Ohio Environmental Protection Agency	Main Operating Appropriations Bill H.B. 96		
Executive	As Passed By House		
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.	(1) At least one of the adjacent facilities is involved in aerospace manufacturing or rework that is subject to specified emission standards.		
No provision.	(2) The adjacent facilities are or will be located in a county with a population between 390,000 and 395,000.		
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.		
	Fiscal effect: Minimal.		
EPACD19 Community air monitoring			
	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.	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.	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.		

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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.	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.
FDACDA F sheet program contract extension	Fiscal effect: Minimal.
EPACD4 E-check program contract extension 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.
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.
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.
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.

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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.
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.	Fiscal effect: Same as the Executive, but discontinuation of the program could result in decreased GRF expenditures of about \$13.0 million per year.
EPACD17 Administration of solid waste and Cⅅ fees	
R.C. 3714.07, 3714.073	
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 (Cⅅ) that is transferred or disposed of at a solid waste transfer facility or solid waste disposal facility.	No provision.
Eliminates the requirement that solid waste facilities collect Cⅅ disposal fees on the disposal of Cⅅ at such facilities.	No provision.
Revises the remittance procedures for fees collected on the disposal of Cⅅ and asbestos or asbestos-containing material at a Cⅅ facility as follows:	No provision.
(a) Allows a board of health and the Ohio EPA Director to enter into an agreement for Ohio EPA to collect Cⅅ disposal fees on behalf of the board.	(a) No provision.

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(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.

Fiscal effect: Reduction in C&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.

(b) No provision.

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Executive		As Passed By House
EPACD9	Generator of infectious waste certificate fee	
R.C.	3734.021	R.C. 3734.021
Eliminates and renev	s the \$140 infectious waste generator registration application wal fee.	Same as the Executive.
	ect: Reduces the amount of fee revenue deposited to Fund about \$25,000 tri-annually.	Fiscal effect: Same as the Executive.
EPACD16	Solid waste - community impact analysis and meetings	
R.C.	3734.05	R.C. 3734.05
modify an permit, to both evaluation the local e	a person proposing to open a new solid waste facility or to n existing solid waste facility, when making an application for a submit with the application a community impact analysis that uates the impact of the proposed solid waste disposal facility on economy and considers mitigation measures to minimize mpact on the host community.	No provision.
include the impact an notices are public cor	the applicant to maintain a publicly accessible website (to ne permit application and supporting documents, the community nalysis, and public involvement information), provide public and hold meetings, maintain and distribute transcripts, and hold a mmunity involvement session on the application within the which the solid waste facility is located or within a contiguous	No provision.
Allows the regarding treatment	e Ohio EPA Director to give notification of the public hearing a solid waste facility permit application or infectious waste t facility permit application either via newspaper publication or on the Ohio EPA website instead of only in a newspaper as in two.	Same as the Executive.
	ect: Potential decrease in administrative expenditures when g notices on Ohio EPA website rather than in a newspaper on.	Fiscal effect: Same as the Executive.

Ohio E	nvironmental Protection Agency	Main Operating Appropriations Bill H.B. 96
Executive		As Passed By House
EPACD14	Environmental Protection Remediation Fund	
R.C.	3734.281, 3734.283	
enter upo where mo (Fund 542 sampling	the Ohio EPA Director, through employees or contractors, to on land when performing a remediation at a facility or location oney from the Environmental Protection Remediation Fund (LO) may be spent for various purposes, such as performing and monitoring and abating or preventing air or water pollution on tamination.	No provision.
	noney collected from judgments brought under the air pollution w to be deposited to the Environmental Protection Remediation and 5410).	No provision.
	ect: Potential increase in revenue deposited to Fund 5410 from its brought under the air pollution control law.	
EPACD13	EPA fees	
R.C.	3734.57, 3734.901, 3745.11	R.C. 3734.57, 3745.11
-	rmanent the following Ohio EPA fees that are scheduled to tween 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:
(a) The fe	es levied on the transfer or disposal of solid waste.	(a) Same as the Executive.
(b) The ar	nnual emissions fees for synthetic minor facilities.	(b) Same as the Executive.
	ation fees for plan approvals for wastewater treatment works Water Pollution Control Law.	(c) Same as the Executive.
• •	nnual discharge fees for holders of a National Pollution Discharge on System (NPDES) permits issued under the Water Pollution aw.	(d) Same as the Executive.
(e) The ar	nnual surcharge paid by NPDES permit holders that are major rs.	(e) Same as the Executive.
	tial and renewal license fees for public water system licenses der the Safe Drinking Water Law.	(f) Same as the Executive.
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- (g) The fee for plan approvals for public water supply systems under the Safe Drinking Water Law.
- (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.
- (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.
- (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.

