



Ohio Legislative Service Commission

Synopsis of House Committee Amendments*

Bill Rowland

Sub. S.B. 294

129th General Assembly

(As Reported by H. Agriculture & Natural Resources)

Infectious waste

Removes a requirement in the Senate-passed version of the bill that a generator of infectious waste that generates more than 50 pounds of infectious waste during any one month biennially notify the Director of Environmental Protection as to the generator's status as a generator and pay a notification fee of \$50 for each premises identified by the generator in the notification, and instead reinstates the triennial infectious waste generator registration requirement in current law, but reduces the registration fee from \$300 to \$140.

Revises the definition of "treat" for purpose of the infectious waste provisions in the Solid, Hazardous, and Infectious Wastes Law by stating that "treat" means any method, technique, or process that renders wastes noninfectious so that it is no longer an infectious waste and is no longer an infectious substance as defined in applicable federal law rather than stating that "treat" means any method, technique, or process designed to render the wastes noninfectious as in current law.

Reinstates requirements in current law removed by the Senate-passed version of the bill that require the Director to adopt rules requiring shipping papers to accompany shipments of wastes that have been treated to render them noninfectious and that specify what information must be included with the shipping papers.

Solid waste landfills and aluminum waste

Alters the prohibition in the Senate-passed version of the bill against commingling municipal solid waste and aluminum production waste in a solid waste landfill by:

--Prohibiting the owner or operator of a sanitary landfill from disposing of municipal solid waste that has been commingled with secondary aluminum waste;

* This synopsis does not address amendments that may have been adopted on the House Floor.

--Authorizing the owner or operator of a sanitary landfill to dispose of secondary aluminum waste, but only in a monocell or monofill that has been permitted for that purpose in accordance with the Solid, Hazardous, and Infectious Wastes Law and rules adopted under it;

--Requiring the owner or operator of a sanitary landfill who, on the bill's effective date, is authorized to dispose of secondary aluminum waste in a monocell or monofill in accordance with the terms and conditions of a valid solid waste facility license and who wishes to continue to dispose of the waste to submit an application to the Director of Environmental Protection to modify the permit for the landfill not later than 90 days after the bill's effective date;

--Stating that until the Director issues the modified permit, the owner of the landfill may continue to dispose of secondary aluminum waste in accordance with the license as long as the owner or operator is in compliance with the applicable terms and conditions of the license; and

--Defining "secondary aluminum waste" to mean waste material or byproducts, when disposed of, containing aluminum generated from secondary aluminum smelting operations and consisting of dross, salt cake, baghouse dust associated with aluminum recycling furnace operations, or dry-milled wastes.

Isolated wetlands

Alters the preferred methods of mitigation in the Senate-passed version of the bill for category two isolated wetlands subject to level two review and for category two and three wetlands subject to level three review by:

--Specifying that one of the preferred forms of mitigation must take place at a mitigation bank with a service area that includes the location of the proposed filling of the isolated wetland rather than within the same watershed as the proposed filling of the isolated wetland;

--Removing a provision that states that when multiple mitigation banks are available within the same watershed, mitigation must occur at a mitigation bank located in the same 12-digit hydrologic unit nearest the location of the proposed filling of the isolated wetland, and removing the definition of "12-digit hydrologic unit";

--Removing a provision that states that if a wetland mitigation bank is not available in the 12-digit hydrologic unit, mitigation must occur at a mitigation bank located in the same 10-digit hydrologic unit nearest the location of the proposed filling of the isolated wetland, and removing the definition of "10-digit hydrologic unit";

--Specifying that one of the preferred forms of mitigation must take place at a mitigation bank with a service area that is adjacent to the watershed of the location of the proposed filling of the isolated wetland impact rather than at a mitigation bank located within a watershed that is adjacent to the watershed of the location of the proposed filling of the isolated wetland impact; and

--Removing a requirement that when multiple mitigation banks are available within the adjacent watershed, mitigation must occur at a mitigation bank nearest to the location of the proposed filling of the isolated wetlands.