: ORC 3745

Purpose: The line item partially funds the Division of Drinking and Ground Waters' efforts to characterize ground water quality conditions, provide technical support to Ohio EPA's other divisions, and coordinate ground water monitoring and protection efforts with other state programs.

GRF 719-321 Air Pollution Control

1998	1999	2000	2001 Estimate	2002 Executive Proposal	2003 Executive Proposal
\$2,530,274	\$2,776,080	\$2,582,397	\$2,662,369	\$2,956,660	\$3,141,087
	9.7%	-7.0%	3.1%	11.1%	6.2%

Source: GRF

Legal Basis: ORC 3704

Purpose: This line item provides funding for the Division of Air Pollution Control, which oversees the regulation and control of air pollution through surveillance of pollution sources, permit issuance and review, and long-range comprehensive planning.

GRF 721-321 Drinking Water

1998	1999	2000	2001 Estimate	2002 Executive Proposal	2003 Executive Proposal
\$2,928,937	\$2,750,788	\$2,791,171	\$2,879,263	\$3,170,010	\$3,350,768
	-6.1%	1.5%	3.2%	10.1%	5.7%

Source: GRF

Legal Basis: ORC 3745

Purpose: This line item partially funds the Division of Drinking and Ground Waters, which is responsible for ensuring Ohio's public water systems comply with all federal and state drinking water laws and provide adequate supplies of safe drinking water.

GRF 723-321 Hazardous Waste

1998	1999	2000	2001 Estimate	2002 Executive Proposal	2003 Executive Proposal
\$0	\$0	\$191,540	\$250,883	\$148,000	\$148,000
	N/A	N/A	31.0%	-41.0%	0.0%

Source: GRF

Legal Basis: Am. Sub. H.B. 283 of the 123rd General Assembly

Purpose: This line item partially funds the Division of Hazardous Waste Management, which regulates facilities that generate, transport, treat, store or dispose of hazardous waste.

GRF 724-321 Pollution Prevention

1998	1999	2000	2001 Estimate	2002 Executive Proposal	2003 Executive Proposal
\$654,566	\$643,748	\$645,599	\$819,356	\$965,855	\$1,027,743
	-1.7%	0.3%	26.9%	17.9%	6.4%

Source: GRF

Legal Basis: ORC 3704

Purpose: This line item funds the Office of Pollution Prevention, which provides technical assistance on pollution reduction and prevention.

GRF 725-321 Laboratory

1998	1999	2000	2001 Estimate	2002 Executive Proposal	2003 Executive Proposal
\$1,134,343	\$1,130,112	\$1,137,916	\$1,182,713	\$1,469,997	\$1,615,981
	-0.4%	0.7%	3.9%	24.3%	9.9%

Source: GRF

Legal Basis: ORC 3745.01

Purpose: This line item was created when the former Division of Water Quality Monitoring and Assessment (DWQMA) was separated into three divisions. The line item, created in the biennial appropriations act of the 118th G.A. (Am. Sub. H.B. 111), funds the Division of Environmental Services. Prior to FY 1990, this division's activities, i.e., the Water Quality Laboratory, were funded through appropriations to DWQMA.

GRF 726-321 Corrective Actions

1998	1999	2000	2001 Estimate	2002 Executive Proposal	2003 Executive Proposal
\$331,731	\$283,158	\$1,581,274	\$1,538,553	\$3,291,490	\$5,078,217
	-14.6%	458.4%	-2.7%	113.9%	54.3%

Source: GRF

Legal Basis: ORC 3734 and ORC 3750

Purpose: This line item provides funds to the Division of Emergency and Remedial Response and supports its efforts to prevent, respond to, remove and cleanup releases of hazardous waste, hazardous substances and pollutants in Ohio.

GRF 728-321 Environmentl Financial Assist

1998	1999	2000	2001 Estimate	2002 Executive Proposal	2003 Executive Proposal
\$0	\$0	\$25,499	\$30,137	\$0	\$0
	N/A	N/A	18.2%	-100.0%	N/A

Source: GRF

Legal Basis: Am. Sub H.B. 283 of the 123rd General Assembly

Purpose: Over the FY 2000-2001 biennium, Ohio EPA's budget was restructured to more accurately allocate certain fiscal operations and systems support costs. This fund was created and allocated costs that were previously allocated to the Administration Program Series.

GRF 729-321 Solid and Infectious Waste

1998	1999	2000	2001 Estimate	2002 Executive Proposal	2003 Executive Proposal
\$0	\$0	\$61,568	\$72,766	\$0	\$0
	N/A	N/A	18.2%	-100.0%	N/A

Source: GRF

Legal Basis: Am. Sub. H.B. 283 of the 123rd General Assembly

Purpose: Over the FY 2000-2001 biennium, Ohio EPA's budget was restructured to more accurately allocate certain fiscal operations and systems support costs. This fund was created and allocated costs that were previously allocated to the Administration Program Series.

General Services Fund Group

199 715-602 Laboratory Services

1998	1999	2000	2001 Estimate	2002 Executive Proposal	2003 Executive Proposal
\$571,884	\$574,778	\$651,657	\$822,893	\$1,003,616	\$1,042,081
	0.5%	13.4%	26.3%	22.0%	3.8%

Source: GSF: payments from entities utilizing laboratory services

Legal Basis: Am. Sub. H.B. 215 of the 122nd General Assembly

Purpose: This line item provides funding for laboratory services for programs within EPA as well as agencies located outside of EPA, including the Ohio Department of Natural Resources, the U.S. Army Corps of Engineers, and the U.S. Geological Survey.

219 715-604 Central Support Indirect

1998	1999	2000	2001 Estimate	2002 Executive Proposal	2003 Executive Proposal
\$0	\$0	\$0	\$0	\$14,935,955	\$16,462,642
	N/A	N/A	N/A	N/A	10.2%

Source: GSF: Indirect rate of 18.59 percent assessed to all of Ohio EPA's operating funds, based on the amount of object code 10 appropriation in each fund.

Legal Basis: H.B. 95 of the 124th General Assembly

Purpose: Beginning in FY 2002, the Administration Program Series will no longer receive a direct GRF appropriation. In addition, the line items corresponding to Fund 4C3 and Fund 356 have been eliminated. To take their place, Fund 219 has been created. Fund 219 will be supported by an indirect rate of 18.59 percent assessed to all agency operating funds, based on the amount of object code 10 appropriation in each fund. The indirect cash will then be transferred from each fund's object 20 (maintenance) appropriation, through an ISTV, and deposited into 219.

