

**Executive**

**As Passed by the House**

**As Passed by the Senate**

**As Enacted**

**EPACD5 Local air pollution control authorities**

**R.C. 3704.111, 3704.01**

(1) Modifies the list of local agencies that constitute a local air pollution control authority for purposes of the law governing air pollution control by doing all of the following: (a) changing the name of the agency representing Butler, Warren, Hamilton, and Clermont counties from the Hamilton County Department of Environmental Services to the Hamilton County Department of Environmental Services, Southwest Ohio Air Quality Agency, (b) expanding the jurisdiction of the City of Cleveland Division of the Environment to all of Cuyahoga County, rather than the city of Cleveland only, and (c) eliminating the North Ohio Valley Air Authority that represents Carroll, Jefferson, Columbiana, Harrison, Belmont, and Monroe counties.

(2) Authorizes the Director of Environmental Protection to modify a contract between the Director and a local air pollution control authority to authorize that authority to perform air pollution control activities outside that authority's geographic boundaries.

**R.C. 3704.111, 3704.01**

(1) Same as the Executive.

(2) Same as the Executive.

**R.C. 3704.111, 3704.01**

(1) Same as the Executive.

(2) Same as the Executive.

**R.C. 3704.111, 3704.01**

(1) Same as the Executive.

(2) Same as the Executive.

Executive

As Passed by the House

As Passed by the Senate

As Enacted

**Fiscal effect: There will be no fiscal effect on the Ohio Environmental Protection Agency, but does alter the distribution of available funding for local air pollution control authority agencies.**

**Fiscal effect: Same as the Executive.**

**Fiscal effect: Same as the Executive.**

**Fiscal effect: Same as the Executive.**

**EPACD16 Elimination of the Clean Diesel School Bus Fund**

**R.C. 3704.144 (repealed), Section 512.90**

**R.C. 3704.144 (repealed), Section 512.90**

**R.C. 3704.144 (repealed), Section 512.90**

**R.C. 3704.144 (repealed), Section 512.90**

Eliminates the Clean Diesel School Bus Fund (Fund 5CD0) which, according to the Agency, is obsolete and is required to provide grants to school districts and county boards of developmental Abolishes the Clean Diesel School Bus Fund (Fund 5CD0), which was originally created to provide grants to school districts and county boards of developmental disabilities, and in effect redirects the money for this purpose to the existing Diesel Emission Reduction Grant Program, which provides partial funding for replacing aging diesel buses with new clean diesel or alternatively fueled buses.

Same as the Executive.

Same as the Executive.

Same as the Executive.

**Fiscal effect: None, as the purposes for which Fund 5CD0 was established are now obsolete.**

**Fiscal effect: Same as the Executive.**

**Fiscal effect: Same as the Executive.**

**Fiscal effect: Same as the Executive.**

Executive	As Passed by the House	As Passed by the Senate	As Enacted
<b>EPACD17 Asbestos abatement certification transfer</b>			
<p>R.C. 3710.02, 3701.83, 3704.035, 3710.01, 3710.02, 3710.04, 3710.05, 3710.051, 3710.06, 3710.07, 3710.08, 3710.09, 3710.10, 3710.11, 3710.12, 3710.13, 3710.14, 3710.15, 3710.17, 3710.19, 3710.99, 3745.11, Sections 277.20 and 812.10</p>	<p>R.C. 3710.02, 3701.83, 3704.035, 3710.01, 3710.02, 3710.04, 3710.05, 3710.051, 3710.06, 3710.07, 3710.08, 3710.09, 3710.10, 3710.11, 3710.12, 3710.13, 3710.14, 3710.15, 3710.17, 3710.19, 3710.99, 3745.11, Sections 277.20, 812.10</p>	<p>R.C. 3710.02, 3701.83, 3704.035, 3710.01, 3710.02, 3710.04, 3710.05, 3710.051, 3710.06, 3710.07, 3710.08, 3710.09, 3710.10, 3710.11, 3710.12, 3710.13, 3710.14, 3710.15, 3710.17, 3710.19, 3710.99, 3745.11, Sections 277.20, 812.10</p>	<p>R.C. 3710.02, 3701.83, 3704.035, 3710.01, 3710.02, 3710.04, 3710.05, 3710.051, 3710.06, 3710.07, 3710.08, 3710.09, 3710.10, 3710.11, 3710.12, 3710.13, 3710.14, 3710.15, 3710.17, 3710.19, 3710.99, 3745.11, Sections 277.20, 812.10</p>
<p>(1) Transfers the authority to administer and enforce the laws governing asbestos abatement from the Department of Health (DOH) to the Ohio Environmental Protection Agency (Ohio EPA) beginning January 1, 2018.</p>	<p>(1) Same as the Executive.</p>	<p>(1) Same as the Executive.</p>	<p>(1) Same as the Executive.</p>
<p>(2) Eliminates several administrative procedures that apply to DOH hearings regarding violations of the law governing asbestos abatement that are supplemental to the Administrative Procedure Act.</p>	<p>(2) Same as the Executive.</p>	<p>(2) Same as the Executive.</p>	<p>(2) Same as the Executive.</p>
<p>(3) Makes technical and clarifying changes for purposes of transferring the asbestos certification program from the Department of Health to the Ohio EPA, including the following:</p>	<p>(3) Same as the Executive.</p>	<p>(3) Same as the Executive.</p>	<p>(3) Same as the Executive.</p>
<p>(a) Revises definitions that apply to asbestos certification to comport with rules adopted by the Director of Environmental</p>	<p>(a) Same as the Executive.</p>	<p>(a) Same as the Executive.</p>	<p>(a) Same as the Executive.</p>

**Executive**

**As Passed by the House**

**As Passed by the Senate**

**As Enacted**

Protection that address asbestos under current law.

(b) Specifies that rules adopted by the Director of Environmental Protection, hearing procedures, and emergency orders of the Director apply to environmental health and environmental health emergencies, rather than public health and public health emergencies.

(b) Same as the Executive.

(b) Same as the Executive.

(b) Same as the Executive.

(c) Stipulates that all rules, orders, and determinations of the Department of Health related to the Asbestos Abatement Program continue in effect until the rules, orders, and determinations of the Ohio EPA become effective.

(c) Same as the Executive.

(c) Same as the Executive.

(c) Same as the Executive.

(d) Stipulates that all licenses, certificates, permits, registration approvals, or endorsements issued by the Department of Health before January 1, 2018, continue in effect as if issued by the Ohio EPA.

(d) Same as the Executive.

(d) Same as the Executive.

(d) Same as the Executive.

(e) Stipulates that business commenced but not completed by the Department of Health must be completed by the Ohio EPA, and provides for the transfer of the authority over contracts from the Department to the Ohio EPA.

(e) Same as the Executive.

(e) Same as the Executive.

(e) Same as the Executive.

(f) Transfers all employees of the Department of Health working full-time for the Asbestos Abatement Program to the Ohio EPA, subject to specified labor laws and the applicable collective bargaining

(f) Same as the Executive.

(f) Same as the Executive.

(f) Same as the Executive.

**Executive**

**As Passed by the House**

**As Passed by the Senate**

**As Enacted**

agreement.

(g) Authorizes the Department of Health and the Ohio EPA to enter into a memorandum of understanding to facilitate the transfer.

(g) Same as the Executive.

(g) Same as the Executive.

(g) Same as the Executive.

(4) Requires money collected from civil and criminal penalties, fees, and other money collected under the law governing asbestos abatement to be deposited in the Non-Title V Clean Air Fund (Fund 4K20), rather than the General Operations Fund (Fund 4700) currently administered by the Department of Health.

