

Ohio Environmental Protection Agency			Main Operating Appropriations Bill H.B. 96
Executive	As Passed By House	As Passed By Senate	As Reported By Conference Committee
EPACD23    Title V and synthetic minor adjacent facilities			
	R.C.        3704.011		
No provision.	Prohibits Ohio EPA from requiring a single Title V permit or a single synthetic minor facility operating permit for adjacent facilities owned and operated by the same person, if both of the following apply:	No provision.	No provision.
No provision.	(1) At least one of the adjacent facilities is involved in aerospace manufacturing or rework that is subject to specified emission standards.	(1) No provision.	(1) No provision.
No provision.	(2) The adjacent facilities are or will be located in a county with a population between 390,000 and 395,000.	(2) No provision.	(2) No provision.
No provision.	Requires Ohio EPA to issue a variance from any law, rule, or policy requiring adjacent facilities to operate under a single Title V permit or a single synthetic minor facility operating permit.	No provision.	No provision.
	Fiscal effect: Minimal.		
EPACD19    Community air monitoring			
	R.C.        3704.03, 3704.01, 3704.031, 3704.09, 3704.111, and 3704.112		R.C.        3704.03, 3704.01, 3704.031, 3704.09, 3704.111, and 3704.112
No provision.	Establishes requirements governing community air monitoring, which is any measurement or quantification of emissions or ambient air concentrations of an air contaminant other than via monitoring stations and monitors installed and operated in accordance with state or federal law.	No provision.	Same as the House but with the following exceptions to the definition of "community air monitoring:"
Legislative Budget Office		LSC   1	Office of Research and Drafting

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No provision.	No provision.	No provision.	(1) Monitoring conducted using monitoring devices identified in the most recent approved version of the USEPA's "List of Designated Reference and Equivalent Methods" or the most recent approved version of the USEPA's "Air Monitoring Network Plan" that are legally installed and operated;
No provision.	No provision.	No provision.	(2) Any measurement or quantification of ambient air concentrations of an air contaminant that is being used under federal law or an implementation plan, permit, variance, order issued prior to the bill's effective date; and
No provision.	No provision.	No provision.	(3) Any monitoring system installed and used by Ohio EPA or a local air pollution control authority under the terms of a delegation agreement.
No provision.	Prohibits Ohio EPA from imposing community air monitoring on an air contaminant source owner or air operator for sources where no specific monitoring requirement is otherwise specified in law, unless otherwise agreed to by the owner or air operator and Ohio EPA.	No provision.	Same as the House.
No provision.	Prohibits Ohio EPA from requiring an applicant for a permit for an air contaminant source to conduct community air monitoring prior to the issuance or renewal of a permit or a variance, except pursuant to federal requirements.	No provision.	Same as the House, but the prohibition applies without an exception for federal requirements.

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No provision.	Prohibits data produced from community air monitoring from being used as evidence, or disclosed or disseminated by Ohio EPA, a local air pollution control authority, or any person, to support either of the following for violations of or noncompliance with any federal or state air pollution regulation: (a) a fine, penalty, or notice of violation against any person; or (b) an administrative, regulatory, or judicial enforcement action, lawsuit, or proceeding.	No provision.	Same as the House, except eliminates the prohibition against the disclosure or dissemination of such data by Ohio EPA.
No provision.	Prohibits data produced from community air monitoring from being considered or relied upon by Ohio EPA or a local air pollution control authority in any rulemaking action, or in any action relating to the issuance of an installation permit or operating permit unless such consideration or reliance is requested by the air contaminant source owner or operator. <b>Fiscal effect: Minimal.</b>	No provision.	Same as the House.  <b>Fiscal effect: Same as the House.</b>
EPACD26    Air nuisance rule		<b>R.C.        3704.0310</b>	<b>R.C.        3704.0310</b>
No provision.	No provision.	Requires Ohio EPA to remove any air nuisance rule from the federally required national ambient air quality standards state implementation plan.	Same as the Senate.

Executive		As Passed By House		As Passed By Senate		As Reported By Conference Committee	
No provision.		No provision.		Prohibits Ohio EPA from including an air nuisance rule in the state implementation plan or relying on an air nuisance rule to implement or enforce ambient air quality standards adopted pursuant to the federal Clean Air Act (on and after the effective date of the bill).		Same as the Senate.	
				Fiscal effect: Potential increase in administrative expenses to remove rules.		Fiscal effect: Same as the Senate.	
EPACD4	E-check program contract extension						
R.C.	3704.14	R.C.	3704.14	R.C.	3704.14	R.C.	3704.14
Extends the motor vehicle inspection and maintenance program (E-Check) in counties where this program is federally mandated.		Same as the Executive.		Same as the Executive.		Same as the Executive.	
Authorizes Ohio EPA to request DAS to extend the existing contract with the contractor that conducts the program beginning July 1, 2025, for a period of up to 24 months.		Same as the Executive.		Same as the Executive.		Same as the Executive.	
Authorizes Ohio EPA Director to request DAS to extend the contract beginning July 1, 2027 for an additional 24 months until June 30, 2029.		No provision.		No provision.		No provision.	