491 715-665 Moving Expenses

1998	1999	2000	2001 Estimate	2002 Executive Proposal	2003 Executive Proposal
\$0	\$810,372	\$4,034	\$0	\$0	\$0
	N/A	-99.5%	-100.0%	N/A	N/A

Source: GSF: General Services Fund Group

Legal Basis: Am. Sub. H.B. 770 of the 122nd General Assembly

Purpose: This fund consisted of cash balances transferred from existing funds at Ohio EPA that were not obligated to pay existing obligations. The fund was used to pay the moving expenses of Ohio EPA into the new Lazarus Government Center.

4A1 715-640 Operating Expenses

1998	1999	2000	2001 Estimate	2002 Executive Proposal	2003 Executive Proposal
\$3,371,080	\$2,735,190	\$2,913,890	\$4,019,750	\$3,214,075	\$3,304,835
	-18.9%	6.5%	38.0%	-20.0%	2.8%

Source: GSF: proceeds from the sale of goods and services including: (1) moneys received pursuant to service agreements between programs or activities within the agency; (2) moneys received pursuant to service agreements between the agency and other state agencies; and (3) moneys received by the agency from the salvaging of equipment through the Department of Administrative Services' Investment Recovery Program

Legal Basis: ORC 3745.013

Purpose: Moneys credited to the fund pursuant to service agreements must be used to defray the costs of the agency's programs and activities. Funds derived from the salvage of the agency's equipment must be used to purchase new agency equipment or to reimburse U.S. EPA for the portion of the salvage amount due it because federal moneys were used to make the original equipment purchase.

Federal Special Revenue Fund Group

352 715-611 Wastewater Pollution

1998	1999	2000	2001 Estimate	2002 Executive Proposal	2003 Executive Proposal
\$428,231	\$127,410	\$216,350	\$240,425	\$200,000	\$278,000
	-70.2%	69.8%	11.1%	-16.8%	39.0%

Source: FED: CFDA 66.435, Water Pollution Control - Lake Restoration Cooperative Agreements; CFDA 66.461, Wetlands Protection - State Development Grants; CFDA 66.463, National Pollutant Discharge Elimination System Related State Program Grants

Legal Basis: ORC 6111

Purpose: This line item supports actions to prevent or abate water pollution. These activities include permitting, pollution control studies, planning, surveillance, and enforcement.

353 715-612 Public Water Supply

1998	1999	2000	2001 Estimate	2002 Executive Proposal	2003 Executive Proposal
\$1,047,017	\$277,806	\$2,264,280	\$2,699,000	\$2,489,460	\$2,489,460
	-73.5%	715.1%	19.2%	-7.8%	0.0%

Source: FED: CFDA 66.432, State Public Water System Supervision

Legal Basis: ORC 3745

Purpose: These funds are used by the Division of Drinking and Ground Waters to maintain surveillance of all public water systems in the state.

354 715-614 Hazardous Waste Management-Federal

1998	1999	2000	2001 Estimate	2002 Executive Proposal	2003 Executive Proposal
\$1,403,329	\$0	\$3,942,346	\$4,100,000	\$3,900,000	\$3,900,000
	-100.0%	N/A	4.0%	-4.9%	0.0%

Source: FED: CFDA 66.801, Hazardous Waste Management State Program Support; CFDA 66.808, RCRA Integrated Training and Technical Assistance

Legal Basis: ORC 3734 and ORC 3745

Purpose: This fund is used to develop and maintain a statewide hazardous waste management program. The purpose of the program is to control the generation, transportation, treatment, storage, and disposal of hazardous wastes. The fund also serves as the depository for a federal grant to develop training and technical assistance programs for minimizing industrial generated hazardous and toxic waste.

356 715-616 Indirect Costs

1998	1999	2000	2001 Estimate	2002 Executive Proposal	2003 Executive Proposal
\$2,879,245	\$3,673,138	\$3,252,351	\$3,800,000	\$0	\$0
	27.6%	-11.5%	16.8%	-100.0%	N/A

Source: FED: various federal grants based on an indirect cost rate approved by the United States EPA (the indirect rate reflects the degree to which the resources of Ohio EPA's Administration Program Series are used to support the administrative effort of the agency as a whole)

Legal Basis: ORC 3745.01

Purpose: This line item will support the administrative operations of Ohio EPA until the end of FY 2001. Beginning in FY 2002, this line item will no longer be in use. A new system for assessing indirect rates to all of Ohio EPA's operating funds will be implemented, and funds will be transferred to Fund 219, Central Support Indirect, through an intrastate transfer voucher.

357 715-619 Air Pollution Control-Federal

1998	1999	2000	2001 Estimate	2002 Executive Proposal	2003 Executive Proposal
\$1,927,748	\$426,260	\$4,084,317	\$4,004,664	\$4,919,683	\$4,835,600
	-77.9%	858.2%	-2.0%	22.8%	-1.7%

Source: FED: CFDA 66.001, Air Pollution Control Program Support; CFDA 66.505, Water Pollution Control: Research, Development, and Demonstration; CFDA 66.507, Toxic Substances Research

Legal Basis: ORC 3704

Purpose: These funds are used to support agency activities which establish, maintain or improve programs for the prevention and control of air pollution.

358 715-625 Surface Water Sampling

1998	1999	2000	2001 Estimate	2002 Executive Proposal	2003 Executive Proposal
\$73,372	\$105,000	\$0	\$0	\$0	\$0
	43.1%	-100.0%	N/A	N/A	N/A

Source: FED: CFDA 66.505, Water Pollution Control - Research, Development and Demonstration

Legal Basis: ORC 6111

Purpose: This line item funded the agency's statewide water quality management program. At least forty percent of the funds were passed through to areawide planning agencies designated by the Governor for water quality management plan development and implementation.

362 715-605 Underground Injection Control-Fed'l

1998	1999	2000	2001 Estimate	2002 Executive Proposal	2003 Executive Proposal
\$42,134	\$29,765	\$139,932	\$119,000	\$107,856	\$107,856
	-29.4%	370.1%	-15.0%	-9.4%	0.0%

Source: FED: CFDA 66.433, State Underground Water Source Protection

Legal Basis: ORC 3745

Purpose: Until FY 1986 this fund received pass-through federal funds from the Ohio Department of Natural Resources to assist in the monitoring of Class I and Class V underground injection wells. In FY 1986, the fund was moved from the Intra-governmental Service Fund Group to the Federal Special Revenue Fund Group, as Ohio EPA began to receive these moneys directly from the United States EPA to develop and implement an underground injection control program.