(4) Same as the Executive.

(4) Same as the Executive.

(4) Same as the Executive.

(5) Permits the Director of Budget and Management, on January 1, 2018, or soon as possible thereafter, to transfer up to \$400,000 from Fund 4700 to Fund 4K20. Requires the Director, upon completion of the transfer, to cancel any existing encumbrances against DPF Fund 4700 appropriation item 440647, Fee Supported Programs, related to the asbestos abatement certification program, and them against DPF Fund 4K20 appropriation item 715648, Clean Air - Non-Title V. Appropriates the reestablished encumbrance amounts.

(5) Same as the Executive.

(5) Same as the Executive.

(5) Same as the Executive.

Executive

As Passed by the House

As Passed by the Senate

As Enacted

**Fiscal effect: Presumably, other than the onetime cost to move the program and related personnel from DOH to the Ohio EPA, there is no ongoing state fiscal effect as the revenue and related expenditures are simply shifting from one state agency to another.**

**Fiscal effect: Same as the Executive.**

**Fiscal effect: Same as the Executive.**

**Fiscal effect: Same as the Executive.**

**EPACD20 Monitoring of explosive gases at solid waste disposal facilities**

**R.C. 3734.041**

Revises the law governing the monitoring of methane gas at solid waste disposal facilities as follows:

(1) Authorizing, rather than requiring as provided under current law, the Director of Environmental Protection to order the submittal of explosive gas monitoring plans when there is a threat (rather than a danger as in current law) to human health or safety or the environment.

(2) Requiring a plan to be submitted for active or closed solid waste disposal facilities, if ordered, rather than for active or closed sanitary landfills (a subset of solid waste disposal facilities) as provided under current law.

(3) Adds to the individuals who may be required to create and submit an explosive gas monitoring plan to include a person

**R.C. 3734.041**

Same as the Executive.

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

**R.C. 3734.041**

Same as the Executive.

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

**R.C. 3734.041**

Same as the Executive.

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

**Executive**

**As Passed by the House**

**As Passed by the Senate**

**As Enacted**

appointed as a receiver under the law governing receiverships and a trustee in bankruptcy.

(4) Adds "information related to concentrations of explosive gas at or surrounding a facility" to the list of factors that may trigger an order to submit an explosive gas monitoring plan.

(4) Same as the Executive.

(4) Same as the Executive.

(4) Same as the Executive.

(5) Requires the plan to provide for adequate evaluation of explosive gas generation at and migration from the facility,

(5) Same as the Executive.

(5) Same as the Executive.

(5) Same as the Executive.

(6) Requires specified "responsible parties" associated with a facility to do both of the following after the submittal of the plan to: (a) monitor explosive gas levels at the facility, and (b) submit written reports of the results of the monitoring in accordance with the plan.

(6) Same as the Executive.

(6) Same as the Executive.

(6) Same as the Executive.

(7) Authorizes, rather than requires as provided under current law, the Director to do both of the following: (a) conduct an evaluation of the levels of explosive gases on the premises of a facility to determine whether the formation or migration of the gases is a threat to human health or safety or the environment, and (b) issue orders addressing explosive gas formation and migration issues at any facility (currently sanitary landfills only) when the Director determines that the formation and migration could threaten human health or safety or the environment.

(7) Same as the Executive.

(7) Same as the Executive.

(7) Same as the Executive.

Executive	As Passed by the House	As Passed by the Senate	As Enacted
(8) Authorizes the Director or the Director's authorized representative on their own initiative to enter on land where a facility is located in order to evaluate explosive gas generation and migration.	(8) Same as the Executive.	(8) Same as the Executive.	(8) Same as the Executive.
(9) Limits evaluations of structures in proximity of a facility to occupied structures, rather than all structures as under current law.	(9) Same as the Executive.	(9) Same as the Executive.	(9) Same as the Executive.
<b>Fiscal effect: Likely annual expense increase for the Ohio EPA to monitor an unknown number of additional facilities.</b>	<b>Fiscal effect: Same as the Executive.</b>	<b>Fiscal effect: Same as the Executive.</b>	<b>Fiscal effect: Same as the Executive.</b>
<b>EPACD1 Antiquated law governing solid waste facilities</b>			
<b>R.C. 3734.05, 3734.02, and 3734.06</b> Eliminates antiquated provisions of law that applied in the 1980s and early 1990s and that governed applications for a permit-to-install a solid waste facility.	<b>R.C. 3734.05, 3734.02, and 3734.06</b> Same as the Executive.	<b>R.C. 3734.05, 3734.02, and 3734.06</b> Same as the Executive.	<b>R.C. 3734.05, 3734.02, and 3734.06</b> Same as the Executive.
<b>Fiscal effect: None.</b>	<b>Fiscal effect: Same as the Executive.</b>	<b>Fiscal effect: Same as the Executive.</b>	<b>Fiscal effect: Same as the Executive.</b>

Executive

As Passed by the House

As Passed by the Senate

As Enacted

EPACD34 Inspection of commercial hazardous waste facilities

No provision.

No provision.

No provision.

**R.C. 3734.31**

Removes the Director of Environmental Protection's authorization under current law to do all of the following: (1) employ and equip one qualified individual or utilize proven and universally accepted technology to perform ongoing on-site inspection and monitoring functions at each operating commercial hazardous waste facility, (2) recover the actual and reasonable costs incurred by the Ohio Environmental Protection Agency (Ohio EPA) for maintaining qualified agency personnel on-site to perform such inspection and monitoring functions at the facility, and (3) negotiate with the owner or operator of a facility for the placement of additional on-site inspectors at the facility and for the costs incurred by the Ohio EPA for maintaining those inspectors at the facility.

**Fiscal effect: Uncertain**

**Executive**

**As Passed by the House**

**As Passed by the Senate**

**As Enacted**

**EPACD15 Scrap Tire Grant Fund transfer**

**R.C. 3734.82**

(1) Makes discretionary the current law requirement that the Director of Environmental Protection request the Director of Budget and Management to transfer \$1.0 million each fiscal year from the Scrap Tire Management Fund (Fund 4R50) to the Scrap Tire Grant Fund (Fund 5860).

(2) Makes discretionary the current law requirement that the Director of Budget and Management execute that transfer.

(3) Specifies that any amount transferred by the Director of Budget and Management may be up to \$1.0 million each fiscal year, rather than equal to \$1.0 million each fiscal year as in current law.

**Fiscal effect: Potentially: (1) increases the amount of money available in a given year for implementing, administering, and enforcing the state's Scrap Tire Management Law, and (2) decreases the amount available for grants.**

**R.C. 3734.82**

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

**Fiscal effect: Same as the Executive.**

**R.C. 3734.82**

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

**Fiscal effect: Same as the Executive.**

**R.C. 3734.82**

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

**Fiscal effect: Same as the Executive.**

Executive

As Passed by the House

As Passed by the Senate

As Enacted

EPACD26 Automotive shredder residue

**R.C. 3734.576**

(1) No provision.

(1) Exempts automotive shredder residue from classification as a solid waste, and requirements and fees applicable to other solid wastes if both of the following apply: (a) the automotive shredder residue is of uniform consistency resembling dirt or mulch; and (b) the particulate pieces that make up the residue do not exceed three inches in diameter.

(1) No provision.

(1) No provision.

(2) No provision.

(2) Specifies that automotive shredder residue that does not meet the exemption criteria is subject to the requirements and fees otherwise applicable to solid wastes.

(2) No provision.

(2) No provision.

(3) No provision.

