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Good afternoon Chairwoman Anielski, Vice-Chair Hambley, and members of the State and Local Government Committee. My name is Chris Ludle and I am the Deputy Director of Public Service for the City of Akron. Akron owns and operates public drinking water treatment and distribution, and wastewater collection and treatment facilities serving nearly 300,000 people. The Water Supply Bureau provides about 13 billion gallons of fresh clean water every year. The fresh water is delivered to our customers through a network of over 1200 miles of piping, 16 high service pump stations, 10 water storage facilities and 2 in-town reservoirs. Similarly, our Water Reclamation Services treats about 70 million gallons per day of wastewater collected through a vast array of nearly 1400 miles of sanitary, storm and combined sewers, 36 sewage pump stations, and an every growing list of substantial infrastructure assets with the implementation of our billion-dollar CSO Long-term Control Plan. The common denominator for all of our facilities is the piping that connects them all together.

Thank you for the opportunity to present testimony in opposition to H.B. 121 (the Pipe Materials Bill) on behalf of the City of Akron. H.B. 121 would require “consideration” of all piping materials for water and wastewater projects funded by Ohio EPA’s state revolving loan funds. This legislation incorrectly assumes that all pipe materials, communities and engineers are the same and that the absence of a material in a specification requires state government intervention. Similarly situated communities and engineers make different pipe material selections to reflect the unique needs and values of their community, and they should retain this ability. The City of Akron utilizes its Construction and Materials Specifications to guide its designers and engineers on acceptable piping materials utilized for specific applications. Our Construction and Materials Specifications have been vetted through over 100 years of practical application and experience, with input from professionals in the trenches. Pipe materials are not the same – they have very different service lives, durability, reliability, economic and safety characteristics. Communities and their engineers need to retain the ability, without unnecessary and potentially costly government mandates, to determine the best pipe material(s) to specify considering these and other factors important to the local community.

Passage of H.B. 121 could potentially politicize and add unnecessary administrative costs to the procurement process by encouraging bids that include materials already rejected by engineers and/or local communities in their specifications. It would lead to a significant increase in bid protests and litigation over pipe selection on state-funded projects, thereby increasing costs, delaying projects, and subjecting engineers and communities to unnecessary expense. The City of Akron, in complying with its federal

consent decree and implementation of its Long-term Control Plan funded almost entirely with state revolving loan money, has very defined Achievement of Full Operation (AFO) dates. Delays in material procurement due to litigation over material selection would result in increased costs and payment of stipulated penalties for an already unaffordable federal mandate.

Chairwoman Anielski, and members of the State and Local Government Committee, I appreciate your consideration of our opponent testimony to H.B. 121 to ensure that local utilities and their engineers continue to have the freedom and flexibility to cost-efficiently specify piping materials that are most suitable under their particular circumstances. I am happy to answer any questions from the committee.