3F2 715-630 Revolving Loan Fund-Operating

1998	1999	2000	2001 Estimate	2002 Executive Proposal	2003 Executive Proposal
\$3,213,790	\$3,122,890	\$2,990,647	\$3,716,000	\$33,700	\$80,000
	-2.8%	-4.2%	24.3%	-99.1%	137.4%

Source: FED: CFDA 66.458, Capitalization Grants for State Revolving Funds and CFDA 66.600, Environmental Protection Consolidated Grants - Program Support

Legal Basis: ORC 6111.036

Purpose: This line item holds federal funds for program management and administration of the state's Water Pollution Control Loan Fund (WPCLF). Beginning in FY 2002, Ohio EPA's Division of Environmental and Financial Assistance will begin to shift the base of its support from the WPCLF four percent administration allowance under Fund 3F2 to the WPCLF administrative fund (SSR Fund 676). This change is the beginning of a transition in the source of administrative funding for the Division that has been planned since the inception of the WPCLF program.

3F3 715-632 Fed Supprtd Cleanup & Response

1998	1999	2000	2001 Estimate	2002 Executive Proposal	2003 Executive Proposal
\$2,023,287	\$2,335,943	\$2,227,669	\$4,464,910	\$4,551,830	\$4,600,910
	15.5%	-4.6%	100.4%	1.9%	1.1%

Source: FED: CFDA 66.701, Toxic Substances Compliance Monitoring Program; CFDA 66.802, Hazardous Substance Response Trust Fund; CFDA 66.809, Core Program Cooperative Agreements

Legal Basis: ORC 3745

Purpose: This line item funds toxic substance enforcement programs. This fund segregates federal dollars used by the Division of Emergency and Remedial Response -- which engages in emergency response and environmental cleanups -- from those used by the Division of Hazardous Waste Management -- which support the state's hazardous waste management program.

3F4 715-633 Water Quality Management

1998	1999	2000	2001 Estimate	2002 Executive Proposal	2003 Executive Proposal
\$446,957	\$386,323	\$568,224	\$1,058,000	\$702,849	\$702,849
	-13.6%	47.1%	86.2%	-33.6%	0.0%

Source: FED: CFDA 66.505, Water Pollution Control - Research, Development and Demonstration; CFDA 66.600, Environmental Protection Consolidated Grants - Program Support

Legal Basis: ORC 6111

Purpose: Moneys credited to the fund support development of the state's Nonpoint Source Assessment and Management Program.

3F5 715-641 Nonpoint Source Pollution Mngt

1998	1999	2000	2001 Estimate	2002 Executive Proposal	2003 Executive Proposal
\$2,183,078	\$2,434,719	\$3,421,301	\$9,870,182	\$5,820,330	\$5,820,330
	11.5%	40.5%	188.5%	-41.0%	0.0%

Source: FED: CFDA 66.460, Nonpoint Source Implementation Grants

Legal Basis: ORC 6111.037

Purpose: This fund contains moneys to support the state's nonpoint source implementation activities.

3J1 715-620 Urban Stormwater

1998	1999	2000	2001 Estimate	2002 Executive Proposal	2003 Executive Proposal
\$426,236	\$412,174	\$247,795	\$500,000	\$522,000	\$348,000
	-3.3%	-39.9%	101.8%	4.4%	-33.3%

Source: FED: CFDA 66.463, National Pollutant Discharge Elimination System Related State Program Grants; CFDA 66.505, Water Pollution Control - Research, Development and Demonstration

Legal Basis: Am. Sub. H.B. 215 of the 122nd General Assembly

Purpose: The storm water program is required under the Federal Water Quality Act of 1987. This program develops and implements the necessary point and nonpoint permitting procedures, policy/guidance framework, and compliance and enforcement procedures to address Urban Stormwater Pollution.

3J5 715-615 Maumee River

1998	1999	2000	2001 Estimate	2002 Executive Proposal	2003 Executive Proposal
\$402,133	\$380,831	\$100,598	\$300,000	\$61,196	\$0
	-5.3%	-73.6%	198.2%	-79.6%	-100.0%

Source: FED: CFDA 66.505, Water Pollution Control - Research, Development and Demonstration

Legal Basis: Am. Sub. H.B. 215 of the 122nd General Assembly

Purpose: The grants will be used to establish baseline conditions of the Maumee Area Of Concern (AOC) to document existing ecosystem impairment and future ecosystem improvement as a result of remedial efforts. The Maumee is one of four Ohio rivers to be designated as an AOC.

3K2 715-628 Clean Water Act 106

1998	1999	2000	2001 Estimate	2002 Executive Proposal	2003 Executive Proposal
\$704,625	\$102,310	\$2,461,020	\$3,784,603	\$3,769,255	\$3,769,254
	-85.5%	2305.5%	53.8%	-0.4%	0.0%

Source: FED: CFDA 66.600, Environmental Protection Consolidated Grants - Program Support

Legal Basis: Am. Sub. H.B. 215 of the 122nd General Assembly

Purpose: This fund is used to protect Ohio's surface and ground water resources. The funds assist Ohio EPA in carrying out its mandated responsibilities to issue permits, bring dischargers into compliance, set water quality standards, monitor and assess the quality of Ohio's water, and develop programs for the control of water pollution from point and nonpoint sources.

3K3 715-637 DOE Agreement in Principle

1998	1999	2000	2001 Estimate	2002 Executive Proposal	2003 Executive Proposal
\$418,899	\$53,234	\$0	\$0	\$0	\$0
	-87.3%	-100.0%	N/A	N/A	N/A

Source: FED: CFDA 81.103, DOE Agreement in Principle

Legal Basis: Am. Sub. H.B. 215 of the 122nd General Assembly

Purpose: This fund supported non-regulatory monitoring and oversight of the three Department of Energy (DOE) work sites within Ohio. On October 27, 1993 the state of Ohio signed the Agreement in Principle (AIP) with DOE, the owner of the three sites: (1) the Fernald Environmental Management Project; (2) the Mound Plant; and (3) the Portsmouth Gaseous Diffusion Plant.