Executive	As Passed By House	As Passed By Senate	As Reported By Conference Committee
Requires the decentralized motor vehicle inspection and maintenance program contract to achieve "an equivalent amount of emissions reductions" as the centralized program authorized by the contract specified above, rather than "at least the same emissions reductions" as the centralized contract as in current law.	Same as the Executive.	Same as the Executive.	Same as the Executive.
No provision.	Requires the Ohio EPA Director to immediately discontinue the E-check program and take any actions necessary to effectuate its termination if the USEPA determines that it is not necessary for Ohio or any area of Ohio to comply with the federal Clean Air Act.	Same as the House.	Same as the House.
<b>Fiscal effect: None. This program is a requirement that was developed as part of the federally approved State Implementation Plan (SIP) and compliance with the federal Clean Air Act so as to avoid the loss of federal funding and possible sanctions.</b>	<b>Fiscal effect: Same as the Executive, but discontinuation of the program could result in decreased GRF expenditures of about \$13.0 million per year.</b>	<b>Fiscal effect: Same as the House.</b>	<b>Fiscal effect: Same as the House.</b>
<b>EPACD17    Administration of solid waste and C&amp;DD fees</b>			
<b>R.C.        3714.07, 3714.073</b>			
Imposes the revised and reallocated fee structure (as discussed in EPACD15) that applies to the transfer and disposal of solid waste to construction and demolition debris (C&DD) that is transferred or disposed of at a solid waste transfer facility or solid waste disposal facility.	No provision.	No provision.	No provision.

Executive	As Passed By House	As Passed By Senate	As Reported By Conference Committee
Eliminates the requirement that solid waste facilities collect C&DD disposal fees on the disposal of C&DD at such facilities.	No provision.	No provision.	No provision.
Revises the remittance procedures for fees collected on the disposal of C&DD and asbestos or asbestos-containing material at a C&DD facility as follows:	No provision.	No provision.	No provision.
(a) Allows a board of health and the Ohio EPA Director to enter into an agreement for Ohio EPA to collect C&DD disposal fees on behalf of the board.	(a) No provision.	(a) No provision.	(a) No provision.
(b) Requires a municipal corporation, township, or county that appropriates money from C&DD disposal fees to mail a certified copy of the ordinance or resolution providing for the appropriation to the Ohio EPA Director in addition to the applicable board of health as in current law.	(b) No provision.	(b) No provision.	(b) No provision.

Executive	As Passed By House	As Passed By Senate	As Reported By Conference Committee
<p>Fiscal effect: Reduction in C&amp;DD fees collected at solid waste facilities and distributed to local boards of health and the following state funds: Solid Waste Fund (Fund 4K30), Recycling and Litter Prevention Fund (Fund 5320) used by Ohio EPA, and Soil and Water Conservation District Assistance Fund (Fund 5BV0) used by AGR. Increase in Solid waste fees collected at solid waste facilities and distributed to local boards of health and the following state funds: Hazardous Waste Facility Management Fund (Fund 5030), Hazardous Waste Clean-Up Fund (Fund 5050), Environmental Protection Fund (Fund 5BC0), National Priority List Remedial Support Fund (Fund 5YY0), Recycling and Litter Prevention Fund (Fund 5320), Environmental Protection Remediation Fund (Fund 5410) used by Ohio EPA, and Soil and Water Conservation District Assistance Fund (Fund 5BV0) used by AGR.</p>			
<p>EPACD9    Generator of infectious waste certificate fee</p> <p>R.C.        3734.021</p> <p>Eliminates the \$140 infectious waste generator registration application and renewal fee.</p> <p>Fiscal effect: Reduces the amount of fee revenue deposited to Fund 4K30 by about \$25,000 tri-annually.</p>	<p>R.C.        3734.021</p> <p>Same as the Executive.</p> <p>Fiscal effect: Same as the Executive.</p>	<p>R.C.        3734.021</p> <p>Same as the Executive.</p> <p>Fiscal effect: Same as the Executive.</p>	<p>R.C.        3734.021</p> <p>Same as the Executive.</p> <p>Fiscal effect: Same as the Executive.</p>