(3) Authorizes automotive shredder residue that complies with the requirements for exemption as a solid waste to be used as daily cover if the residue provides protection comparable to six inches of soil.

(3) No provision.

(3) No provision.

Executive

As Passed by the House

As Passed by the Senate

As Enacted

Fiscal effect: Potential annual decrease in fees levied on the transfer or disposal of solid wastes (\$4.75 per ton) and credited to Fund 5BCO (\$2.85/ton), Fund 5030 (\$0.20/ton), Fund 5050 (\$0.70/ton), and Fund 4K30 (\$0.75/ton), all of which are used by the Ohio EPA, and Fund 5BV0 (\$0.25/ton) used by the Department of Agriculture. Potential annual decrease in similar fees that otherwise may have been collected by local solid waste management districts.

EPACD32 Alternative Daily Cover

No provision.

No provision.

**R.C. 3734.578**

Exempts solid waste that the Director of Environmental Protection approves for use as alternative daily cover and that is used as alternative daily cover from fees otherwise applicable to solid waste under current law.

**R.C. 3734.578**

Same as the Senate.

Executive

As Passed by the House

As Passed by the Senate

As Enacted

Fiscal effect: Potential annual decrease in fees levied on the transfer or disposal of solid wastes (\$4.75 per ton) and credited to Fund 5BCO (\$2.85/ton), Fund 5030 (\$0.20/ton), Fund 5050 (\$0.70/ton), and Fund 4K30 (\$0.75/ton), all of which are used by the Ohio EPA, and Fund 5BV0 (\$0.25/ton) used by the Department of Agriculture. Potential annual decrease in similar fees that otherwise may have been collected by local solid waste management districts.

Fiscal effect: Same as the Senate.

**EPACD8 Clean-up and removal activities at tire sites**

**R.C. 3734.821 (repealed)**

Repeals an obsolete provision of law that required, from September 2001, until June 2011, at least 65% of an existing 50¢ fee on the sale of tires to be expended for clean-up and removal activities at the Goss Tire Site in Muskingum County or other tire sites in Ohio.

**Fiscal effect: None.**

**R.C. 3734.821 (repealed)**

Same as the Executive.

**Fiscal effect: Same as the Executive.**

**R.C. 3734.821 (repealed)**

Same as the Executive.

**Fiscal effect: Same as the Executive.**

**R.C. 3734.821 (repealed)**

Same as the Executive.

**Fiscal effect: Same as the Executive.**

Executive

As Passed by the House

As Passed by the Senate

As Enacted

**EPACD19 Extension of sunset on fees on the sale of tires**

**R.C. 3734.901**

Extends, from June 30, 2018 to June 30, 2020, the sunset of both: (1) the base fee of 50¢ fee per tire levied on the sale of tires to assist in the cleanup of scrap tires, and (2) an additional fee of 50¢ fee per levied to assist soil and water conservation districts.

**Fiscal effect: The fee extensions preserve annual revenues totaling \$3.7 million for the Scrap Tire Management Fund (Fund 4R50) and \$3.7 million for the Soil and Water Conservation District Assistance Fund (Fund 5BV0) used by the Department of Agriculture.**

**R.C. 3734.901**

Same as the Executive.

**Fiscal effect: Same as the Executive.**

**R.C. 3734.901**

Same as the Executive.

**Fiscal effect: Same as the Executive.**

**R.C. 3734.901**

Same as the Executive.

**Fiscal effect: Same as the Executive.**

**EPACD6 EPA Authority to waive fees and late payment penalties**

**R.C. 3745.012**

Authorizes the Director of Environmental Protection to waive or reduce a fee incurred for either of the following: (1) a late payment penalty if the original fee amount due has been paid, or (2) a fee incurred during a response to an emergency, including fees for the disposal of material and debris, if the Governor declares a state of emergency

**R.C. 3745.012**

Same as the Executive.

**R.C. 3745.012**

Same as the Executive.

**R.C. 3745.012**

Same as the Executive.

Executive

As Passed by the House

As Passed by the Senate

As Enacted

**Fiscal effect: Potential annual revenue decrease in certain funds used by the Ohio Environmental Protection Agency to which these fees or late payment penalties otherwise would have been credited.**

**Fiscal effect: Same as the Executive.**

**Fiscal effect: Same as the Executive.**

**Fiscal effect: Same as the Executive.**

**EPACD3 Cleanup and Response Fund**

**R.C. 3745.016**

Requires the federally supported Cleanup and Response Fund (Fund 3F30) to be used for implementing the hazardous waste provisions of the Solid and Hazardous Wastes Law, as well as for supporting the investigation and remediation of contaminated property as under current law.

**R.C. 3745.016**

Same as the Executive.

**R.C. 3745.016**

Same as the Executive.

**R.C. 3745.016**

Same as the Executive.

**Fiscal effect: The provision gives the Ohio Environmental Protection Agency greater flexibility in funding its responsibility to implement hazardous waste law.**

**Fiscal effect: Same as the Executive.**

**Fiscal effect: Same as the Executive.**

**Fiscal effect: Same as the Executive.**

**Executive**

**As Passed by the House**

**As Passed by the Senate**

**As Enacted**

**EPACD4 New Ohio EPA division to administer certain programs**

**R.C. 3745.018**

(1) Requires the Director of Environmental Protection to establish a new division to administer the Ohio Environmental Protection Agency's (Ohio EPA) financial, technical, and compliance programs and assist communities, businesses, and other regulated entities.

(2) Requires the division administer all of the following: (a) existing state revolving wastewater and drinking water loan programs; (b) Ohio EPA grant programs, including the already established recycling and litter prevention grant programs; (c) existing programs for providing compliance and pollution prevention assistance to regulated entities; and (d) existing statewide source reduction, recycling, recycling market development and litter prevention programs.

**Fiscal effect: Potential minimal onetime cost to reorganize some of Ohio EPA's operations.**

**R.C. 3745.018**

(1) Same as the Executive.

(2) Same as the Executive.

**Fiscal effect: Same as the Executive.**

**R.C. 3745.018**

(1) Same as the Executive.

(2) Same as the Executive.

**Fiscal effect: Same as the Executive.**

**R.C. 3745.018**

(1) Same as the Executive.

(2) Same as the Executive.

**Fiscal effect: Same as the Executive.**

**Executive**

**As Passed by the House**

**As Passed by the Senate**

**As Enacted**

**EPACD22 Extension of various fees**

**R.C. 3745.11, 3734.57**

Extends, for two years, all of the following:

(1) The sunset on the annual emissions fees for synthetic minor facilities.

(2) The sunset of the annual discharge fees for holders of National Pollutant Discharge Elimination System (NPDES) permits issued under the Water Pollution Control Law.

(3) The levying of higher fees, and the decrease of those fees at the end of the two years, for applications for plan approvals for wastewater treatment works under the Water Pollution Control Law.

(4) The sunset of annual license fees for public water system licenses issued under the Safe Drinking Water Law.

(5) The levying of higher fees, and the decrease of those fees at the end of the two years, for plan approvals for public water supply systems under the Safe Drinking Water Law.

(6) The levying of higher fees, and the decrease of those fees at the end of the two years, for state certification of laboratories and laboratory personnel for purposes of the

**R.C. 3745.11, 3734.57**

Same as the Executive.

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

(4) Same as the Executive.

(5) Same as the Executive.

(6) Same as the Executive.

**R.C. 3745.11, 3734.57**

Same as the Executive.

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

(4) Same as the Executive.

(5) Same as the Executive.

(6) Same as the Executive.

