

5.1.24 SB 119 Statement

Opposing statement of Ben Nutter, WIN Waste Innovations

Chairman Kick, Vice Chair Lear, Ranking Member Rogers, and members of the House Energy and Natural Resources Committee, thank you for the opportunity to provide testimony in opposition to Senate Bill (SB) 119. My name is Ben Nutter and I lead Community Engagement and Government Affairs for WIN Waste Innovations. I am a resident of Seneca County and have served my community as a firefighter and county commissioner. As a lifelong Seneca County resident, I understand the history — both recent and distant — of this asset in our community.

We at WIN Waste Innovations of Seneca County strongly oppose Senate Bill 119 due to its detrimental impact on Ohio businesses, municipalities, and local residents. This bill proposes permissive fee increases that unfairly burden Ohioans and without demonstrating the need for such additional funds within Ohio Solid Waste Management Districts or Health Departments.

SB119 proposes taxing solid waste to fund oversight at facilities such as the WIN Waste Seneca County landfill. Since 2021, WIN Seneca County has been inspected 250 times with no enforceable actions cited. Additionally, the Seneca County General Health District had an unencumbered balance of \$4.2M as of December 30, 2023, and the OSS Solid waste district unencumbered balance was over \$3.1M as of March 3, 2024. This demonstrates more than enough resources for oversight.

The proposed increase disproportionately affects Ohio entities and the aforementioned audiences, imposing higher fees than those in surrounding states that could hinder our economic growth and development. Ohio has been successful in attracting investors from different places in the country because the Ohio General Assembly has been consistent with its regulations. However, SB119 undermines this consistency and conveys a negative message to potential investors and workers in our state.

Moreover, SB 119 attempts to present a “one-size-fits-all” statewide solution to what is a local issue. Communities like Fostoria can already address concerns through their own zoning authority and Solid Waste Management Plans—a blanket solution undermines this governance and ignores the flexibility needed to respond to unique local circumstances.

The bill also fails to acknowledge established regulatory frameworks that empower Ohio Solid Waste Management Districts to regulate the expansion of existing facilities and the establishment of new ones. Local zoning requirements already ensure solid waste facilities comply with community standards and environmental regulations.

Furthermore, SB 119 overlooks the extensive efforts undertaken by facilities like WIN Waste Innovations of Seneca County to meet health and safety standards. Years of scientific data

demonstrate the facility's commitment to environmental stewardship and the well-being of surrounding communities. Punitive measures within the bill target operators no longer involved with the facility, unfairly penalizing current stakeholders. Since November of 2023, WIN Waste has been inspected an unprecedented 147 times, with no enforcement actions.

The repercussions of SB 119 extend beyond regulatory concerns. The bill jeopardizes the livelihoods of over 250 Ohioans employed by WIN Waste as well as Ohio's business-friendly reputation. Investments made in the state are contingent upon regulatory certainty, and SB 119 sends a detrimental message to businesses considering investment in Ohio.

In addition to providing an essential service, WIN Waste Innovations is a major contributor to the local economy, investing \$10 million in wages (100 well-paying, local jobs) and \$7 million in annual landfill fees with nearly \$6 million to the local community. We spend more than \$16 million each year with Ohio businesses and are proud to partner with more than 50 local organizations to help Seneca County become a more equitable community.

We are proud of our excellent track record of providing essential services safely and reliably. We are committed to transparency and welcome extra scrutiny of our operation. We will continue to provide additional safeguards beyond our already strict regulations to maintain one of the most technologically advanced landfills in the country.

In conclusion, Senate Bill 119 fails to address genuine needs within Ohio's solid waste management system, unfairly burdens Ohio businesses and residents, and undermines local governance and economic development. We urge the committee to reconsider this bill and work towards solutions that promote both environmental sustainability and economic prosperity in Ohio.