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EPACD16    Solid waste - community impact analysis and meetings

R.C.	3734.05	R.C.	3734.05	R.C.	3734.05	R.C.	3734.05
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Requires a person proposing to open a new solid waste facility or to modify an existing solid waste facility, when making an application for a permit, to submit with the application a community impact analysis that both evaluates the impact of the proposed solid waste disposal facility on the local economy and considers mitigation measures to minimize adverse impact on the host community.	No provision.	No provision.	No provision.
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Requires the applicant to maintain a publicly accessible website (to include the permit application and supporting documents, the community impact analysis, and public involvement information), provide public notices and hold meetings, maintain and distribute transcripts, and hold a public community involvement session on the application within the county in which the solid waste facility is located or within a contiguous county.	No provision.	No provision.	No provision.
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Allows the Ohio EPA Director to give notification of the public hearing regarding a solid waste facility permit application or infectious waste treatment facility permit application either via newspaper publication or publication on the Ohio EPA website instead of only in a newspaper as in current law.	Same as the Executive.	Same as the Executive.	Same as the Executive.
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Executive	As Passed By House	As Passed By Senate	As Reported By Conference Committee
Fiscal effect: Potential decrease in administrative expenditures when publishing notices on Ohio EPA website rather than in a newspaper publication.	Fiscal effect: Same as the Executive.	Fiscal effect: Same as the Executive.	Fiscal effect: Same as the Executive.
EPACD14 Environmental Protection Remediation Fund			
R.C. 3734.281, 3734.283			
Permits the Ohio EPA Director, through employees or contractors, to enter upon land when performing a remediation at a facility or location where money from the Environmental Protection Remediation Fund (Fund 5410) may be spent for various purposes, such as performing sampling and monitoring and abating or preventing air or water pollution or soil contamination.	No provision.	No provision.	No provision.
Permits money collected from judgments brought under the air pollution control law to be deposited to the Environmental Protection Remediation Fund (Fund 5410).	No provision.	No provision.	No provision.
Fiscal effect: Potential increase in revenue deposited to Fund 5410 from judgments brought under the air pollution control law.			
EPACD13 EPA fees			
R.C. 3734.57, 3734.901, 3745.11	R.C. 3734.57, 3745.11	R.C. 3734.57, 3745.11	R.C. 3734.57, 3745.11
Makes permanent the following Ohio EPA fees that are scheduled to expire between June 30, 2024, and June 30, 2026:	Same as the Executive, but removes the provisions that would have made permanent all of the fees enumerated in (a) through (j) and, instead, extends the current sunset of those fees by two years:	Same as the House, but makes the annual emissions fees for synthetic minor facilities permanent:	Same as the House.
(a) The fees levied on the transfer or disposal of solid waste.	(a) Same as the Executive.	(a) Same as the Executive.	(a) Same as the Executive.

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(b) The annual emissions fees for synthetic minor facilities.	(b) Same as the Executive.	(b) Same as the Executive.	(b) Same as the Executive.
(c) Application fees for plan approvals for wastewater treatment works under the Water Pollution Control Law.	(c) Same as the Executive.	(c) Same as the Executive.	(c) Same as the Executive.
(d) The annual discharge fees for holders of a National Pollution Discharge Elimination System (NPDES) permits issued under the Water Pollution Control Law.	(d) Same as the Executive.	(d) Same as the Executive.	(d) Same as the Executive.
(e) The annual surcharge paid by NPDES permit holders that are major dischargers.	(e) Same as the Executive.	(e) Same as the Executive.	(e) Same as the Executive.
(f) The initial and renewal license fees for public water system licenses issued under the Safe Drinking Water Law.	(f) Same as the Executive.	(f) Same as the Executive.	(f) Same as the Executive.
(g) The fee for plan approvals for public water supply systems under the Safe Drinking Water Law.	(g) Same as the Executive.	(g) Same as the Executive.	(g) Same as the Executive.
(h) The fees for state certification of laboratories and laboratory personnel for purposes of the Safe Drinking Water Law.	(h) Same as the Executive.	(h) Same as the Executive.	(h) Same as the Executive.
(i) The application and examination fees for certification as operators of water supply systems or wastewater systems under the Safe Drinking Water Law or the Water Pollution Control Law.	(i) Same as the Executive.	(i) Same as the Executive.	(i) Same as the Executive.
(j) The application fees for permits, variances, and plan approvals under the Water Pollution Control Law and the Safe Drinking Water Law.	(j) Same as the Executive.	(j) Same as the Executive.	(j) Same as the Executive.

