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Senator John Eklund - Sponsor Testimony
Senate Bill 31
Senate Energy and Natural Resources Committee
March 1, 2017

Thank you Chairman Balderson, Vice-chair Jordan, Ranking Member O'Brien and members for the opportunity to provide sponsor testimony on SB 31.

The concepts that underlie this bill are easily stated. They are that one size usually fits none, and that if it isn't broke, don't fix it. In this case we are talking about Household Sewage and Small Flows on-Site Sewage Treatment Systems.

Some of you may be familiar with the history of this issue. In 2010 after much contention the General Assembly passed SB 110, which essentially led to years of rule-making proceedings at the Department of Health. Those Rules finally became effective on January 1, 2015.

A number of local health officials in the State are convinced that the new rules are, for many thousands of Ohioans, unnecessary, overly complicated, and will cost consumers many thousands of dollars each when the time comes to replace their septic systems. It will be up to the experts to convince you of the accuracy of their claims.

But, you need not be fully convinced of those claims in order to act favorably on SB 31. It does not propose to dismantle the new Rules; it does not propose to dismantle the Department of Health; nor does it propose to eliminate regulation of these systems.

Instead, the bill simply provides that if a health district can show that a high percentage of the systems it oversees have been and remain compliant under the previous Rules, the political bodies that oversee the District may, by Resolution, choose to be governed by the previous Rules. In other words, in Districts where there were no meaningful problems before 2015, let's not borrow trouble - if it wasn't broke, don't fix it.

Importantly, under the Bill, this determination would have to be supported and ultimately made on a District-by-District basis. This, I believe, will lead to more rigorous analysis and impel local health officials to more fully engage in the business of thoughtful regulation. And, in the bargain, allow local and State officials to give candid recognition to the fact that the soil, surface

and groundwater and rock conditions in Lake County are different from those in Darke County. In other words, one size ultimately fits none.

Thank you, Mr. Chairman for taking up the bill. I will appreciate the Committee's favorable action upon it, and I am happy to try and answer any questions you have at this time.