3K4 715-634 DOD Monitoring and Oversight

1998	1999	2000	2001 Estimate	2002 Executive Proposal	2003 Executive Proposal
\$329,669	\$415,747	\$622,644	\$682,460	\$1,388,552	\$1,487,341
	26.1%	49.8%	9.6%	103.5%	7.1%

Source: FED: CFDA 12.113, State Memorandum of Agreement for the Reimbursement of Technical Services

Legal Basis: Am. Sub. H.B. 215 of the 122nd General Assembly

Purpose: This fund receives cost recovery grants from the Department of Defense (DOD) through a Defense/State Memorandum of Agreement. The grant is intended to fund oversight to the investigation, cleanup, and reuse of DOD sites in Ohio, as well as to support public participation and education activities and to ensure compliance with applicable state laws and regulations.

3K6 715-639 Remedial Action Plan

1998	1999	2000	2001 Estimate	2002 Executive Proposal	2003 Executive Proposal
\$599,907	\$459,792	\$587,300	\$722,100	\$600,000	\$270,000
	-23.4%	27.7%	23.0%	-16.9%	-55.0%

Source: FED: CFDA 66.505, Water Pollution Control - Research, Development and Demonstration

Legal Basis: Am. Sub. H.B. 215 of the 122nd General Assembly

Purpose: These grants are used to restore water quality in areas designated by the International Joint Commission as Areas of Concern (AOCs) and to support the agency's base program for RAP development including production of Stage 1 and 2 RAP reports. Ohio has four AOCs: the Ashtabula River, the Cuyahoga River, the Maumee River and the Black River.

3M5 715-652 Haz Mat Transport Uniform Safety

1998	1999	2000	2001 Estimate	2002 Executive Proposal	2003 Executive Proposal
\$164,512	\$210,015	\$154,647	\$7,761	\$0	\$0
	27.7%	-26.4%	-95.0%	-100.0%	N/A

Source: FED: CFDA 20.703, Interagency Hazardous Materials Public Sector Training and Planning Grants

Legal Basis: Am. Sub. H.B. 215 of the 122nd General Assembly

Purpose: This fund was used for the implementation of the Community Right-to-Know Act (Ohio Revised Code, Chapter 3750). The U.S. Department of Transportation required that at least 75 percent of these funds be passed along to Local Emergency Planning Committees for plan development and training. The remainder could be used by the State Emergency Response Commission (SERC). These funds were matched at a 1:4 ratio by the state.

3N1 715-655 Pollution Prevention Grants

1998	1999	2000	2001 Estimate	2002 Executive Proposal	2003 Executive Proposal
\$88,083	\$67,306	\$71,454	\$25,000	\$0	\$0
	-23.6%	6.2%	-65.0%	-100.0%	N/A

Source: FED: CFDA 66.501, Water Pollution Control - Research, Development and Demonstration

Legal Basis: ORC 3734

Purpose: The funds were administered by the EPA's Office of Pollution Prevention to carry out pollution prevention activities across the state.

3N4 715-657 DOE Monitoring and Oversight

1998	1999	2000	2001 Estimate	2002 Executive Proposal	2003 Executive Proposal
\$1,517,277	\$1,851,289	\$1,960,655	\$3,883,118	\$4,080,203	\$4,162,907
	22.0%	5.9%	98.1%	5.1%	2.0%

Source: FED: CFDA 81.103, DOE Agreement in Principle

Legal Basis: Am. Sub. H.B. 215 of the 122nd General Assembly

Purpose: This fund supports regulatory monitoring of the three Department of Energy (DOE) work sites located within Ohio. On October 27, 1993 the state of Ohio signed the Agreement in Principle (AIP) with DOE, the owner of the three sites: (1) the Fernald Environmental Management Project; (2) the Mound Plant; and (3) the Portsmouth Gaseous Diffusion Plant. Moneys in this fund provide up-front and reimbursement moneys for regulatory monitoring provided by Ohio EPA.

3S4 715-653 Performance Partnership Grants

1998	1999	2000	2001 Estimate	2002 Executive Proposal	2003 Executive Proposal
\$8,015,038	\$11,784,144	\$2,024,655	\$67,786	\$0	\$0
	47.0%	-82.8%	-96.7%	-100.0%	N/A

Source: FED: Federal

Legal Basis: Am. Sub. H.B. 215 of the 122nd General Assembly

Purpose: Block grant awarded by U.S. EPA that consolidated several small federal grants, allowing for the elimination of several federal line item appropriations to Ohio EPA. Funding to the affected line items (715-619, Air Pollution Control; 715-632, Federally Supported Cleanup and Response; 715-614, Hazardous Waste Management; 715-612, Public Water Supply; 715-605, Underground Injection Control; and 715-628, Clean Water Act 106) have since been restored.

3T1 715-668 Rural Hardship Grant

1998	1999	2000	2001 Estimate	2002 Executive Proposal	2003 Executive Proposal
\$0	\$33,168	\$126,600	\$100,000	\$50,000	\$50,000
	N/A	281.7%	-21.0%	-50.0%	0.0%

Source: FED: Federal

Legal Basis: Am. Sub. H.B. 283 of the 123rd General Assembly

Purpose: Provides funding for small community wastewater treatment system activities to rural areas with financial challenges.

3V7 715-606 Agencywide Grants

1998	1999	2000	2001 Estimate	2002 Executive Proposal	2003 Executive Proposal
\$0	\$0	\$0	\$0	\$360,000	\$80,000
	N/A	N/A	N/A	N/A	-77.8%

Source: FED: CFDA 66.608, One Stop Reporting

Legal Basis: originally established by Controlling Board in January, 2001

Purpose: This fund contains a grant to Ohio EPA's Office of Data and Systems for projects which support burden reduction, data integration, stake holder involvement, electronic reporting and public access to environmental information. The fund is not Division-specific and therefore can be used in support of multi-division activities.

State Special Revenue Fund Group

3T3 715-669 Drinking Water SRF

1998	1999	2000	2001 Estimate	2002 Executive Proposal	2003 Executive Proposal
\$0	\$86,797	\$1,534,108	\$5,260,936	\$5,577,473	\$5,839,217
	N/A	1667.5%	242.9%	6.0%	4.7%

Source: SSR: Federal

Legal Basis: Am. Sub. H.B. 283 of the 123rd General Assembly

Purpose: Section 130 of the 1996 Amendments to the Safe Drinking Water Act established the Drinking Water State Revolving Fund program to provide below market loans for the planning, design, and construction of new and improvements to existing community and nonprofit non-community public water systems.