**R.C. 3745.11, 3734.57**

Same as the Executive.

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

(4) Same as the Executive.

(5) Same as the Executive.

(6) Same as the Executive.

**Executive**

**As Passed by the House**

**As Passed by the Senate**

**As Enacted**

Safe Drinking Water Law.

(7) The levying of higher fees, and the decrease of those fees at the end of the two years, for applications and examinations for certification as operators of water supply systems or wastewater systems under the Safe Drinking Water Law or the Water Pollution Control Law.

(7) Same as the Executive.

(7) Same as the Executive.

(7) Same as the Executive.

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

(8) Same as the Executive.

(8) Same as the Executive.

(8) Same as the Executive.

(9) The sunset of fees levied on the transfer or disposal of solid wastes.

(9) Same as the Executive.

(9) Same as the Executive.

(9) Same as the Executive.

**Executive**

**As Passed by the House**

**As Passed by the Senate**

**As Enacted**

Fiscal effect: The fee extensions will continue annual revenues totaling \$75.5 million as follows: \$37.2 million for the Environmental Protection Fund (Fund 5BC0), \$9.8 million for the Solid Waste Fund (Fund 4K30), \$9.1 million for the Hazardous Waste Clean-Up Fund (Fund 5050), \$6.9 million for the Surface Water Protection Fund (Fund 4K40), \$6.2 million for the Drinking Water Protection Fund (Fund 4K50), \$3.3 million for the Soil and Water Conservation District Assistance Fund (Fund 5BV0) used by the Department of Agriculture, \$2.6 million for the Hazardous Waste Facility Management Fund (Fund 5030), and \$365,000 for the Clean Air - Non Title V Fund (Fund 4K20).

Fiscal effect: Same as the Executive.

Fiscal effect: Same as the Executive.

Fiscal effect: Same as the Executive.

**EPACD23 Title V air emissions fees**

**R.C. 3745.11**

Makes discretionary the requirement that the Director of Environmental Protection transfer up to 50¢ per ton of each type of Title V air pollution emission fee to the Small Business Assistance Fund (Fund 5A00).

**R.C. 3745.11**

Same as the Executive.

**R.C. 3745.11**

Same as the Executive.

**R.C. 3745.11**

Same as the Executive.

Executive	As Passed by the House	As Passed by the Senate	As Enacted
<p><b>Fiscal effect: Potential savings effect if the affected 50¢ per ton is not transferred to the Small Business Assistance Fund (Fund 5A00).</b></p>	<p><b>Fiscal effect: Same as the Executive.</b></p>	<p><b>Fiscal effect: Same as the Executive.</b></p>	<p><b>Fiscal effect: Same as the Executive.</b></p>
<p><b>EPACD24 Revision of NPDES permit fees</b></p>			
<p><b>R.C. 3745.11, 6111.14</b></p>	<p><b>R.C. 3745.11, 6111.14</b></p>	<p><b>R.C. 3745.11, 6111.14</b></p>	<p><b>R.C. 3745.11, 6111.14</b></p>
<p>(1) Requires the fee for the issuance of a National Pollutant Discharge Elimination System (NPDES) permit to be paid at the time of application along with the application fee.</p>	<p>(1) Same as the Executive.</p>	<p>(1) Same as the Executive.</p>	<p>(1) Same as the Executive.</p>
<p>(2) Changes the fee for municipal storm water discharge from \$100 per square mile of area permitted under a NPDES permit to \$10 per 1/10th of a square mile.</p>	<p>(2) Same as the Executive.</p>	<p>(2) Same as the Executive.</p>	<p>(2) Same as the Executive.</p>
<p><b>Fiscal effect: None.</b></p>	<p><b>Fiscal effect: Same as the Executive.</b></p>	<p><b>Fiscal effect: Same as the Executive.</b></p>	<p><b>Fiscal effect: Same as the Executive.</b></p>

Executive

As Passed by the House

As Passed by the Senate

As Enacted

EPACD27 Volkswagen settlement funding

**Section: 737.20**

**R.C. 3745.45**

(1) No provision.

(1) Requires the Director of the Ohio EPA, in consultation with the Director of Transportation, to distribute \$15 million in each of FY 2018 and FY 2019 from funding received under the Volkswagen Mitigation Trust Agreement or the Volkswagen Zero Emission Vehicle Fund arising from the Volkswagen Clean Air Act Settlement in accordance with the preferential scheme described in (2) below.

(1) No provision.

(1) No provision.

(2) No provision.

(2) Requires that: (a) first preference be given to qualifying projects that provide the greatest quantifiable reduction, in dollars per ton reduction, of carbon dioxide and nitrogen oxide; (b) second preference be given to qualifying projects that provide the greatest quantifiable reduction, in dollars per ton reduction, of carbon monoxide, fine particulate matter (pm 2.5), sulfur dioxide, and mercury; and (c) the methodology for calculating the quantifiable reductions be based on the U.S. EPA's methodology and incorporate the Greenhouse Gases, Regulated Emissions, and Energy Use in Transportation model.

(2) No provision.

(2) No provision.

(3) No provision.

(3) Establishes appropriations of \$15 million for each of FY 2018 and FY 2019 to award

(3) No provision.

(3) No provision.

Executive	As Passed by the House	As Passed by the Senate	As Enacted
(4) No provision.	<p>to transit authorities for purposes of rolling stock projects to supplement money awarded by the Department of Transportation under the Ohio Transit Preservation Partnership Program.</p> <p>(4) Requires the Department of Transportation to collaborate with the Ohio EPA to ensure distribution of the money complies with the preferential scheme and with the terms of the Volkswagen Clean Air Act Settlement, and specifies that the appropriations are from the Ohio EPA fund that receives the amounts under the settlement.</p>	(4) No provision.	(4) No provision.
(5) No provision.	<p>(5) Requires the directors of the Ohio EPA and Transportation, after they receive applications for qualifying projects, to submit a report of their findings and recommendations to the General Assembly before submitting the applications to the Settlement Trustee to request funding.</p>	(5) No provision.	(5) No provision.
(6) No provision.	(6) No provision.	(6) No provision.	<p>(6) Creates the Volkswagen Clean Air Act Settlement Fund consisting of money received by the state from the Volkswagen Clean Air Act Settlement, and declares that it is the intent of the General Assembly to appropriate into the fund the money received by Ohio from the settlement.</p>

Executive

As Passed by the House

As Passed by the Senate

As Enacted

Fiscal effect: The \$15 million in funding for each of FYs 2018 and FY 2019 provided under this provision supplements the Highway Operating Fund (Fund 7002) transit funding already contained in the Department of Transportation's appropriations enacted by H.B. 26 of the 132 General Assembly.

Fiscal effect: None

EPACD2 Toxic Release Inventory Program

R.C. 3751.02, 3751.01, 3751.03, 3751.04, 3751.05, 3751.10, 3751.11, Section 737.10

R.C. 3751.02, 3751.01, 3751.03, 3751.04, 3751.05, 3751.10, 3751.11, Section 737.10

R.C. 3751.02, 3751.01, 3751.03, 3751.04, 3751.05, 3751.10, 3751.11, Section 737.10

R.C. 3751.02, 3751.01, 3751.03, 3751.04, 3751.05, 3751.10, 3751.11, Section 737.10

(1) Allows owners and operators of specified facilities to fulfill toxic release inventory reporting requirements under the Toxic Release Inventory Program by complying with federal reporting requirements established by the U.S. Environmental Protection Agency (U.S. EPA).

(1) Same as the Executive.

(1) Same as the Executive.

(1) Same as the Executive.

