



Senate Bill 147—Interested Party
House Community Revitalization Committee
Greg Kesterman, Health Commissioner, Hamilton County Public Health
May 20, 2025

Chairman Click, Vice Chair Mullins, Ranking Member Brewer, and members of the House Community Revitalization Committee, I am Greg Kesterman and I serve as the Health Commissioner for Hamilton County. In addition, I am an active member, and former board member, of the Association of Ohio Health Commissioners (AOHC). AOHC represents the 111 local health districts across Ohio and part of our mission is to advocate for an effective and efficient local governmental public health system. I am testifying on behalf of the member health districts.

In coordination with the Ohio Environmental Protection Agency (OEPA), local health districts (LHDs) are tasked with enforcing Ohio's solid waste, infectious waste, and construction and demolition debris laws and regulations and are involved in licensing and inspecting of solid waste disposal facilities, including landfills and transfer stations. In Ohio, there are currently 62 licensed transfer facilities and 37 licensed municipal solid waste landfills.

Waste management companies currently pay fees based on the facility type—transfer or landfill—and material type—solid waste, construction and demolition debris (C&DD), or a combination. The collection and distribution of these fees are also based on the facility and type of material. Currently, construction waste disposed of at a solid waste landfill is subject to a lower fee than other solid waste. The disparity often results in a misclassification of waste due to the desire to have waste classified at a lower fee category when the waste may be a mixture of solid waste and construction debris.

We appreciate Senator Reineke's work over the last several years not only to address landfill issues specific to his district but to also address the fee structure. And, we appreciate Chair Click and Rep. Mathews' introduction of House Bill 222 to do the same. SB 147, as passed by the Senate, allowed for a solid waste management district to adopt a new variable fee for C&DD to mirror the district's disposal fees for solid waste. The new fees would go to LHDs to mitigate the impacts to health, safety, and welfare. However, SB 147 has since been narrowed to only address issues in counties with a population between 53,000 and 58,000 people.

We encourage this Committee to consider restructuring disposal fees collected at solid waste landfills to adopt a single uniform fee collected for both solid waste and construction and demolition debris. The costs to the state and local communities are too great under the current fee structure. A uniform fee structure will

- **Stop Ohio from Being the Dumping Ground for the East Coast.** A uniform fee at solid waste facilities will remedy the misclassification of waste which occurs due to the desire to

have waste classified at a lower fee category when the waste may be a mixture of solid waste and construction debris. The greatest effect this will have in Ohio is on out-of-state waste currently logged as construction and demolition debris (C&DD) which is subject to a lower rate than solid waste. The uniform fee set at the solid waste disposal fee level will benefit Ohioans, reducing the tendency for Ohio to be the dumping ground for the East Coast. The influx of waste from the East Coast into Ohio, driven by lower disposal fees at Ohio landfills, has negative effects on Ohioans.

- **Preserve Landfill Capacity:** Under Ohio law, construction waste may be disposed of in specialized construction waste landfills, which are less costly to construct and subject to fewer environmental regulations due to the lower risk such waste poses. In contrast, municipal solid waste landfills require extensive environmental safeguards and are significantly more expensive to build and operate. When construction waste is allowed into solid waste landfills at a reduced tipping fee, it accelerates the depletion of valuable landfill space sited and designed for household and municipal waste. Implementing a fee structure that reflects the true cost of disposal and discourages this practice helps preserve solid waste landfill capacity for its designed purpose and protects communities from rising long-term garbage disposal costs.
- **Improve Environmental Impact, Health Concerns, and Community Aesthetics:** A fee change will result in new or increased funds for local health districts to manage active landfills and direct new funds to remediate abandoned landfills and clean up open dumps. Additionally, there will be an increase in revenue for Ohio's solid waste management districts and communities that host a solid waste disposal facility, since all loads would be subject to the solid waste fees. A more consistent and reliable funding source is needed for the essential work performed by local health districts, including standard compliance inspections and complaint investigations, providing significant environmental and public health benefits to the communities where these facilities are located as well as all of the residents of Ohio.

House Bill 96 and Senate Bill 147 as passed by the Senate both had proposals to address fees statewide. House Bill 96, as introduced, contained language that would ensure that construction waste disposed of at a solid waste facility was not given a lower fee for disposal. Unfortunately, these provisions were removed. Senate Bill 147 as passed by the Senate contained an alternative, permitting a solid waste management district to adopt a new variable fee for C&DD to mirror the district's disposal fees for solid waste. The new fees would go to local health departments to mitigate the impacts to health, safety, and welfare and is an improvement.

AOHC supports changes that would create a single uniform fee for waste disposed of at solid waste facilities and updating the distribution of those fees. We would be happy to be your partner in crafting solutions that would benefit all Ohio communities.

Thank you for your time and attention today. I would be happy to answer any questions.

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