

Vance Environmental Ltd.

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Chairman Schaffer, Vice Chair Koehler, Ranking Member Hicks-Hudson, and members of the Senate Agriculture and Natural Resources Committee:

My name is Kitt Cooper Jr., and I am the owner operator of Vance Environmental Ltd., a construction and demolition debris ("C&DD") landfill located in Dayton. My employees and I are hard-working Ohioans. My customers are Ohio homeowners and contractors working in Ohio's construction and demolition industries. Vance Environmental Ltd. serves Ohioans working on projects in Ohio.

Senator Reineke and his constituents are upset with a local Municipal Solid Waste ("MSW") Landfill that accepts out of state trash from the East Coast via Railroad. This MSW landfill accepted 2.1 million tons of out of state C&DD in 2022. ALL of Ohio's C&DD Landfills COMBINED accepted 3.3 million tons of C&DD in 2022. No doubt, the MSW Landfill in Fostoria, that spurred the creation of SB 119, which SB 147 mirrors in large part, accepts enormous quantities of out of state C&DD for disposal.

I listened to the proponents of SB 147 as they made the case for why they needed to separate from the Joint Solid Waste District. I heard that the C&DD Disposal Fees Sunny Farms pays the Joint Solid Waste District are split three ways, while only the Seneca County Health District has the burden of inspecting the landfill. I can understand their frustrations with that issue. I do not understand why SB 147 aims to increase costs on Ohioans by raising C&DD fees. The proponents did not address this.

In his March 18, 2025, sponsor testimony, Senator Reineke described SB 147 as necessary to thwart out-of-state waste from being disposed of in Ohio, and to ensure adequate funding is available for local oversight of disposal facilities. The Seneca County Health District already receives approximately \$800,000 per year of disposal fee-generated revenue – an amount which has allowed the Health District to inspect Sunny Farms Landfill twice a month or 24 times per year. The minimum inspection frequency required by Ohio law is 4 per year. Senator Reineke's call for additional funding for oversight is unsupported.

As SB 147 is designed to thwart out of state waste, the fee increases should be focused on the MSW landfill accepting the out of state waste. By applying this fee increase to all the C&DD Landfills in Ohio, SB 147 could take over \$13 million dollars out of the hands of hard-working Ohioans and that money would be given to regulatory agencies that are not even requesting these fee increases in the first place. This Fee increase would hurt our neighbors, my customers, and your constituents. They would cost a homeowner doing remodeling, hundreds of dollars and a contractor building a home, thousands. It would cost Ohio's cities that are revitalizing their struggling neighborhoods by demolishing nuisance structures, MILLIONS.

If the Legislature believes that Ohio needs to raise fees to thwart out of state trash, there is a simple solution. Require MSW Landfills pay MSW Fees for all waste, including C&DD, disposed of at MSW landfills, and let Ohio's C&DD Landfills pay C&DD fees at existing rates under current law. The establishment of the existing fee structure for the disposal of C&DD was determined reasonable and appropriate to fund the regulatory oversight of the disposal of C&DD in Ohio's dedicated C&DD landfills. There is no deficiency in this regard. The issue – i.e. the *incentive* to send out of state waste, including significant amounts of C&DD,

to Ohio for disposal – is a provision in existing law that gives a MSW landfill operator the *choice* to apply C&DD fees (\$1.60/ton) as opposed to the higher MSW fees (\$4.75/ton) for the disposal of C&DD at the MSW landfill. Making MSW Landfills pay MSW Fees would raise the amount of fees Sunny Farms is paying on C&DD from \$3.3 million per year to \$10 million per year, without unnecessarily subjecting Ohioans to C&DD fee increases.

This year, the House released the Budget Bill, HB 96, which as introduced, does exactly what is suggested above and accomplishes Senator Reineke's objectives – that is, HB 96 disincentivizes sending out of state waste to Ohio and it gives Senator Reineke his requested funding increases. It is curious why he hasn't acknowledged HB 96 in his testimony on SB 147.

Senator Reineke also said that the reason we get so much trash from the East Coast is because we aren't doing enough with recycling in Ohio. Ohio already does a lot with recycling. Rumpke just opened the largest and most advanced Recycling Center in North America in Columbus last year. Ohio C&DD Landfills like mine already recycle what is profitable. It's just good business. The true reason why Ohio receives so much of the East Coast trash is because the East Coast has sky high disposal prices and fees. Do we really want sky high disposal prices and fees in Ohio? HB 96, as introduced, addresses Senator Reineke's concerns – without increasing fees – by simply requiring MSW landfill operators to charge MSW fees for the disposal of C&DD in MSW landfills.

I am asking the committee to protect Ohioans from SB 147's unnecessary and unfounded C&DD fee increase.

Very Truly Yours,

A handwritten signature in black ink that reads "Kitt Cooper Jr." The signature is written in a cursive, flowing style.

Kitt Cooper Jr.