(2) States that the electronic submission of a report to the U.S. EPA constitutes the simultaneous submission of the report to the Ohio Environmental Protection Agency (Ohio EPA) as required by federal law.

(2) Same as the Executive.

(2) Same as the Executive.

(2) Same as the Executive.

(3) Retains the authority of the Ohio EPA to undertake investigations and enforcement actions regarding violations of the Toxic Release Inventory Program and to impose civil and criminal penalties for such

(3) Same as the Executive.

(3) Same as the Executive.

(3) Same as the Executive.

**Executive**

**As Passed by the House**

**As Passed by the Senate**

**As Enacted**

violations.

(4) Eliminates fees required to be paid for filing a toxic release inventory report with the Ohio EPA, including late fees.

(4) Same as the Executive.

(4) Same as the Executive.

(4) Same as the Executive.

(5) Provides that any money collected by Ohio EPA before or after the bill's effective date from fees must remain in the Toxic Chemical Release Reporting Fund ( Fund 6780) to be used exclusively for implementing, administering, and enforcing the laws governing the Toxic Release Inventory Program.

(5) Same as the Executive.

(5) Same as the Executive.

(5) Same as the Executive.

**Fiscal effect: Annual revenue loss resulting from the elimination of fees credited to Fund 6780, and related expenditures decrease as the Ohio EPA's workload relative to this program is presumably reduced.**

**Fiscal effect: Same as the Executive.**

**Fiscal effect: Same as the Executive.**

**Fiscal effect: Same as the Executive.**

Executive

As Passed by the House

As Passed by the Senate

As Enacted

EPACD28 **\*\*VETOED\*\*** LGF penalty for municipal water and sewer actions

	R.C. <b>5747.504, 5747.51, 5747.53, Section 803.210</b>	R.C. <b>5747.504, 5747.51, 5747.53, Section 803.210</b>	R.C. <b>5747.504, 5747.51, 5747.53, Section 803.210</b>
(1) No provision.	[***VETOED: (1) Penalizes a municipal corporation that does not timely publish a plan to equalize water and sewer rates and that does not charge the same sewer and water rates its residents and nonresidents by reducing its Local Government Fund (LGF) payments by 20% until such time as the municipality charges the same sewer and water rates to all of its customers.***]	(1) Same as the House.	(1) Same as the House.
(2) No provision.	[***VETOED: (2) Withholds LGF funding from any municipal corporation that: (a) requires, as a condition of providing water or sewer services to another subdivision's territory, annexation, direct payments to the municipal corporation not related to providing such services, or compliance with any requirement not related to the services, or that (b) withdraws or threatens to withdraw service for the subdivision's failure to make such payments or comply with such conditions. Withholds LGF payments until the municipality no longer imposes those conditions. Distributes withheld LGF revenue to subdivisions affected by the municipal corporation's water and sewer-related actions. Specifies that the LGF penalty applies only against a municipal corporation	(2) Same as the House.	(2) Same as the House.

Executive

As Passed by the House

As Passed by the Senate

As Enacted

(3) No provision.

that operates a municipal water or sewerage system serving nonresidents and residents of the municipal corporation and having a population of over 700,000 as determined by the most recent federal decennial census.\*\*\*]

[\*\*\*VETOED: (3) Requires the Director of the Ohio EPA to send letters to subdivisions affected by any action described in (2) above explaining the process for creating a regional water and sewer district.\*\*\*]

**Fiscal effect: Currently, the provision applies only to the City of Columbus. The estimated amount of LGF funding that would be withheld from the City of Columbus is about \$4.4 million per year. The state allocated about \$22 million from the LGF to the City of Columbus in CY 2015. Actual penalties would depend on its LGF allocations in future years. The provision may also minimally increase the Department of Taxation's administrative expenses related to LGF distributions.**

(3) Same as the House.

**Fiscal effect: Same as the House.**

(3) Same as the House.

**Fiscal effect: Same as the House.**

Executive

As Passed by the House

As Passed by the Senate

As Enacted

**EPACD7 Industrial water pollution control certificate**

**R.C. 6111.03, 6111.04, 6111.30**  
Eliminates the authority of the Director of Environmental Protection to issue, deny, revoke, or modify industrial water pollution control certificates.

**R.C. 6111.03, 6111.04, 6111.30**  
Same as the Executive.

**R.C. 6111.03, 6111.04, 6111.30**  
Same as the Executive.

**R.C. 6111.03, 6111.04, 6111.30**  
Same as the Executive.

**Fiscal effect: None, as the authority to issue the certificates was transferred to the Department of Taxation in 2003.**

**Fiscal effect: Same as the Executive.**

**Fiscal effect: Same as the Executive.**

**Fiscal effect: Same as the Executive.**

**EPACD14 Construction Grants Fund and program**

**R.C. 6111.033 (repealed), 6111.40 (repealed)**  
(1) Eliminates the Construction Grant Fund (Fund 3630), which consists of money arising from grants to the state from the United States Environmental Protection Agency (U.S. EPA) under the Federal Water Pollution Control Act.

**R.C. 6111.033 (repealed), 6111.40 (repealed)**  
(1) Same as the Executive.

**R.C. 6111.033 (repealed), 6111.40 (repealed)**  
(1) Same as the Executive.

**R.C. 6111.033 (repealed), 6111.40 (repealed)**  
(1) Same as the Executive.

(2) Eliminates the construction grant program, under which a municipal corporation, board of county commissioners, conservancy district, sanitary district, or regional water and sewer district can apply for money for the design, acquisition, construction, alteration, and improvement of sewage and waste

(2) Same as the Executive.

(2) Same as the Executive.

(2) Same as the Executive.

**Executive**

**As Passed by the House**

**As Passed by the Senate**

**As Enacted**

treatment works.

**Fiscal effect: None, as the Fund is currently empty, and the U.S. EPA ceased making such grants.**

**Fiscal effect: Same as the Executive.**

**Fiscal effect: Same as the Executive.**

**Fiscal effect: Same as the Executive.**

**EPACD18 Water Pollution Control Loan Administrative Fund**

**R.C. 6111.036**

Authorizes the Water Pollution Control Loan Administrative Fund (Fund 6760) to be used for other water quality related programs in addition to the current authorization that the Ohio Environmental Protection Agency (Ohio EPA) use the fund to defray administrative costs associated with the Water Pollution Control Loan Program.

**Fiscal effect: Provides flexibility for the Ohio EPA to use money in Fund 6760.**

**R.C. 6111.036**

Same as the Executive.

**Fiscal effect: Same as the Executive.**

**R.C. 6111.036**

Same as the Executive.

**Fiscal effect: Same as the Executive.**

**R.C. 6111.036**

Same as the Executive.

**Fiscal effect: Same as the Executive.**

**EPACD29 Areawide waste treatment management planning**

(1) No provision.

**R.C. 6111.61, 6111.62, 6117.38**

(1) Requires the Governor to designate Clean Water Central Ohio as the entity responsible for waste treatment planning for Franklin County, and portions of Delaware, Licking, Fairfield, Pickaway, and Union Counties.

**R.C. 6111.61, 6111.62, 6117.38**

(1) No provision.

**R.C. 6111.61, 6111.62, 6117.38**

(1) No provision.