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Fiscal effect: The fee extensions will preserve annual revenues of \$91.4 million allocated for use by Ohio EPA and AGR as follows: \$365,000 for the Clean Air - Non Title V Fund (Fund 4K20), \$14.2 million for the Solid Waste Fund (Fund 4K30), \$9.0 million for the Surface Water Protection Fund (Fund 4K40), \$7.0 million for the Drinking Water Protection Fund (Fund 4K50), \$1.7 million for the Hazardous Waste Facility Management Fund (Fund 5030), \$9.5 million for the Hazardous Waste Clean-Up Fund (Fund 5050), \$44.4 million for the Environmental Protection Fund (Fund 5BC0), and \$1.3 million for the National Priority List Remedial Support Fund (Fund 5YY0) used by Ohio EPA; and \$3.9 million for the Soil and Water Conservation District Assistance Fund (Fund 5BV0) used by AGR. Other provisions modify the allocation of solid waste disposal fees and reduce the Ohio EPA portion by \$7.1 million annually, redirecting that amount for use by local boards of health.	Fiscal effect: Same as the Executive, but extends the annual revenue streams for the affected state funds until they are subject to sunset on June 30, 2028.	Fiscal effect: Same as the House, but extends the annual revenue the Clean Air - Non Title V Fund (Fund 4K20) permanently.	Fiscal effect: Same as the House.
EPACD15    Solid waste and C&DD fees R.C.        3734.57  Modifies fees totaling \$4.75 a ton on solid waste transfer and disposal as follows:	No provision.	No provision.	No provision.

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Reduces a 71¢ per ton fee to 55¢ per ton and allocates the proceeds as follows: (a) 9¢ per ton, rather than 11¢ per ton, to the Hazardous Waste Facility Management Fund (Fund 5030), and (b) 46¢ per ton, rather than 60¢ per ton, to the Hazardous Waste Clean-Up Fund (Fund 5050).	No provision.	No provision.	No provision.
Increases a 90¢ per ton fee to \$1.35 per ton and allocates the proceeds as follows: (a) 90¢ per ton, as currently allocated, to the Solid Waste Fund (Fund 4K30), and (b) a new 45¢ per ton allocation to be transmitted to the approved board of health of the health district in which the facility that collects the fee is located.	No provision.	No provision.	No provision.
Reduces, from \$2.81 per ton to \$2.15 per ton, the fee that is deposited in the Environmental Protection Fund (Fund 5BC0).	No provision.	No provision.	No provision.
Reduces, from 8¢ per ton to 6¢ per ton, the fee that is deposited in the National Priority List Remedial Support Fund (Fund 5YY0).	No provision.	No provision.	No provision.
Allocates the remaining portion of the \$4.75 a ton fee as follows: (a) 18¢ per ton to the Recycling and Litter Prevention Fund (Fund 5320) (new allocation), (b) 21¢ per ton to the Environmental Protection Remediation Fund (Fund 5410) (new allocation), and (c) 25¢ per ton fee that is used to provide assistance to soil and water conservation districts (current allocation unchanged).	No provision.	No provision.	No provision.

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Fiscal effect: The fee reallocations will reduce annual revenues from \$71.0 million to \$63.9 million allocated for use by Ohio EPA as follows: \$947,000 to Fund 5YY0, \$1.4 million to Fund 5030, \$2.8 million to Fund 5320, \$3.3 million to Fund 5410, \$7.3 million to Fund 5050, \$14.2 million to Fund 4K30, and \$44.4 million to Fund 5BC0, and \$6.6 million to local boards of health. The 25¢ portion of the fee deposited to Soil and Water Conservation District Assistance Fund (Fund 5BV0) and used by AGR is unaffected. Local boards of health will see a collective revenue increase of \$7.1 million annually.

EPACD8	Removing solid waste or construction and demolition debris
R.C.	3734.85

Permits the Ohio EPA Director to take various actions regarding accumulations of solid waste and construction and demolition debris (C&DD) in the same manner that the Director may take those actions regarding scrap tires including:	No provision.	No provision.	No provision.
(a) Issuing an order to the responsible person directing that person to remove the accumulation of solid waste or C&DD from a premises and transport the removed material to the proper facility;	(a) No provision.	(a) No provision.	(a) No provision.
(b) Taking actions to remove and manage the solid waste or C&DD such as transporting the removed material to the proper facility if the recipient fails to comply with the removal order; and	(b) No provision.	(b) No provision.	(b) No provision.