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 to Fund 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 to Hazardous Waste Facility Management Fund (Fund 5030), \$9.5 million to Fund Hazardous Waste Clean-Up Fund (Fund 5050), \$44.4 million to Environmental Protection Fund (Fund 5BC0), and \$1.3 million to National Priority List Remedial Support Fund (Fund 5YY0) used by Ohio EPA; and \$3.9 million to 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.

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.

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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).

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.

Reduces, from \$2.81 per ton to \$2.15 per ton, the fee that is deposited in the Environmental Protection Fund (Fund 5BCO).

Reduces, from 8¢ per ton to 6¢ per ton, the fee that is deposited in the National Priority List Remedial Support Fund (Fund 5YY0).

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).

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.

No provision.

No provision.

No provision.

No provision.

No provision.

Onio Environmental Protection Agency		-	0 11 1	H.B. 96
Executive	As Passed By House			
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 (Cⅅ) in the same manner that the Director may take those actions regarding scrap tires including:	No provision.			
(a) Issuing an order to the responsible person directing that person to remove the accumulation of solid waste or Cⅅ from a premises and transport the removed material to the proper facility;	(a) No provision.			
(b)Taking actions to remove and manage the solid waste or Cⅅ such as transporting the removed material to the proper facility if the recipient fails to comply with the removal order; and	(b) No provision.			
(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 Cⅅ was removed or requesting the Attorney General to bring a civil action against the proper person.	(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.			
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.			
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.			
Fiscal effect: Potential increase in expenditures to perform solid waste and Cⅅ removal offset by permitted cost recovery.				

Ohio Environmental Protection Agency	y		Main Operating Appropriations Bill H.B. 96
Executive		,	As Passed By House
EPACD24 Scrap Tire Fees			
		ı	R.C. 3734.901
Makes permanent the 50¢ per tire fee deposited Management Fund which is scheduled to expire of		۱ ۱	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.
Makes permanent the 50¢ per tire fee deposited Conservation District Assistance Fund which is sch June 30, 2026.		۱,	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.
Fiscal effect: Retains annual revenues of \$8.0 mi Scrap Tire Management Fund (Fund 4R50) used I million to Soil and Water Conservation District A 5BV0) used by AGR. EPACD3 Ohio EPA Division of Air Pollution Contro	oy Ohio EPA, and \$4.0 ssistance Fund (Fund	'	Fiscal effect: Same as the Executive.
R.C. 3745.11	i - lee ilicreases		R.C. 3745.11
Establishes an annual fee in addition to existing elees as follows:	mission-based annual		Same as the Executive, but alters the additional annual fee as follows:
(a) \$5,000 charged to Title V air pollution control	permit holders.	1	(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.
(b) \$5,000 charged to synthetic minor facilities.		1	(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.
Increases fees related to Ohio EPA's air pollution of including fees for facility permits to install and an on total air pollution emissions or emission capac	nual fees that are based	5	Same as the Executive.
Fiscal effect: Increased annual fee revenue of \$2 from new annual fee, and \$6.0 million to Fund 4			Fiscal effect: Same as the Executive, but revenues deposited to Fund 4K20 from new fees will depend on the amount of pollutants emitted.

increased fees.

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Executive			As Passed By House
EPACD5	Public water supply system fees		
R.C.	3745.11		R.C. 3745.11
administr public uti agreemen public wa distribution instead o	e Ohio EPA Director to adopt rules permitting the current rative service fee for political subdivisions or investor-owned lities that enter into certain connection or distribution at with the Ohio EPA to be charged to any entity applying for a after supply system plan approval for either extensions of on facilities or increases in the number of service connections, if the current fee of \$150 + 0.35% of the estimated project cost.	1	Same as the Executive.
	ect: Potential decrease in the amount of fee revenue for plan s deposited to Fund 4K50.		Fiscal effect: Same as the Executive.
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
costs, not	s the application fee of .5% of the total exempt facility project to exceed \$2,000, for an industrial water pollution control at files for a certificate to exempt the facility from certain taxes.		Same as the Executive.
	s the application fee for an industrial water pollution control e submitted prior to June 26, 2003, to exempt the facility from exes.		Same as the Executive.
Fiscal effo	ect: Reduces the amount of fee revenue deposited to Fund		Fiscal effect: Same as the Executive.
EPACD22	Wastewater treatment works plan approval fee		
R.C.	3745.11		
plan appr +.65% of	the fee for a person applying for a wastewater treatment works oval from \$100 +.65% of the estimated project cost to \$100 the estimated project cost plus \$100 +.2% of the estimated ost, but retains the \$15,000 cap for this fee.	1	No provision.
fee will in	ect: The increased wastewater treatment works plan approval ncrease annual revenues deposited to Fund 4K40 by \$3.0 r less due to the fee cap.		
	T 1 - 0.00	1	