Executive	As Passed by the House	As Passed by the Senate	As Enacted
(2) No provision.	(2) Requires the governing board for Clean Water Central Ohio to consist of nine initial members designated by the Governor.	(2) No provision.	(2) No provision.
(3) No provision.	(3) Requires the membership of the initial governing board to consist of three members from the most populous municipal corporation within Clean Water Central Ohio's jurisdiction, and the remaining members to represent the next six most populous municipal corporations within such jurisdiction.	(3) No provision.	(3) No provision.
(4) No provision.	(4) Requires the initial governing board to adopt a resolution specifying the manner by which subsequent members of the governing board are selected and the term of office for those members. Specifies that the resolution must require three members to represent the most populous municipal corporation within Clean Water Central Ohio's jurisdiction and the remaining six members to equitably represent all other municipal corporations within that jurisdiction.	(4) No provision.	(4) No provision.
(5) No provision.	(5) Requires Clean Water Central Ohio to coordinate with the Ohio EPA to amend any existing plan established under the Federal Water Pollution Control Act that is applicable to the area within its jurisdiction, or create a new plan for that area.	(5) No provision.	(5) No provision.
(6) No provision.	(6) Requires Clean Water Central Ohio, in executing its duties, to comply with applicable requirements of the Federal Water Pollution Control Act and regulations	(6) No provision.	(6) No provision.

Executive	As Passed by the House	As Passed by the Senate	As Enacted
(7) No provision.	<p>promulgated under it.</p> <p>(7) Authorizes a county sewer district to contract to provide water and sewerage services to persons or entities located outside of the district, including outside of the county in which the district has jurisdiction.</p>	(7) Same as the House.	(7) Same as the House.
(8) No provision.	<p>(8) Requires an entity responsible for waste treatment management planning under the Federal Water Pollution Control Act, including the Ohio EPA, to do both of the following with regard to each waste treatment management plan over which the entity has authority:</p>	(8) No provision.	(8) No provision.
(a) No provision.	<p>(a) Determine if any element of each plan conflicts with or supersedes the authority of a county sewer district to enter into a contract for water and sewerage services with persons or entities located outside the district's jurisdiction;</p>	(a) No provision.	(a) No provision.
(b) No provision.	<p>(b) If any element of a plan does conflict with or supersede any such authorizations or requirements, amend the plan to eliminate the conflicting or superseding element.</p>	(b) No provision.	(b) No provision.
(9) No provision.	<p>(9) Prohibits an entity responsible for waste treatment management planning from adopting or amending a plan in a manner that results in a conflict with a county sewer district's contracting authority referenced above.</p>	(9) No provision.	(9) No provision.

**Executive**

**As Passed by the House**

**As Passed by the Senate**

**As Enacted**

**Fiscal effect: Uncertain.**

**Fiscal effect: Presumably, a county sewer district only would enter into the type of contract noted in provision (7) above if the revenue generated exceeded the amount expended to provide the service(s).**

**Fiscal effect: Same as the Senate.**

**EPACD21 Total maximum daily load**

**R.C. 6111.561, 6111.03, and Section 761.10**

**R.C. 6111.561, 6111.03, and Section 761.10**

**R.C. 6111.561, 6111.03, 6111.562, 6111.563, 6111.654**

Requires the Director of Environmental Protection to establish a total maximum daily load (TMDL) for pollutants for each impaired body of water in Ohio that is listed under the Federal Water Control Act and submit the TMDL to the U. S. EPA for approval.

Same as the Executive.

No provision.

Replaces the Executive provision with one that requires the Director to develop and establish a TMDL for waters of the state as required under the Federal Water Pollution Control Act for pollutants that the Administrator of the U.S. EPA has identified as suitable for such calculation.

Establishes requirements and procedures governing the development and appeal of TMDLs established by the Director.

Same as the Executive.

No provision.

Replaces the Executive provision with one that modifies the requirements and procedures applicable to the development and challenge of TMDLs established by the Director.

**Fiscal effect: Uncertain.**

**Fiscal effect: Same as the Executive.**

**Fiscal effect: Same as the Executive.**

**Executive**

**As Passed by the House**

**As Passed by the Senate**

**As Enacted**

**EPACD9 Areawide planning agencies**

**Section: 277.20**

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

**Section: 277.20**

Same as the Executive.

**Section: 277.20**

Same as the Executive.

**Section: 277.20**

Same as the Executive.

**EPACD10 Cash transfer to the Title V Clean Air Fund from the Small Business Assistance Fund**

**Sections: 277.20, 512.100**

Permits the Director of Budget and Management, on July 1, 2017, or as soon as possible thereafter, to transfer up to \$1,500,000 from the Small Business Assistance Fund (Fund 5A00) used by the Air Quality Development Authority to the Title V Clean Air Fund (Fund 4T30) used by the Environmental Protection Agency.

**Sections: 277.20, 512.100**

Same as the Executive.

**Sections: 277.20, 512.100**

Same as the Executive.

**Sections: 277.20, 512.100**

Same as the Executive.

**Executive**

**As Passed by the House**

**As Passed by the Senate**

**As Enacted**

**EPACD11 Cash transfer to the Auto Emissions Test Fund from the Scrap Tire Management Fund**

**Section: 277.20**

Requires the Director of Budget and Management, in consultation with the Director of Environmental Protection, establish a schedule of cash transfers totaling up to \$3,000,000 from the Scrap Tire Management Fund (Fund 4R50) to the Auto Emissions Test Fund (Fund 5BY0) during the period from July 1, 2017, to June 30, 2019.

**Section: 277.20**

Same as the Executive.

**Section: 277.20**

Same as the Executive, but increases the amount of the scheduled cash transfers by \$1,712,000, from up to \$3,000,000 to up to \$4,712,000.

**Section: 277.20**

Same as the Senate.

**EPACD13 Clean Ohio Revitalization Operating**

**Section: 277.20**

(1) Permits the Director of Environmental Protection, on July 1, 2018, or as soon as possible thereafter, to request that the Director of Budget and Management reappropriate any unexpended, unencumbered balance of the prior fiscal year's appropriation to Fund 5S10 appropriation item 715607, Clean Ohio Revitalization Operating, for FY 2019.

(2) Permits the Director of Budget and Management to request additional information necessary for evaluating the request, and requires the Director of

**Section: 277.20**

(1) Same as the Executive.

(2) Same as the Executive.

**Section: 277.20**

(1) Same as the Executive.

(2) Same as the Executive.

**Section: 277.20**

(1) Same as the Executive.

(2) Same as the Executive.

**Executive**

**As Passed by the House**

**As Passed by the Senate**

**As Enacted**

Environmental Protection to provide the requested information to the Director of Budget and Management.

(3) Requires the Director of Budget and Management, based on the information provided by the Director of Environmental Protection, to determine the amount to be reappropriated, and reappropriates those amounts in FY 2019.

(3) Same as the Executive.

(3) Same as the Executive.

(3) Same as the Executive.

**EPACD31 Cash transfer to the Environmental Protection Remediation Fund from the Litter Prevention and Recycling Fund**

No provision.

No provision.

**Section: 277.20**

Permits the Director of Budget and Management, in consultation with the Director of Environmental Protection, to transfer, on July 1, 2017, or as soon as possible thereafter, up to \$3,650,000 from the Litter Prevention and Recycling Fund (Fund 5320) to the Environmental Protection Remediation Fund (Fund 5410) to be used for the remediation of the ARCO construction and demolition debris site in Cleveland, Ohio. Appropriates the transferred cash to DPF Fund 5410 appropriation item 715670, Site Specific Cleanup.

**Section: 277.20**

Same as the Senate.

Executive

As Passed by the House

As Passed by the Senate

As Enacted

EPACD30 Alternative Fuel Vehicle Conversion Program

No provision.

No provision.