Executive	As Passed By House	As Passed By Senate	As Reported By Conference Committee
(c) Collecting costs incurred by Ohio EPA for conducting the removal action by having a lien placed on the property where the accumulation of solid waste or C&DD was removed or requesting the Attorney General to bring a civil action against the proper person.	(c) No provision.	(c) No provision.	(c) No provision.
Modifies the enforcement and removal action priority list for scrap tires in current law to account for actions concerning solid waste or C&DD.	No provision.	No provision.	No provision.
Exempts a property owner from liability for scrap tire removal costs, and prohibits a lien from being placed on the property, for the removal of at least 100 scrap tires aggregated from multiple properties when collected during an Ohio EPA-approved community cleanup event.	No provision.	No provision.	No provision.
Exempts a county, municipal corporation, township, or county land reutilization corporation from liability for scrap tire removal costs, and prohibits a lien from being placed on the property, for the removal of up to 10,000 scrap tires, or more at the Ohio EPA Director's discretion, when scrap tires were placed on the property prior to acquisition.	No provision.	No provision.	No provision.
<b>Fiscal effect: Potential increase in expenditures to perform solid waste and C&amp;DD removal offset by permitted cost recovery.</b>			

Executive		As Passed By House		As Passed By Senate		As Reported By Conference Committee	
EPACD24	Scrap Tire Fees						
R.C.	3734.901	R.C.	3734.901	R.C.	3734.901	R.C.	3734.901
Makes permanent the 50¢ per tire fee deposited into the Scrap Tire Management Fund which is scheduled to expire on June 30, 2026.		Same as the Executive, but removes the provisions that would have made permanent the fee and, instead, extends the current sunset until June 30, 2028.		Same as the House.		Same as the House.	
Makes permanent the 50¢ per tire fee deposited into the Soil and Water Conservation District Assistance Fund which is scheduled to expire on June 30, 2026.		Same as the Executive, but removes the provisions that would have made permanent the fee and, instead, extends the current sunset until June 30, 2041.		Same as the House, but extends the current sunset until June 30, 2028.		Same as the Senate.	
Fiscal effect: Retains annual revenues of \$8.0 million: \$4.0 million to the Scrap Tire Management Fund (Fund 4R50) used by Ohio EPA, and \$4.0 million to Soil and Water Conservation District Assistance Fund (Fund 5BV0) used by AGR.		Fiscal effect: Same as the Executive.		Fiscal effect: Same as the Executive.		Fiscal effect: Same as the Executive.	
EPACD3	Ohio EPA Division of Air Pollution Control - fee increases						
R.C.	3745.11	R.C.	3745.11	R.C.	3745.11	R.C.	3745.11
Establishes an annual fee in addition to existing emission-based annual fees as follows:		Same as the Executive, but alters the additional annual fee as follows:		Same as the Executive.		Same as the Executive.	
(a) \$5,000 charged to Title V air pollution control permit holders.		(a) Same as the Executive, but changes the amount of the fee to \$5,000 multiplied by the total tons of regulated pollutants emitted from the air contaminant source in the previous calendar year divided by 100.		(a) Same as the Executive.		(a) Same as the Executive.	

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(b) \$5,000 charged to synthetic minor facilities.	(b) Same as the Executive, but changes the amount of the fee to \$5,000 multiplied by the total tons of regulated pollutants emitted from the facility in the previous calendar year divided by 100.	(b) Same as the Executive.	(b) Same as the Executive.
Increases fees related to Ohio EPA's air pollution control program, including fees for facility permits to install and annual fees that are based on total air pollution emissions or emission capacity by 50%.	Same as the Executive.	Same as the Executive.	Same as the Executive.
<b>Fiscal effect: Increased annual fee revenue of \$2.6 million to Fund 4T30 from new annual fee, and \$6.0 million to Fund 4K20 from new and increased fees.</b>	<b>Fiscal effect: Same as the Executive, but revenues deposited to Fund 4K20 from new fees will depend on the amount of pollutants emitted.</b>	<b>Fiscal effect: Same as the Executive.</b>	<b>Fiscal effect: Same as the Executive.</b>
<b>EPACD5    Public water supply system fees</b> <b>R.C.        3745.11</b>	<b>R.C.        3745.11</b>		
Allows the Ohio EPA Director to adopt rules permitting the current administrative service fee for political subdivisions or investor-owned public utilities that enter into certain connection or distribution agreements with the Ohio EPA to be charged to any entity applying for a public water supply system plan approval for either extensions of distribution facilities or increases in the number of service connections, instead of the current fee of \$150 + 0.35% of the estimated project cost.	Same as the Executive.	No provision.	No provision.
<b>Fiscal effect: Potential decrease in the amount of fee revenue for plan approvals deposited to Fund 4K50.</b>	<b>Fiscal effect: Same as the Executive.</b>		



