

**Before the Ohio House Energy and Natural Resources Committee  
Testimony on Amended Senate Bill 2 – 132<sup>nd</sup> General Assembly**

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May 2, 2017

Chairman Landis, Vice Chair Hagan, and members of the House Energy and Natural Resources Committee: thank you for the opportunity to provide comments on Amended Senate Bill 2, SB2.

I am a registered Professional Engineer in Ohio, and I support SB2. By way of background, I have lived in Bay Village and Westlake Ohio since 1977, and I appreciate the plentiful and safe drinking water that I have enjoyed from Lake Erie. I have been the chairman of the Ohio Registration Board for Professional Engineers and Surveyors, and I have been the president of the Ohio Society of Professional Engineers. I also have experience at NSF International in Ann Arbor, MI, the independent body that certifies potable water pipe, plumbing, fittings and fixtures and drinking water additives for the U.S. and other countries. Thus, I have experience as an Ohio regulator responsible for the health, safety and welfare of the public; and as a technical expert on potable water pipes and plumbing, and drinking water quality.

SB2 updates state requirements in several areas for improving water quality in Ohio. Here are comments on topics where I have expertise.

The bill strengthens the Ohio EPA authority over public drinking water systems. Modifying the requirement to allow for alternative forms of financial assistance in lieu of an escrow account for a new installation or modifications to a community water system provides greater flexibility and helps to assure that the engineering and construction are properly executed. Allowing the Agency to order the use of financial assurance to complete or correct the construction should help ensure that that issues are addressed in a timely manner.

Requiring public water systems to demonstrate the technical, managerial and financial capability of the system in an asset management program is sound oversight. Reviewing emergency preparedness and contingency plans is part of ensuring public safety. Asking public water systems to show compliance with the Revised Code and corresponding rules will increase the Public's confidence in our drinking water, as well as some give some idea as to future funding requirements and rates. Consideration should be given to requiring an updated asset management program when privately owned public water systems are sold or transferred. Taken together, these steps enable our drinking water infrastructure to be sustainable.

As part of understanding where improvements to drinking water infrastructure and operations should be made, Ohio EPA should increase unannounced or non-routine inspections of public and private systems, which is currently under its authority. There are about 4600 drinking water systems in Ohio, and priority should be placed upon small systems because they may not have

the resources available to large systems in terms of sufficient staff to check operations and capital for maintenance and repair.

Regarding beneficial use of dredge materials, the bill allows the Ohio EPA to adopt rules to protect the public health, safety and the environment. As stated in the bill, the criteria and requirements must be no less stringent than Federal standards. In turn, this framework should be used to develop criteria for the beneficial use of dredge material in specific applications. Properly deployed, these requirements should bring clarity to the beneficial use of dredge material, and avoid the tug of war we have seen over dumping Cuyahoga River dredge material in Lake Erie.

Given our lakes and rivers and underground sources, Ohio has the best, long lasting supply of drinking water in the U.S., if not the world. In June 2016, Governor Kasich signed House Bill 512 into law, moving Ohio into the lead nationally for protecting our drinking water. Amended Senate Bill 2 enhances our water quality, and helps protect the health, safety and welfare of our 11 million fellow Ohioans, a responsibility that must continue.

I am willing to help the Legislature and the Ohio EPA with this legislation, subsequent regulations and implementation.

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