**Section: 277.20**

Requires, during the period from July 1, 2017, to June 30, 2019, the Director of Budget and Management, in consultation with the Director of Development Services and the Director of Environmental Protection, to transfer up to \$5,000,000 from the Alternative Fuel Transportation Fund (Fund 5CG0) used by the Development Services Agency to the Non-Title V Clean Air Fund (Fund 4K20) used by the Ohio Environmental Protection Agency. Appropriates the transferred amount to DPF Fund 4K20 appropriation item 715648, Clean Air - Non Title V. Requires that the appropriated amount be used for the Alternative Vehicle Conversion Program established under R.C. 122.076.

**Section: 277.20**

Same as the Senate.

**Executive**

**As Passed by the House**

**As Passed by the Senate**

**As Enacted**

**EPACD25 Cash transfers and abolishment of funds**

**Section: 512.90**

(1) Requires the Director of Budget and Management, on July 1, 2017, or as soon as possible thereafter, to transfer the cash balance in the Nonpoint Source Pollution Management Fund (Fund 3F50) to the Water Quality Protection Fund (3BU0), and the cash balance in the Federal Hazardous Waste Management Fund (Fund 3540) to the Federally Supported Cleanup and Response Fund (Fund 3F30).

(2) Abolishes, upon completion of the transfer and on the effective date of its repeal by the bill, where applicable, Fund 3F50 and Fund 3540.

(3) Requires the Director of Budget and Management, on July 1, 2017, or as soon as possible thereafter, to cancel any existing encumbrances against FED Fund 3F50 appropriation item 715641, Nonpoint Source Pollution Management, and reestablish them against FED Fund 3F30 appropriation item 715632, Federally Supported Cleanup and Response.

(4) Requires the Director of Budget and Management, on July 1, 2017, or as soon as possible thereafter, to cancel any existing encumbrances against FED Fund 3540

**Section: 512.90**

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

(4) Same as the Executive.

**Section: 512.90**

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

(4) Same as the Executive.

**Section: 512.90**

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

(4) Same as the Executive.

**Executive**

**As Passed by the House**

**As Passed by the Senate**

**As Enacted**

appropriation item 715614, Hazardous Waste Management - Federal, and reestablish them against FED Fund 3F30 appropriation item 715632, Federally Supported Cleanup and Response.

(5) Authorizes the Director of Budget and Management to take the necessary actions if any other existing encumbrances must be cancelled and reestablished to properly close Fund 3F50 and Fund 3540.

(5) Same as the Executive.

(5) Same as the Executive.

(5) Same as the Executive.

Executive

As Passed by the House

As Passed by the Senate

As Enacted

**AG OCD20 Background investigations under Solid, Hazardous, and Infectious Wastes Law**

Executive	As Passed by the House	As Passed by the Senate	As Enacted
No provision.	No provision.	<b>R.C. 3734.42</b> Alters the time frame for updating information concerning background information submitted via a disclosure statement by permit applicants, permittees, and prospective owners under the Solid, Hazardous, and Infectious Wastes Law by requiring both of the following:	<b>R.C. 3734.42</b> Same as the Senate
(1) No provision.	(1) No provision.	(1) The Attorney General, every five years (rather than every three years as under current law), to request from the Federal Bureau of Investigation any information regarding a criminal conviction with respect to each officer, director, partner, or key employee of an applicant, permittee, or prospective owner.	(1) Same as the Senate
(2) ) No provision.	(2) No provision.	(2) An applicant, permittee, or prospective owner, every five years (rather than every three years as under current law), to submit an affidavit listing information related to administrative, civil, and criminal actions during the previous five-year period (rather than the previous three years as under current law) regarding a business concern required to be listed on the disclosure statement.	(2) Same as the Senate

Executive

As Passed by the House

As Passed by the Senate

As Enacted

**Fiscal effect: Potential expenditure savings for the Attorney General's Environmental Background Investigation Unit and Bureau of Criminal Investigation as certain background investigations will be conducted less frequently. Revenue loss of as much as \$200,000 annually, as the related background maintenance investigation fee (\$1,500-\$5,000) credited to the Solid and Hazardous Waste Background Investigations Fund (Fund 6590) will be collected less frequently.**

**Fiscal effect: Same as the Senate.**

Executive

As Passed by the House

As Passed by the Senate

As Enacted

**OBMCD42 Cash transfer from select non-GRF funds to the GRF**

No provision.

No provision.

**Section: 512.12**

Authorizes the OBM Director to transfer cash each fiscal year from certain funds that are used by the Department of Commerce, the Environmental Protection Agency, the Department of Insurance, the Office of the Consumers' Counsel, the Bureau of Workers' Compensation, the Ohio Industrial Commission, the Public Utilities Commission, or the State Racing Commission, limiting the amounts transferred to no more than 2% of each fund's total FY 2017 appropriation, to the GRF. Specifies that such transfers may be made by intrastate transfer voucher.

**Section: 512.12**

Same as the Senate.

**Executive**

**As Passed by the House**

**As Passed by the Senate**

**As Enacted**

**LECCD1 Cash transfers to the Lake Erie Protection Fund**

**Section: 319.10**

(1) Permits the Director of Budget and Management, on July 1 of each fiscal year, or as soon as possible thereafter, to transfer up to \$25,000 from each of the following funds to the Lake Erie Protection Fund (Fund 4C00):

(a) Environmental Protection Fund (Fund 5BC0) used by the Ohio Environmental Protection Agency.

(b) Pesticide, Fertilizer and Lime Fund (Fund 6690) used by the Department of Agriculture.

(c) General Operations Fund (Fund 4700) used by the Department of Health.

(d) Central Support Indirect Fund (Fund 1570) used by the Department of Natural Resources.

(2) Permits the Director of Budget and Management, on July 1 of each fiscal year, or as soon as possible thereafter, to transfer \$25,000 from a fund used by the Development Services Agency, as specified by the Director of Development Services, to Fund 4C00.

**Section: 319.10**

(1) Same as the Executive.

(a) Same as the Executive.

(b) Same as the Executive.

(c) Same as the Executive.

(d) Same as the Executive.

(2) Same as the Executive.

**Section: 319.10**

(1) Same as the Executive.

(a) Same as the Executive.

(b) Same as the Executive.

(c) Same as the Executive.

(d) Same as the Executive.

(2) Same as the Executive.

**Section: 319.10**

(1) Same as the Executive.

(a) Same as the Executive.

(b) Same as the Executive.

(c) Same as the Executive.

(d) Same as the Executive.

(2) Same as the Executive.

**Executive**

**As Passed by the House**

**As Passed by the Senate**

**As Enacted**

(3) Permits Fund 4C00 to accept contributions and transfers made to the fund.

(3) Same as the Executive.

(3) Same as the Executive.

(3) Same as the Executive.

**Executive**

**As Passed by the House**

**As Passed by the Senate**

**As Enacted**

**PUCCD3 Power Siting Board updates**

**R.C. 4906.01, 4906.10, 4906.13**

(1) Redefines "major utility facility" to include an electric transmission line and associated facilities with a design capacity of 100 kilovolts or more rather than 125 kilovolts or more.

(2) Eliminates the two-year initial operation period during which the Ohio Environmental Protection Agency (OEPA) monitors and enforces compliance by newly certificated electric generating major utility facilities with OEPA law.

(3) Eliminates from the Ohio Power Siting Board (OPSB) law those provisions stating that a major utility facility (1) is under OEPA continuing jurisdiction and (2) must comply with all laws, rules, and standards regarding air and water pollution and solid and hazardous waste disposal laws.