Ohio Environmental Protection Agency						Main Operating Appropriations Bill H.B. 96							
Executive		As Passed By House				As Passed By Senate				As Reported By Conference Committee			
EPACD6	Industrial water pollution control facility certificate												
R.C.	3745.11, 3734.05, 3734.79, 5709.212, 6111.01, 6111.04		R.C.	3745.11, 3734.05, 3734.79, 5709.212, 6111.01, 6111.04		R.C.	3745.11, 3734.05, 3734.79, 5709.212, 6111.01, 6111.04		R.C.	3745.11, 3734.05, 3734.79, 5709.212, 6111.01, 6111.04			
Eliminates the application fee of .5% of the total exempt facility project costs, not to exceed \$2,000, for an industrial water pollution control facility that files for a certificate to exempt the facility from certain taxes.		Same as the Executive.		Same as the Executive.		Same as the Executive.		Same as the Executive.		Same as the Executive.			
Eliminates the application fee for an industrial water pollution control certificate submitted prior to June 26, 2003, to exempt the facility from certain taxes.		Same as the Executive.		Same as the Executive.		Same as the Executive.		Same as the Executive.		Same as the Executive.			
Fiscal effect: Reduces the amount of fee revenue deposited to Fund 4K40 by \$30,000		Fiscal effect: Same as the Executive.				Fiscal effect: Same as the Executive.				Fiscal effect: Same as the Executive.			
EPACD22	Wastewater treatment works plan approval fee												
R.C.	3745.11		No provision.		No provision.		No provision.		No provision.		No provision.		
Increases the fee for a person applying for a wastewater treatment works plan approval from \$100 +.65% of the estimated project cost to \$100 +.65% of the estimated project cost plus \$100 +.2% of the estimated project cost, but retains the \$15,000 cap for this fee.		No provision.		No provision.		No provision.		No provision.		No provision.			
Fiscal effect: The increased wastewater treatment works plan approval fee will increase annual revenues deposited to Fund 4K40 by \$3.0 million or less due to the fee cap.													

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EPACD27 Ohio Environmental Education Fund Advisory Council			
		R.C. 3745.21	R.C. 3745.21
No provision.	No provision.	Eliminates a position on the Ohio Environmental Education Fund Advisory Council for a member of the Senate.	Same as the Senate.
		Fiscal effect: Minimal.	Fiscal effect: Same as the Senate.
EPACD25 State Emergency Response Commission			
R.C. 3750.02	R.C. 3750.02	R.C. 3750.02	R.C. 3750.02
Adds the DAS Director to the Emergency Response Commission as an ex officio member.	Same as the Executive.	Same as the Executive.	Same as the Executive.
No provision.	Replaces the chairs of the respective standing committees primarily responsible for considering environmental issues as nonvoting members of the commission with a House member appointed by the House Speaker and a Senate member appointed by the Senate President.	Same as the House.	Same as the House.
Fiscal effect: None.	Fiscal effect: Same as the Executive.	Fiscal effect: Same as the Executive.	Fiscal effect: Same as the Executive.

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<b>EPACD11    Proposed filling of an isolated wetland mitigation</b>			
<b>R.C.        6111.02, 6111.022, 6111.023,               6111.024, 6111.025, 6111.027</b>			
Replaces the current preferred order for mitigating the proposed filling of an isolated wetland that is subject to level 1, 2, or 3 review with the following preferred order: (1) Purchasing credits at an approved wetland mitigation bank; (2) Purchasing credits at an approved in-lieu mitigation program; and (3) Constructing individual mitigation projects.	No provision.	No provision.	No provision.
Allows a deviation from the preferred order if the Ohio EPA Director determines, or the applicant demonstrates, that the size or quality of the impacted resource or the lack of available mitigation credits necessitates a change in that order.	No provision.	No provision.	No provision.
Requires Ohio EPA Director to adopt rules governing the approval and use of wetland mitigation banks and in-lieu fee mitigation programs.	No provision.	No provision.	No provision.
<b>Fiscal effect: Potential increase in administrative expenditures to adopt rules governing the approval and use of wetland mitigation banks and in-lieu fee mitigation programs.</b>			