4C3 715-647 Central Support Indirect

1998	1999	2000	2001 Estimate	2002 Executive Proposal	2003 Executive Proposal
\$7,304,615	\$6,957,064	\$6,673,407	\$7,150,702	\$0	\$0
	-4.8%	-4.1%	7.2%	-100.0%	N/A

Source: SSR: an administrative charge assessed against the agency's State Special Revenue and General Services Fund accounts

Legal Basis: ORC 3745.014

Purpose: Until the end of FY 2001, Ohio EPA's Administration Program Series will use this fund to perform administrative tasks for the entire agency. Beginning in FY 2002, this line item will no longer be in use. A new system for assessing indirect rates to all of Ohio EPA's operating funds will be implemented, and funds will be transferred to Fund 219, Central Support Indirect, through an intrastate transfer voucher.

4D7 715-603 Natural Resources Damage Assesemnt

1998	1999	2000	2001 Estimate	2002 Executive Proposal	2003 Executive Proposal
\$0	\$91,958	\$108,042	\$0	\$0	\$0
	N/A	17.5%	-100.0%	N/A	N/A

Source: SSR: damages awarded through judicial and administrative means from parties found liable for "damages for, injury to, destruction of, or loss of natural resources, including the reasonable costs of assessing such injury, destruction, or loss resulting from a release [of a hazardous substance or oil]," as covered under Section 107(a) of the federal Comprehensive Environmental Response Compensation and Liability Act (CERCLA)

Legal Basis: Am. Sub. H.B. 215 of the 122nd General Assembly

Purpose: This fund supported actions pursuant to Section 107(f) of CERCLA to "restore, replace, or acquire the equivalent of such natural resources by the state." These projects were administered through Ohio EPA's Division of Emergency and Remedial Response.

4J0 715-638 Underground Injection Control

1998	1999	2000	2001 Estimate	2002 Executive Proposal	2003 Executive Proposal
\$267,389	\$228,489	\$254,065	\$357,265	\$377,268	\$394,097
	-14.5%	11.2%	40.6%	5.6%	4.5%

Source: SSR: 1) an increase in the maximum annual disposal fee for a facility that disposes of more than 100,000 tons of hazardous waste into on-site underground injection wells in a year (as compared to the fee schedule prior to the enactment); 2) an operating or renewal permit fee for Class I injection wells; 3) a \$1.00/ton fee levied on the disposal of non-hazardous waste into a Class I injection well; and 4) any late fees associated with the \$1.00/ton disposal fee just noted

Legal Basis: ORC 6111.046

Purpose: The fund is used solely to administer and enforce Ohio EPA's underground injection control program which affects Class I injection wells.

4K2 715-648 Clean Air - Non Title V

1998	1999	2000	2001 Estimate	2002 Executive Proposal	2003 Executive Proposal
\$1,777,989	\$1,564,426	\$2,139,382	\$3,183,577	\$3,558,719	\$3,725,707
	-12.0%	36.8%	48.8%	11.8%	4.7%

Source: SSR: each person, beginning January 1, 1994, who owns or operates an air contaminant source, and is required to apply for a permit to operate or a variance, but is not required to apply for and obtain a Title V permit shall pay an annual fee based upon the sum of the actual annual emissions from the facility of the criteria pollutants, particulate matter, sulfur dioxide, nitrogen oxides, organic compounds, and lead - the fee is \$75 for 0 to 50 tons of total emissions; \$300 for 50 to 100 tons of total emissions; and, \$700 for 100 or more tons of total emissions (the Director may increase the fees by the percentage in which the most recent CY consumer price index (CPI) exceeds the CPI of CY 1989); additionally, money from permits for asbestos removal (note: before the passage of Sub. S.B. 153 of the 120th G.A., revenue funneling into this fund consisted of an \$8/ton air emission fee and a 10 percent late penalty levied on the emission of four specific contaminants: particulates, sulfur dioxide, nitrogen oxides and organic compounds)

Legal Basis: ORC 3745.11(D)

Purpose: This fund is used to support non-Title V permitting and testing and the asbestos program. A portion is directed to local air agencies for their PTI and asbestos programs.

4K3 715-649 Solid Waste

1998	1999	2000	2001 Estimate	2002 Executive Proposal	2003 Executive Proposal
\$9,011,405	\$9,478,408	\$10,945,901	\$12,079,002	\$12,883,012	\$13,578,411
	5.2%	15.5%	10.4%	6.7%	5.4%

Source: SSR: an additional per ton fee on the disposal of solid waste at Ohio's municipal solid waste disposal facilities

Legal Basis: ORC 3734.57

Purpose: This fund provides a revenue source for the division of Solid and Infectious Waste Management, which administers solid waste planning and regulatory activities.

4K4 715-650 Surface Water Protection

1998	1999	2000	2001 Estimate	2002 Executive Proposal	2003 Executive Proposal
\$7,619,281	\$6,923,163	\$7,523,149	\$8,842,192	\$9,052,930	\$9,053,183
	-9.1%	8.7%	17.5%	2.4%	0.0%

Source: SSR: fees on Permit to Install plans, operator certification, applications, industrial water pollution control certificates, and annual discharge quantities

Legal Basis: ORC 6111.038

Purpose: This fund covers the costs associated with surface water discharge permitting, operator certification, water pollution control, and water quality monitoring activities.

4K5 715-651 Drinking Water Protection

1998	1999	2000	2001 Estimate	2002 Executive Proposal	2003 Executive Proposal
\$3,644,809	\$4,121,630	\$4,901,462	\$4,460,047	\$5,420,914	\$5,780,021
	13.1%	18.9%	-9.0%	21.5%	6.6%

Source: SSR: a fee for an annual license to operate a public water system

Legal Basis: ORC 6109.21 and ORC 3745.11(D)

Purpose: This fund defrays the costs associated with public drinking water protection programs.

4P5 715-654 Cozart Landfill

1998	1999	2000	2001 Estimate	2002 Executive Proposal	2003 Executive Proposal
\$50,248	\$67,655	\$91,777	\$137,382	\$140,404	\$143,914
	34.6%	35.7%	49.7%	2.2%	2.5%

Source: SSR: Cozart Landfill in Athens County - \$3.9 million settlement (placed in a trust fund - as EPA requires funds for remediation, they are transferred from the trust into the line item)

Legal Basis: Am. Sub. H.B. 215 of the 122nd General Assembly

Purpose: The funds are to be administered by EPA for purposes of remediating and closing the unpermitted solid waste landfill.