(4) Limits a public agency or political subdivision from requiring approval, consent, a permit, a certificate, or any other condition for the operation of a major utility facility or an economically significant wind farm (under current law the limit is imposed only on initial operation).

**R.C. 4906.01, 4906.10, 4906.13**

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

(4) Same as the Executive.

**R.C. 4906.01, 4906.10, 4906.13**

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

(4) Same as the Executive.

**R.C. 4906.01, 4906.10, 4906.13**

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

(4) Same as the Executive.

Executive

As Passed by the House

As Passed by the Senate

As Enacted

Fiscal effect: Potential increase in the volume of applications and related fees paid to the OPSB by major utility facility owners. The current application fee for an electric power transmission line and other associated facilities ranges from \$10,000 to \$50,000. The amount is based on the estimated construction cost of the facility, and the OPSB chairman may charge the applicant a supplemental application fee to cover any necessary expenses incurred by OPSB in reviewing the application. Both 115 kilovolts (kV) and 120kV are standard electric transmission line voltages that would be newly subject to OPSB authority under the bill, but LSC is only aware of one such presence in Ohio. When the OPSB approved construction of the Blue Creek wind farm in 2010, it approved the installation of an electric collection system to transfer energy from the wind turbines to the collection substations and then to the electric transmission grid. The approved collection system included 7.4 miles of 115kV aboveground lines. According to data from PJM, which is the regional transmission organization that coordinates the movement of electricity in all or parts of 13 states (including Ohio) and the District of Columbia, Ohio's only 115kV facilities

Fiscal effect: Same as the Executive.

Fiscal effect: Same as the Executive.

Fiscal effect: Same as the Executive.

Executive

As Passed by the House

As Passed by the Senate

As Enacted

(shunt capacitors, transformers, and associated equipment) are located at the Blue Creek substation in Paulding County.

**PUCCD6 Utility Radiological Safety Board assessments**

**Section: 506.10**

Specifies, absent contractual agreements, the maximum amounts that may be assessed against each nuclear electric utility under R.C. 4937.05 on behalf of four state agencies and deposited into the specified funds as follows:

(1) \$125,000 in each fiscal year to the Utility Radiological Safety Fund (Fund 4E40), which is used by the Department of Agriculture.

(2) \$1,086,098 in each fiscal year to the Radiation Emergency Response Fund (Fund 6100), which is used by the Department of Health.

(3) \$298,304 in FY 2018 and \$303,174 in FY 2019 to the ER Radiological Safety Fund (Fund 6440), which is used by the Environmental Protection Agency.

(4) \$1,200,000 in each fiscal year to the Emergency Response Plan Fund (Fund 6570), which is used by the Department of Public Safety.

**Section: 506.10**

Same as the Executive.

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

(4) Same as the Executive.

**Section: 506.10**

Same as the Executive, but makes the following changes:

(1) Increases the amounts to \$140,176 in each fiscal year.

(2) Increases the FY 2018 amount to \$1,210,000 and the FY 2019 amount to \$1,300,000.

(3) Increases the FY 2018 amount to \$332,403 and the FY 2019 amount to \$352,430.

(4) Increases the amounts to \$1,258,624 in each fiscal year.

**Section: 506.10**

Same as the Senate.

(1) Same as the Senate.

(2) Same as the Senate.

(3) Same as the Senate.

(4) Same as the Senate.

**Executive**

**As Passed by the House**

**As Passed by the Senate**

**As Enacted**

**Fiscal effect: Up to \$2.8 million in each fiscal year may be assessed against nuclear electric utilities and made available to the four state agencies for their statutory purposes.**

**Fiscal effect: Same as the Executive.**

**Fiscal effect: Up to \$2.9 in FY 2018 and up to \$3.1 million in FY 2019 may be assessed against nuclear electric utilities and made available to the four state agencies for their statutory purposes.**

**Fiscal effect: Same as the Senate.**

Executive

As Passed by the House

As Passed by the Senate

As Enacted

Appropriation Language

**TAXCD14 Pollution control and energy facility exemption fees**

**R.C. 5709.212**

Eliminates the requirement that half of the application fees paid to have various pollution control or energy conversion facilities certified for property tax and sales tax exemptions be credited to the Exempt Facility Administration Fund (Fund 5W70) for use by the Department of Taxation (DOT) to recover costs of administering the issuance of certificates for such tax exemptions. (Administrative costs are currently paid from DOT's Fund 5W70 appropriation item 110627, Exempt Facility Administration.)

Earmarks all revenue arising from such fees to the appropriate state oversight agency (i.e., the Environmental Protection Agency or Development Services Agency).

**R.C. 5709.212**

Same as the Executive.

Same as the Executive.

**R.C. 5709.212**

Same as the Executive.

Same as the Executive.

**R.C. 5709.212**

Same as the Executive.

Same as the Executive.

## Executive

## As Passed by the House

## As Passed by the Senate

## As Enacted

Fiscal effect: The provision would decrease revenue allocation to Fund 5W70 and increases revenue allocation to the appropriate oversight agencies' fund (i.e. the Clean Air - Non Title V Fund (Fund 4K20) or the Surface Water Protection Fund (Fund 4K40) for use by the EPA, or the Exempt Facility Inspection Fund (Fund 5X10) for use by the DSA). Currently, half of the fee (0.5% of the total exempt facility project cost, not to exceed \$2,000 per facility) is credited to Fund 5W70 and the remaining half is allocated to the appropriate oversight agencies' fund - Fund 4K20, Fund 4K40, or Fund 5X10. Under continuing law, property used for pollution control or converting natural oil or gas to other forms of energy in industrial or commercial settings may be exempted from property taxation, and purchases of such property may be exempted from sales and use taxation. The DOT receives exemption applications and makes the final determination and handles administrative appeals. The EPA and DSA provide DOT with an opinion on whether property qualifies.

Fiscal effect: Same as the Executive.

Fiscal effect: Same as the Executive.

Fiscal effect: Same as the Executive.

**Executive**

**As Passed by the House**

**As Passed by the Senate**

**As Enacted**

**DOTCD29 Diesel Emissions Reduction Grant Program**

**Section: 512.80**

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

(2) Specifies that in addition to the expenditures allowed pursuant to section 122.861 of the Revised Code, program funds also may be used to assist projects involving the purchase or use of hybrid and alternative fuel vehicles that are allowed under CMAQ guidance developed by FHWA.

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

**Section: 512.80**

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

**Section: 512.80**

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

**Section: 512.80**

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

**Executive**

**As Passed by the House**

**As Passed by the Senate**

**As Enacted**

participation. Specifies that the reimbursements shall be made from moneys in Fund 7002.

(4) Specifies that expenditures for the program from Fund 7002 shall not exceed \$10 million in both FY 2018 and FY 2019.

(4) Same as the Executive.

(4) Same as the Executive.

(4) Same as the Executive.

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

(5) Same as the Executive.

(5) Same as the Executive.

(5) Same as the Executive.

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

(6) Same as the Executive.

(6) Same as the Executive.

(6) Same as the Executive.

## Executive

## As Passed by the House

## As Passed by the Senate

## As Enacted

Fiscal effect: The Diesel Emissions Reduction Grant Program has been authorized under temporary law of main operating budget bills in the same or a similar manner since the FY 2012-FY 2013 biennium. Up to \$10 million over the FY 2018-FY 2019 biennium may be used for the program from Fund 7002, complementing the federal CMAQ funding that metropolitan planning organizations (MPOs) receive from the Federal Highway Administration.

Fiscal effect: Same as the Executive.

Fiscal effect: Same as the Executive.

Fiscal effect: Same as the Executive.