



**House Bill 96 - State Operating Budget for FY 2026-27**  
**Senate Agriculture and Natural Resources**  
**Greg Kesterman, Health Commissioner, Hamilton County Public Health**  
**May 14, 2025**

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

House Bill 96, as introduced, contained language that realigned the solid waste and construction and demolition debris fees and increased community engagement in the landfill application process.\* Unfortunately, these provisions were removed as the House considered the budget.

The proposed changes in ORC Section 3734.57 would restructure disposal fees collected at solid waste landfills to adopt a single uniform fee collected for both solid waste and construction and demolition debris. A uniform fee 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 had several negative effects on Ohioans. Some of these include environmental impact; community health concerns; local economic and infrastructure strain; and reputation and aesthetic concerns.

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. If 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.

The fee change will result in new and/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.

Currently, local health district funding to regulate these waste facilities is minimal and comes from multiple sources – with a very small portion coming from the permit application fee, widely varying tipping fees based on the facility type, and contributions from the local solid waste district, which are completely optional for the solid waste districts to provide. The proposed language offered by Ohio EPA would establish a more consistent and reliable funding source for the essential public health work performed by local health districts, including standard compliance inspections and complaint investigations, which provide significant environmental and public health benefits to the communities where these facilities are located as well as all of the residents of Ohio.

In Hamilton County alone, there are 54 documented and known closed landfills. Many of these sites operated and were closed prior to HB 592 in the late 1980s, when rules were adopted by the Ohio EPA to bring solid waste landfills in line with current location, design, operating, closure, and post closure requirements. Our staff continues to expand our evaluation of the status of these landfills by performing surface water monitoring, biological monitoring, and methane gas monitoring detect impact to the surrounding communities. If implemented, these fees would help support this work and, in Hamilton County, we would plan to enhance this work.

These funds, if awarded, would also help address the issue of open dumps throughout the county. In many rural and less-traveled areas, individuals often choose to dispose of waste improperly rather than utilizing licensed landfills. This illegal dumping not only harms the environment but also poses health and safety risks to the community. With adequate funding, health departments across the state could play a critical role in managing and mitigating these sites, ultimately improving public health, environmental quality, and the overall well-being of our communities.

The Senate recently approved SB 147, sponsored by Senator Reineke. 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. SB 147 allows 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 local health departments to mitigate the impacts to health, safety, and welfare and is an improvement. However, the language in SB 147 is more complex, and the fee is permissive. The Ohio EPA proposal is more comprehensive, provides uniformity, and requires community engagement for new landfill applications.

AOHC asks that you restore language to realign solid waste and construction and demolition debris fees and increase community engagement to equip the local communities with consistent funds to ensure the effective management of landfills across the state of Ohio.

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

\*Comparison Document EPACD13, EPACD15, EPACD16 and EPACD17

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