4R5 715-656 Scrap Tire Management

1998	1999	2000	2001 Estimate	2002 Executive Proposal	2003 Executive Proposal
\$3,264,301	\$6,141,364	\$2,956,913	\$2,441,618	\$5,526,050	\$5,607,911
	88.1%	-51.9%	-17.4%	126.3%	1.5%

Source: SSR: a fee of \$.50 per tire placed on the sale of new tires in Ohio through June 30, 2006. The fee would increase to \$1.00 per tire under the executive recommended budget in H.B. 95 of the 124th General Assembly.

Legal Basis: Am. Sub. H.B. 215 of the 122nd General Assembly

Purpose: The services funded by this line item include: 1) administering and enforcing scrap tire provisions; 2) the EPA Scrap Tire Abatement and Removal program; and 3) providing grants for recycling alternatives and transfers to other agency's recycling and resource recovery grant programs.

4R9 715-658 Voluntary Action Program

1998	1999	2000	2001 Estimate	2002 Executive Proposal	2003 Executive Proposal
\$758,779	\$1,000	\$479,321	\$801,634	\$760,038	\$880,324
	-99.9%	47832.1%	67.2%	-5.2%	15.8%

Source: SSR: start-up funding borrowed from EPA's Hazardous Waste Facility account, for a two-year time period beginning September 28, 1994 to be paid back to the account within three years. VAP fees are derived from the estimated direct and indirect costs associated with VAP applications & activities. The fees are based on the estimated typical time to complete each task, duty or service; the applicable hourly rate & fringe benefits for the person(s) performing the task, duty or service; and the estimated frequency of the task, duty or service.

Legal Basis: ORC 3746

Purpose: This fund supports the administrative costs of the program as well as providing for monitoring and verification of cleanup activities in certain sites.

4T3 715-659 Clean Air - Title V Permit Program

1998	1999	2000	2001 Estimate	2002 Executive Proposal	2003 Executive Proposal
\$11,533,830	\$13,911,537	\$13,844,062	\$14,500,000	\$16,330,021	\$16,919,482
	20.6%	-0.5%	4.7%	12.6%	3.6%

Source: SSR: fees, assessed on the total tons per year of emissions of a regulated pollutant's particulate matter, sulfur dioxide, nitrogen oxides, organic compounds, and lead, of \$25 per ton on the total actual emissions of each such regulated pollutant in each calendar year (note: collection of these fees bring Ohio into compliance with the federal Clean Air Act amendments of 1990)

Legal Basis: ORC 3745.11(C)

Purpose: The fees assessed are for the purpose of providing funding for the Title V permit program.

4U7 715-660 Cnstrctn & Demolition Debris

1998	1999	2000	2001 Estimate	2002 Executive Proposal	2003 Executive Proposal
\$0	\$30,443	\$99,543	\$217,500	\$136,347	\$143,435
	N/A	227.0%	118.5%	-37.3%	5.2%

Source: SSR: \$3,000 license fee for construction and demolition debris facility installation and operation license; the local board of health retains \$1,500 and the EPA will receive \$1,500; if the local health board is not EPA's approved list, EPA receives the entire \$3,000 license fee

Legal Basis: ORC 3734.57

Purpose: The fund supports rule training, policy/guidance crafting, technical assistance efforts, health department oversight, and licensing for non-approved health departments.

500 715-608 Immediate Removal Special Acct

1998	1999	2000	2001 Estimate	2002 Executive Proposal	2003 Executive Proposal
\$252,270	\$388,513	\$565,676	\$601,597	\$508,000	\$428,547
	54.0%	45.6%	6.4%	-15.6%	-15.6%

Source: SSR: the entity responsible for a spill, release, or discharge is liable for these emergency action costs; the cost recoveries constitute the fund's sole source of revenue

Legal Basis: ORC 3745.12

Purpose: These assessments defrays the agency's costs for investigating, mitigating, minimizing, removing, or abating any unauthorized spill, release, or discharge of material that requires emergency action.

503 715-621 Hazardous Waste Facility Management

1998	1999	2000	2001 Estimate	2002 Executive Proposal	2003 Executive Proposal
\$7,284,554	\$7,375,521	\$8,266,314	\$8,731,100	\$10,274,613	\$11,045,132
	1.2%	12.1%	5.6%	17.7%	7.5%

Source: SSR: a portion of solid waste disposal fees; money from hazardous waste disposal and treatment fees and hazardous waste facility and operation permits

Legal Basis: ORC 3734.18

Purpose: This fund supports 1) the administration of the hazardous waste program; 2) the long-term operation and maintenance costs of remediated facilities; 3) the former state match for the federal Superfund program; and 4) the repayment of site remediation loans made by the Ohio Water Development Authority.

Note: In Am. Sub. H.B. 117 of the 121st G.A., the original Fund 503 account, 715-621: Hazardous Waste Facility Management, was separated into three line items: Fund 503, ALI 715-621: Hazardous Waste Facility Management, under the Hazardous Waste Management program; Fund 503, ALI 715-661: Hazardous Waste Facility Cleanup, under the Emergency and Remedial Response program; and, Fund 503, ALI 715-662: Hazardous Waste Facility Board under the Hazardous Waste Facilities Board. This separation clearly delineates how the monies from solid waste disposal fees are deposited into each line item to fund the activities in each program.

503 715-661 Hazardous Waste Facility Cleanup

1998	1999	2000	2001 Estimate	2002 Executive Proposal	2003 Executive Proposal
\$2,951,994	\$20,049	\$0	\$0	\$0	\$0
	-99.3%	-100.0%	N/A	N/A	N/A

Source: SSR: a portion of solid waste disposal fees; money from hazardous waste disposal and treatment fees and hazardous waste facility and operation permits

Legal Basis: ORC 3734.18

Purpose: Appropriations to this fund are used to finance the cleanup of state-lead sites administered by the Division of Emergency and Remedial Response.