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<b>EPACD12    Isolated wetland levels 2 and 3 review</b>			
<b>R.C.        6111.023, 6111.024</b>			
Requires information that must be submitted to Ohio EPA for purposes of level 2 or 3 review of a proposed filling of isolated wetlands to include a listing of all waters on site and the proposed buffers on avoided resources.	No provision.	No provision.	No provision.
<b>Fiscal effect: None.</b>			
<b>EPACD1    Areawide Planning Agencies</b>			
<b>Section:    277.20</b>	<b>Section:    277.20</b>	<b>Section:    277.20</b>	<b>Section:    277.20</b>
Permits the Ohio EPA Director to award grants from Fund 5BC0 ALI 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.	Same as the Executive.	Same as the Executive.	Same as the Executive.
<b>EPACD2    Automobile Emission Testing Program</b>			
<b>Section:    277.20</b>	<b>Section:    277.20</b>	<b>Section:    277.20</b>	<b>Section:    277.20</b>
Requires GRF ALI 715502, Auto Emissions E-Check Program, to be used to support the automobile emission testing program.	Same as the Executive.	Same as the Executive.	Same as the Executive.
Permits the Ohio EPA Director, on July 1, 2025, or as soon as possible thereafter, to request that the DAS Director extend the contract with the vendor operating in accordance with R.C. 3704.14 (A)(1) for not longer than twelve months.	Same as the Executive.	Same as the Executive.	Same as the Executive.

Executive	As Passed By House	As Passed By Senate	As Reported By Conference Committee
In the event that the contractor selected in accordance with R.C. 3704.14 (A)(2) cannot complete the required work prior to July 1, 2025, permits the DAS Director to enter into a contract extension utilizing GRF ALI 715502, Auto Emissions E-Check Program, provided that (a) the contract contains the same terms, and (b) no funds are paid for incomplete work.	Same as the Executive.	Same as the Executive.	Same as the Executive.
EPACD28 Cash transfer to the Auto Emissions Test Fund from the Scrap Tire Management Fund			
No provision.	No provision.	Section: 277.20 Permits OBM, at the request of the Ohio EPA, and with approval of the CEB, to transfer up to \$1,400,000 in each fiscal year to the Auto Emissions Test Fund (Fund 5BY0) from the Scrap Tire Management Fund (Fund 4R50).	Section: 277.20 Same as the Senate.
EPACD18 E-check review and report			
No provision.	Section: 737.10 Requires the Ohio EPA Director to conduct a review to assess whether the current E-check program is necessary and to evaluate the impact of weather patterns over northeast Ohio on emissions and air quality.	Section: 737.10 Same as the House.	Section: 737.10 Same as the House.
No provision.	Requires the Ohio EPA, within 18 months of the effective date of the bill, to compile the findings of the annual review into a report, submit the report to the General Assembly, and make the report available to the public on Ohio EPA's website.	Same as the House.	Same as the House.

Ohio Environmental Protection Agency			Main Operating Appropriations Bill H.B. 96
Executive	As Passed By House	As Passed By Senate	As Reported By Conference Committee
	Fiscal effect: Increased administrative costs to Ohio EPA to conduct assessments and report findings.	Fiscal effect: Same as the House.	Fiscal effect: Same as the House.

Executive	As Passed By House	As Passed By Senate	As Reported By Conference Committee
<b>AGRCD27    Transfer from the GRF to the H2Ohio Fund</b>			
<b>Section:    512.10</b> Allows the OBM Director to transfer \$270,276,066 in FY 2026 from the General Revenue Fund to the H2Ohio Fund (Fund 6H20).	<b>Section:    512.10</b> Same as Executive, but decreases the transfer amount to \$150,000,000.	<b>Section:    512.10</b> Same as House, but increases the transfer amount to \$170,000,000.	<b>Section:    512.10</b> Same as the Senate, but decreases the cash transfer to \$165,000,000.

Executive	As Passed By House	As Passed By Senate	As Reported By Conference Committee
OBMCD53 Fund interest to GRF		R.C. 3770.06, 105.41, 122.14, 122.6510, 122.6511, 122.6512, 126.24, 126.60, 126.62, 2108.34, 3701.841, 5168.25, and 5753.031; Sections 265.370 and 503.140	R.C. 105.41, 122.14, 122.6510, 122.6511, 122.6512, 126.24, 126.60, 126.62, 2108.34, 3701.841, 5168.25, and 5753.031; Section 503.140
No provision.	No provision.	Redirects interest earnings from the following funds to the GRF: Lottery Profits Education Reserve Fund, Brownfields Revolving Loan Fund, Brownfield Remediation Fund, Building Demolition and Site Revitalization Fund, OAKS Support Organization Fund, H2Ohio Fund, All Ohio Future Fund, Facilities Establishment Fund, Second Chance Trust Fund, Tobacco Use Prevention Fund, Lottery Profits Education Fund, State Liquor Regulatory Fund, Hospital Assessment Fund, and Sports Gaming Profits Education Fund.	Same as the Senate, but excludes interest earnings from the Lottery Profits Education Fund (Fund 7017) and Lottery Profits Education Reserve Fund (Fund 7018).
No provision.	No provision.	Requires OBM to direct the investment earnings of the following funds to the GRF by July 15, 2025: Capitol Square Improvement Fund (Fund 5AN1), The Health Care/Medicaid Support and Recoveries Fund (Fund 5DL0), Ohio Workforce Incumbent Job Training Fund (Fund 5NH0).  Fiscal effect: Likely increases GRF revenues in the tens of millions of dollars each fiscal year.	Same as the Senate.  Fiscal effect: Same as the Senate.