Ohio E	nvironmental Protection Agency		Main Operating Appropriations Bill H.B. 96
Executive			As Passed By House
EPACD25	State Emergency Response Commission		
R.C.	3750.02		R.C. 3750.02
Adds the officio me	DAS Director to the Emergency Response Commission as an exember.		Same as the Executive.
No provis	ion.		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.
Fiscal effe	ect: None.		Fiscal effect: Same as the Executive.
EPACD7	Scope of environmental health specialists' practice		
R.C.	3776.01		R.C. 3776.01
from the	the administration or enforcement of the hazardous waste law scope of practice of environmental health that an environmental ecialist or environmental health specialist in training may engage		Same as the Executive.
Fiscal effe	ect: None.		Fiscal effect: Same as the Executive.
EPACD11	Proposed filling of an isolated wetland mitigation		
R.C.	6111.02, 6111.022, 6111.023, 6111.024, 6111.025, 6111.027		
an isolate following mitigation	the current preferred order for mitigating the proposed filling of ed wetland that is subject to level 1, 2, or 3 review with the preferred order: (1) Purchasing credits at an approved wetland in bank; (2) Purchasing credits at an approved in-lieu mitigation and (3) Constructing individual mitigation projects.	1	No provision.
determine impacted	deviation from the preferred order if the Ohio EPA Director es, or the applicant demonstrates, that the size or quality of the resource or the lack of available mitigation credits necessitates in that order.		No provision.
•	Ohio EPA Director to adopt rules governing the approval and use d mitigation banks and in-lieu fee mitigation programs.		No provision.
Legislativ	ve Budget Office LSC	:	Office of Research and Drafting

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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.

EPACD12 Isolated wetland levels 2 and 3 review

R.C. 6111.023. 6111.024

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.

Fiscal effect: None.

EPACD1 Areawide Planning Agencies

Section: 277.20

Permits the Ohio EPA Director to award grants from Fund 5BCO 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.

Section: 277.20

Same as the Executive.

Fiscal effect: Same as the Executive.

EPACD2 Automobile Emission Testing Program

Section: 277.20

Requires GRF ALI 715502, Auto Emissions E-Check Program, to be used to support the automobile emission testing program.

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.

Section: 277.20

Same as the Executive.

Same as the Executive.

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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.
EPACD18 E-check review and report	
	Section: 737.10
No provision.	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.
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.
	Fiscal effect: Increased administrative costs to Ohio EPA to conduct assessments and report findings.

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As Passed By House

AGRCD27 Transfer from the GRF to the H2Ohio Fund

Section: 512.10

Allows the OBM Director to transfer \$270,276,066 in FY 2026 from the General Revenue Fund to the H2Ohio Fund (Fund 6H2O).

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Section: 512.10

Section: 512.10

Same as Executive, but decreases the transfer amount to \$150,000,000.

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Executive		,	As Passe	d By House	
DOHCD32	Scope of environmental health specialists' practice				
R.C.	3776.01	1	R.C.	3776.01	
from the s	the administration or enforcement of the hazardous waste law cope of practice of environmental health that an environmental ecialist or environmental health specialist in training may engage	1 :	Same as t	the Executive.	
Fiscal effe	ct: None.		Fiscal eff	ect: Same as th	e Executive.

Same as the Executive.

fund.

Permits Fund 4C00 to accept contributions and transfers made to the

Other Taxation Provisions

TAXCD71 Replacement tire fee: eliminate 4% discount

R.C. 3734.904, Section 801.110

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.

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.

R.C. 3734.904, Section 801.110

Same as the Executive.

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.

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.