Note: In Am. Sub. H.B. 117 of the 121st G.A., the original Fund 503 account, 715-621: Hazardous Waste Facility Management, was separated into three line items: Fund 503, ALI 715-621: Hazardous Waste Facility Management, under the Hazardous Waste Management program; Fund 503, ALI 715-661: Hazardous Waste Facility Cleanup, under the Emergency and Remedial Response program; and, Fund 503, ALI 715-662: Hazardous Waste Facility Board under the Hazardous Waste Facilities Board. This separation clearly delineates how the monies from solid waste disposal fees are deposited into each line item to fund the activities in each program.

503 715-662 Hazardous Waste Facility Board

1998	1999	2000	2001 Estimate	2002 Executive Proposal	2003 Executive Proposal
\$626,529	\$586,376	\$503,340	\$641,903	\$688,634	\$725,713
	-6.4%	-14.2%	27.5%	7.3%	5.4%

Source: SSR: a portion of solid waste disposal fees; money from hazardous waste disposal and treatment fees and hazardous waste facility and operation permits

Legal Basis: ORC 3734.18; duties of the Board ORC 3734.05

Purpose: Appropriations in this fund finance the activities of the Hazardous Waste Facility Board, which has exclusive responsibility for acting on permit applications for new hazardous waste facilities and applications for modifications of existing facilities.

Note: In Am. Sub. H.B. 117 of the 121st G.A., the original Fund 503 account, 715-621: Hazardous Waste Facility Management, was separated into three line items: Fund 503, ALI 715-621: Hazardous Waste Facility Management, under the Hazardous Waste Management program; Fund 503, ALI 715-661: Hazardous Waste Facility Cleanup, under the Emergency and Remedial Response program; and, Fund 503, ALI 715-662: Hazardous Waste Facility Board under the Hazardous Waste Facilities Board. This separation clearly delineates how the monies from solid waste disposal fees are deposited into each line item to fund the activities in each program.

505 715-623 Hazardous Waste Clean-Up

1998	1999	2000	2001 Estimate	2002 Executive Proposal	2003 Executive Proposal
\$12,419,241	\$13,169,039	\$8,592,745	\$11,881,896	\$12,786,201	\$13,427,443
	6.0%	-34.8%	38.3%	7.6%	5.0%

Source: SSR: 50 percent of the solid waste disposal fees collected under Am. Sub. H.B. 592 of the 117th G.A.; (2) civil penalties imposed for violations of any solid and hazardous waste law; (3) proceeds from the sale of cleaned sites; (4) natural resource damages collected under the federal Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA); and (5) expenses collected pertaining to hazardous waste site remediation (sections 3734.122, 3734.20, 3734.22, and 3734.26 of the Revised Code)

Legal Basis: ORC 3734.28

Purpose: This fund provides money for 1) the clean up of sites contaminated with polychlorinated biphenyls (PCB's); 2) the inspection, investigation and conducting of enforcement actions where hazardous waste has been treated, stored, or disposed of; 3) the planning and implementation of site remediation; 4) purchasing hazardous waste sites; and 5) making grants to a political subdivision or the owner of a facility for a portion of the costs associates with closing the facility or abating pollution.

541 715-670 Site Specific Cleanup

1998	1999	2000	2001 Estimate	2002 Executive Proposal	2003 Executive Proposal
\$0	\$0	\$280	\$2,024,727	\$2,206,952	\$2,345,990
	N/A	N/A	723016.8%	9.0%	6.3%

Source: SSR: Enforcement orders

Legal Basis: Am. Sub. H.B. 283 of the 123rd General Assembly

Purpose: Funds that are specifically designated for cleaning up a particular site, in many cases as a result of an enforcement order, are placed in this separate fund for easier tracking.

542 715-671 Risk Management Reporting

1998	1999	2000	2001 Estimate	2002 Executive Proposal	2003 Executive Proposal
\$0	\$0	\$50,689	\$140,000	\$174,924	\$185,605
	N/A	N/A	176.2%	24.9%	6.1%

Source: SSR: Fees

Legal Basis: ORC 3753

Purpose: The Division of Air Pollution Control administers the 112r program for air chemical emergency preparedness and protection. Fees associated with the program are deposited into this fund.

592 715-627 Anti Tampering Settlement

1998	1999	2000	2001 Estimate	2002 Executive Proposal	2003 Executive Proposal
\$0	\$0	\$0	\$6,000	\$10,000	\$10,000
	N/A	N/A	N/A	66.7%	0.0%

Source: SSR: settlement payments

Legal Basis: Am. Sub. H.B. 283 of the 123rd General Assembly

Purpose: This fund was created to collect settlement payments when it was determined that auto emissions control equipment had been tampered with.

5H4 715-664 Groundwater Support

1998	1999	2000	2001 Estimate	2002 Executive Proposal	2003 Executive Proposal
\$0	\$802,296	\$1,010,564	\$1,412,845	\$1,718,659	\$1,820,773
	N/A	26.0%	39.8%	21.6%	5.9%

Source: SSR: Other EPA Divisions

Legal Basis: Am. Sub. H.B. 283 of the 123rd General Assembly

Purpose: The Division of Drinking and Ground Waters performs work for other Ohio EPA divisions when requested. After the work is completed and charges have been made, the division bills the appropriate division for the work and deposits the revenues into this fund.

602 715-626 Mtr Veh Inspection & Maintenance

1998	1999	2000	2001 Estimate	2002 Executive Proposal	2003 Executive Proposal
\$2,812,230	\$7,123,670	\$3,739,565	\$2,474,801	\$2,653,217	\$2,795,062
	153.3%	-47.5%	-33.8%	7.2%	5.3%

Source: SSR: testing fee of \$19.50, which vehicle owners are required to pay every two years for emissions inspections, beginning January 1996. The majority of this testing fee goes to Envirotec, the company with whom Ohio EPA has contracted to perform the tests. Ohio EPA receives an average of less than \$1.00 of the fee to cover costs associated with the administration of the program.

Legal Basis: ORC 3704.14

Purpose: This fund is used solely for the administration and supervision of the enhanced motor vehicle inspection and maintenance program (E-Check), which operates in fourteen Ohio counties.