Executive		As Passed By House		As Passed By Senate		As Reported By Conference Committee	
DOHCD32    Scope of environmental health specialists' practice							
R.C.	3776.01	R.C.	3776.01				
Removes the administration or enforcement of the hazardous waste law from the scope of practice of environmental health that an environmental health specialist or environmental health specialist in training may engage in.		Same as the Executive.		No provision.		No provision.	
Fiscal effect: None.		Fiscal effect: Same as the Executive.					

Executive		As Passed By House	As Passed By Senate	As Reported By Conference Committee
LECCD1	Cash Transfers to the Lake Erie Protection Fund			
Section: 319.20		Section: 319.20	Section: 319.20	Section: 319.20
Permits the OBM Director to transfer up to \$25,000 in each fiscal year from each of the following funds to the Lake Erie Protection Fund (Fund 4C00):		Same as the Executive.	Same as the Executive.	Same as the Executive.
(a) Environmental Protection Fund (Fund 5BC0) used by Ohio EPA.		(a) Same as the Executive.	(a) Same as the Executive.	(a) Same as the Executive.
(b) Pesticide, Fertilizer and Lime Fund (Fund 6690) used by AGR.		(b) Same as the Executive.	(b) Same as the Executive.	(b) Same as the Executive.
(c) General Operations Fund (Fund 4700) used by DOH.		(c) Same as the Executive.	(c) Same as the Executive.	(c) Same as the Executive.
(d) Program Support Fund (Fund 1570) used by DNR.		(d) Same as the Executive.	(d) Same as the Executive.	(d) Same as the Executive.
(e) Highway Operating Fund (Fund 7002) used by ODOT.		(e) Same as the Executive.	(e) No provision.	(e) No provision.
(f) Supportive Services Fund (Fund 1350) used by DEV.		(f) Same as the Executive.	(f) Same as the Executive.	(f) Same as the Executive.
Permits Fund 4C00 to accept contributions and transfers made to the fund.		Same as the Executive.	Same as the Executive.	Same as the Executive.

Executive	As Passed By House	As Passed By Senate	As Reported By Conference Committee
<b>Other Taxation Provisions</b>			
<b>TAXCD71    Replacement tire fee: eliminate 4% discount</b>			
<b>R.C.            3734.904, Section 801.110</b>	<b>R.C.            3734.904, Section 801.110</b>		<b>R.C.            3734.904, Section 801.110</b>
Effective January 1, 2026, eliminates the 4% discount for wholesale distributors of replacement tires or retail dealers who timely file and pay the replacement tire fee administered by TAX.	Same as the Executive.	No provision.	Same as the Executive.
<b>Fiscal effect: Increases fee revenue to the Scrap Tire Management Fund (Fund 4R50) used by EPA and the Soil and Water Conservation District Assistance Fund (Fund 5BV0) used by AGR.</b>	<b>Fiscal effect: Same as the Executive.</b>		<b>Fiscal effect: Same as the Executive.</b>

Executive	As Passed By House	As Passed By Senate	As Reported By Conference Committee
<b>DOTCD53 Diesel Emission Reduction Grant Program</b>			
<b>Section: 755.10</b>	<b>Section: 755.10</b>		
Establishes the Diesel Emissions Grant Reduction Program, administered by Ohio EPA and funded by Highway Operating Fund (Fund 7002) appropriations under the ODOT budget.	Same as the Executive.	No provision.	No provision.
Requires the EPA Director, in consultation with the ODOT Director, to develop guidance, including a method of prioritization for projects submitted by public and private entities that are eligible for the federal CMAQ Program. Requires the DOT Director to process FHA-approved projects recommended by the EPA Director.	Same as the Executive.	No provision.	No provision.
Allows Diesel Emissions Reduction Grant Program funds to be used to buy hybrid and alternative fuel vehicles that are allowed under FHA guidance for the CMAQ program.	Same as the Executive.	No provision.	No provision.
Limits total program expenditures to \$10,000,000 in each fiscal year. Provides that these grants do not reduce the amount of funding designated for Metropolitan Planning Organizations for similar projects.	Same as the Executive.	No provision.	No provision.