



# OEHA

OHIO ENVIRONMENTAL HEALTH ASSOCIATION

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**SB 147 Interested Party Testimony  
Presented by Chuck DeJonckheere  
Ohio Environmental Health Association  
House Community Revitalization Committee  
Chairman Gary Click  
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Chairman Click, Vice Chair Mullins, Ranking Member Brewer, and members of the House Community Revitalization Committee, thank you for allowing me to testify today on SB 147 introduced by Sen. Reineke. My name is Chuck DeJonckheere, and I am testifying today on behalf of the Ohio Environmental Health Association (OEHA) as the Chair of the Solid Waste Technical Committee. Our association represents nearly 600 Registered Environmental Health Specialists in Ohio. Environmental health specialists implement Ohio's environmental health laws and rules by working with industry and the public to ensure the safety of the food we eat at restaurants and grocery stores; the water quality of swimming pools; sewage and septic issues; and other environmental health issues, such as waste disposal to ensure the health and safety of Ohioans. I am here today representing OEHA on SB 147's proposed revisions to solid waste and construction and demolition debris laws. Although we are officially an interested party, we have serious concerns about the recent amendments accepted into SB 147.

Landfills, while necessary, are significant sources of potential environmental hazards. This is why OEHA has appreciated Sen. Reineke's efforts to provide resources to local health districts to mitigate impacts related to the Solid Waste and C&DD facilities and out-of-state waste in their communities. In Ohio, there are 65 local health departments that work as regulatory partners with the Ohio EPA in the solid and infectious waste and construction and demolition debris programs. This involves licensing and inspections of the operations at these facilities. Local health departments are the boots on the ground, investigating complaints and ensuring compliance with the rules established to protect human health and the environment. There is little to no direct funding provided for much of this work.

We view the recent amendments adopted in this committee on SB 147 as problematic as the changes limit this legislation to narrowly focus on the facility located in Seneca County. This is not only a Seneca County issue. Due to our current fee structure other states are incentivized to dispose of their waste in Ohio. Our state receives more than 8 million tons of out-of-state waste each year taking up space in Ohio landfills. By failing to address this issue comprehensively for the entire state, you will simply see a shift to other facilities with the same rail-based business model receiving out-of-state waste. In short, by failing to address this issue comprehensively you are shifting higher volumes of out-of-state waste to facilities in other Ohio communities.

In addition to SB 147, there has been a similar, but separate, proposal from the DeWine Administration in the As Introduced version of HB 96, the SFY26/27 biennial budget seeking to address some of these same issues. In the Administration's proposal, a reallocation of the current fee structure would include a portion directly to support local health departments to fund measures that address the health risks posed by these sites locally. The fee approach proposed in HB 96 is simpler, easier to understand, collect, and implement. The solid waste fee changes in the executive version of HB 96 does not create a new fee, it simply applies the same solid waste fee to all waste received or transferred to solid waste facilities in Ohio. The HB 96 proposal would encourage

C&DD waste to be disposed of in C&DD facilities as they would still be charged the lower C&DD fee at those facilities, and encourages solid waste to be disposed of at solid waste facilities – essentially incentivizing these separate waste streams to go to the most appropriate facilities. Additionally, one waste type designation at the point of transfer or disposal will eliminate the possibility of misclassification of the waste - removing an incentive to log loads as C&DD when in fact the load contains solid waste, effectively closing a loophole. Most importantly, the HB 96 proposal will provide a universal deterrent to import out-of-state waste to Ohio's solid waste facilities at a more significant level than the SB 147 permissive fees, especially since the legislation has now been amended to apply only to Seneca County.

While the legislation is well-meaning, if SB 147 is adopted in its current form Ohio will continue to attract out-of-state waste with disposal fees that are significantly lower than neighboring states like Pennsylvania (\$6.25). Quite simply, east coast states are running out of landfill capacity — Connecticut has no active landfills and sends more than 1 million tons to Ohio each year. New Jersey sends more than 3 million tons to Ohio landfills each year. This tonnage has increased each year for more than a decade with no signs of changing. The fee restructuring proposed in HB 96 does not burden Ohio's residents and businesses but instead protects their communities from being dumping grounds for east coast states while the funding will support local health departments and Ohio EPA to provide the necessary oversight to ensure these facilities are safely and compliantly operated.

In conclusion, we appreciate the hard work of Sen. Reineke and this committee on these issues. OEHA firmly believes this committee should return to a statewide focus for the betterment of the entire state. Directing fees collected to local health departments will provide critical support to their role in monitoring air and water quality near landfills to better protect the health of the public and our communities. As you continue your deliberations on SB 147, we strongly urge this committee to reconsider the proposal contained in HB 96 as it represents an opportunity to address these challenges and make meaningful impacts for Ohio residents.

Chairman Click and members of the committee, I will be happy to answer any questions at this time.