644 715-631 ER Radiological Safety

1998	1999	2000	2001 Estimate	2002 Executive Proposal	2003 Executive Proposal
\$87,522	\$143,363	\$155,077	\$184,893	\$242,446	\$255,947
	63.8%	8.2%	19.2%	31.1%	5.6%

Source: SSR: the Public Utilities Commission's Utility Radiological Safety Fund (Fund 664) pursuant to Section 88 of the biennial appropriations act of the 118th General Assembly (Am. Sub. H.B. 111)

Legal Basis: Am. Sub. H.B. 215 of the 122nd General Assembly

Purpose: The fund was created for the deposit of money disbursed from PUCO's Fund 664, created in section 4937.05 of the Revised Code. Fund 664 generates revenue from an annual assessment against each nuclear utility in the state. The Ohio EPA is one of six member state agencies on the Utility Radiological Safety Board.

660 715-629 Infectious Waste Management

1998	1999	2000	2001 Estimate	2002 Executive Proposal	2003 Executive Proposal
\$118,413	\$91,542	\$114,497	\$131,251	\$138,899	\$145,271
	-22.7%	25.1%	14.6%	5.8%	4.6%

Source: SSR: 1) a \$300 registration fee (renewable triennially) for large generators (those who produce fifty or more pounds of infectious wastes during any one month); and 2) a \$300 registration fee (renewable triennially) for each vehicle used to transport untreated infectious wastes; the agency is also authorized to establish a staggered renewal system with about one-third of the registrations renewable each year, and to prorate the initial registration fees

Legal Basis: ORC 3734.021

Purpose: Fifty percent of the collected fees are shared with the local health boards where the generators and transporters are registered. The remaining portion is used by the agency to administer the state's infectious waste management program.

676 715-642 Water Pollutn Cntrl Loan Admin

1998	1999	2000	2001 Estimate	2002 Executive Proposal	2003 Executive Proposal
\$0	\$22,359	\$0	\$0	\$4,874,302	\$5,252,873
	N/A	-100.0%	N/A	N/A	7.8%

Source: SSR: interest payments from 715-630 Revolving Loan Fund-Operating

Legal Basis: ORC 6111.036

Purpose: Beginning in FY 2002, the Division of Environmental and Financial Assistance will begin to shift the base of its support from the Water Pollution Control Loan Fund's four percent administration allowance under the Federal Clean Water Act (FED Fund 3F2) to Fund 676, WPCLF's administrative fund. This change is the beginning of a transition in the source of administrative funding for the Division that has been planned since the inception of the WPCLF program. The source of funding for Fund 676 is 0.2 percent annual interest included in WPCLF loans in order to defray the costs of administering the program. Fund 676 will be the primary support fund used for the Division.

678 715-635 Air Toxic Release

1998	1999	2000	2001 Estimate	2002 Executive Proposal	2003 Executive Proposal
\$237,193	\$261,380	\$259,268	\$370,598	\$394,489	\$413,938
	10.2%	-0.8%	42.9%	6.4%	4.9%

Source: SSR: toxic chemical release filing and release form fees; civil penalties

Legal Basis: ORC 3751.05.

Purpose: Monies in this fund are used to implement, administer, and enforce the toxic chemical release reporting program mandated by Title III of the federal Superfund Amendments and Reauthorization Act of 1986 (SARA) and authorized by Sub. S.B. 367 of the 117th G.A.

679 715-636 Emergency Planning

1998	1999	2000	2001 Estimate	2002 Executive Proposal	2003 Executive Proposal
\$1,695,353	\$1,704,310	\$1,795,790	\$1,950,986	\$2,000,708	\$2,054,868
	0.5%	5.4%	8.6%	2.5%	2.7%

Source: SSR: annual filing fees for reporting inventories of extremely hazardous substances and hazardous chemicals, and civil penalties

Legal Basis: ORC 3750.13

Purpose: All of the money deposited in this fund is used to implement, administer, and enforce the emergency planning and community right-to-know programs mandated by Title III of the federal Superfund Amendments and Reauthorization Act of 1986 (SARA) and authorized by Sub. S.B. 367 of the 117th G.A. In May of 1999, the community right-to-know program became the Office of Right-to-Know.

696 715-643 Air Pollution Control Admin.

1998	1999	2000	2001 Estimate	2002 Executive Proposal	2003 Executive Proposal
\$527,187	\$1,603,086	\$296,871	\$790,153	\$750,000	\$750,000
	204.1%	-81.5%	166.2%	-5.1%	0.0%

Source: SSR: 50 percent of the funds collected from civil penalties imposed for violations of the state's air pollution control law

Legal Basis: ORC 3704.06

Purpose: This fund supplements other sources available for the administration and enforcement of the state's air pollution control law. None of the moneys in the fund can be used to meet state matching fund requirements for the receipt of any federal grant funds. The agency is statutorily permitted to expend not more than \$750,000 in any fiscal year from the fund. However, authority is granted to request approval from the Controlling Board to expend any moneys in excess of that amount.

699 715-644 Water Pollution Control Admin.

1998	1999	2000	2001 Estimate	2002 Executive Proposal	2003 Executive Proposal
\$397,739	\$503,662	\$464,446	\$250,000	\$250,000	\$250,000
	26.6%	-7.8%	-46.2%	0.0%	0.0%

Source: SSR: 50 percent of the moneys collected from civil penalties imposed for violations of the state's water pollution control law

Legal Basis: ORC 6111.09

Purpose: This fund must be used to supplement other moneys available for the administration and enforcement of the state's water pollution control law. None of the moneys in the fund can be used to meet state matching fund requirements for the receipt of any federal grant funds. The agency is statutorily permitted to expend not more than \$750,000 in any fiscal year from the fund, however, authority is granted to request approval from the Controlling Board to expend any moneys in excess of that amount.

6A1 715-645 Environmental Education

1998	1999	2000	2001 Estimate	2002 Executive Proposal	2003 Executive Proposal
\$1,826,594	\$2,004,748	\$1,989,805	\$1,300,000	\$1,500,000	\$1,500,000
	9.8%	-0.7%	-34.7%	15.4%	0.0%

Source: SSR: 50 percent of the moneys collected from civil penalties imposed for violations of the state's air and water pollution control laws (the fund was seeded by a \$1 million settlement with CECOS International for a violation of the state's hazardous waste program)

Legal Basis: ORC 3745.22

Purpose: Moneys in the fund are used exclusively to implement and administer environmental education and public awareness programs. Any gifts, grants, or contributions received for these purposes are also deposited in the fund. Some of the funds are used for operating expenses, with the remainder distributed as grants awarded through a request for proposals process. The agency is statutorily permitted to expend not more than \$1,500,000 in any fiscal year from the fund, however, authority is granted to request approval from the Controlling Board to expend any moneys in excess of that amount.