Ohio Environmental Protection Agency

April 15, 2026 – Senate Government Oversight and Reform Committee

Testimony on Occupational Licenses

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Good morning, Chair Manchester, Vice Chair Brenner, Ranking Member Weinstein and members of the Senate Government Oversight and Reform Committee. My name is Sam Smith, and I am the Chief Legislative Officer for the Ohio Environmental Protection Agency. I would like to thank all of you for the opportunity today to speak about the occupational licenses under the jurisdiction of the Ohio EPA.

Since 1972, Ohio EPA has been committed to its mission of protecting the environment and the well-being of Ohioans across the state. We do this through regulatory programs that ensure Ohio has clean water and air and its citizens are protected from environmental spills and releases. Ohio EPA is the delegated authority by U.S. EPA to oversee federal environmental regulations at the state level, such as the Clean Water Act, Clean Air Act, Safe Drinking Water Act, Resource Conservation and Recovery Act, and National Pollutant Discharge Elimination System. By assuming these responsibilities, Ohio EPA ensures the state meets federal standards.

Ohio EPA helps businesses and communities comply with environmental regulations, issuing necessary permits in a timely fashion, and promoting sustainable growth. Through its various divisions, Ohio EPA issues occupational licenses per Ohio statute to individuals serving in various positions. Today, I will discuss occupational licenses under the jurisdiction of Ohio EPA's Divisions and the importance of these licenses in ensuring a safe and clean Ohio.

Division of Drinking and Ground Water

The professional operator certification program seeks to ensure that public water and wastewater systems are operated by well-trained and qualified individuals. The program ensures the people in charge of the technical operation of these treatment plants have the experience necessary to perform daily process controls to guarantee protection of public health. In order to ensure Ohio's public water and wastewater treatment systems are operating smoothly and safely, Ohio EPA relies on qualified and educated professional operators performing the operation of the facility, self-monitoring of the facility, and providing data to Ohio EPA showing that the facility is meeting established standards. Failure to have certified professional operators making timely and vital process control decisions at treatment facilities could result in the contamination of drinking water and pose a threat to citizens of the state of Ohio.

Federal law requires states to have a drinking water operator certification program, with minimum requirements, or the state risks losing 20% of its state revolving fund loan allocation which is utilized for upgrades to drinking and wastewater infrastructure.

Ohio EPA issues the following professional operator certificates for 14 different classifications and types of operations:

- Class A, I, II, III and IV Water Supply
- Class I and II Water Distribution
- Class A, I, II, III and IV Water Reclamation; and
- Class I and II Collection System

The objectives of the professional operator certification program are to establish staffing requirements to ensure systems are operating in compliance, develop classifications for systems and certifications for these classes, provide examinations for each certification, and approve continuing education requirements needed for certifications.

The Ohio EPA professional operator certification section oversees approximately 2,800 certification examinations and 13,300 individual course sessions per year. The division issues approximately 1,000 new certificates, reviews approximately 30 reciprocity applications, reviews approximately 1,500 new course applications, and 2,000 courses approved by training providers per year. The section oversees approximately 4,500 renewals per year.

A new license costs $45, with a Class A renewal costing $25, a Class I renewal costing $35, a Class II renewal costing $45, a Class III renewal costing $55, and a Class IV renewal costing $65. The cost for a new license and renewals have not been increased in over 25 years. In SFY 2025, Ohio EPA received $248,422 from certification and renewal fees which is used to partially fund and maintain this vital program. Ohio EPA utilizes other funds to make up the difference.

Division of Environmental Response and Revitalization

The purpose of the Voluntary Action Program (VAP) is to give individuals or companies a way to investigate possible environmental contamination, clean it up, if necessary, and receive a legal release from the State of Ohio that no more cleanup is needed. The VAP maximizes resources and expertise in the private sector by utilizing qualified, experienced professionals, such as engineers and scientists, who are certified by the Ohio EPA. These certified professionals (CPs) are responsible for verifying that properties are cleaned up to the levels required by the Ohio EPA standards. The detailed program rules allow these qualified professionals, and the volunteer that he or she represents, to do the work without ongoing Agency involvement. Ohio EPA operates a certification program to ensure that only environmental professionals with the appropriate qualifications and experience are licensed as CPs. In addition, to help ensure high-quality work, CPs must meet annual continuing education requirements and be recertified by Ohio EPA each year. The certification only applies to the VAP and does not limit an environmental consultant's participation in similar non-VAP work, such as cleanups conducted under RCRA or BUSTR regulations.

The Division of Environmental Response and Revitalization issues around 10 new certifications annually for $2,500, and about 100 renewals per year for $2,000. Under the last 5-year rule review in 2024, costs of certification were considered, and fees were maintained at prior levels. The Agency receives approximately $270,000 in licensure fees which fund program staff and provide continuing education.

The VAP provides a voluntary option to reduce environmental contamination thereby improving public health.

The purpose of Ohio's hazardous waste permitting program is to prevent harm to human health and the environment associated with the management of hazardous waste through permitting of activities. Recently, Ohio was granted full authority and primacy for administering the RCRA hazardous waste program in the state. This means that industry will no longer need to go to the US EPA and can obtain their hazardous waste permits solely through the Ohio EPA. The goals and objectives of Ohio's hazardous waste program, in addition to protecting human health and the environment, are the conservation of resources – both energy and natural – reducing the amount of hazardous waste generated and ensuring proper management of hazardous waste. One method of achieving these goals is by issuing hazardous waste installation and operation permits. These permits aim to prevent environmental and human health risks associated with hazardous waste via proper storage, treatment, and disposal activities. The permits include a wide range of activities from the construction of a facility to its day-to-day operations. Permits cover elements such as the design of the facility, emergency plans,

employee training, cleanup activities at the end of operation of the facility, and financial assurance to ensure permitted facilities will be properly cleaned up at the end of operations.

The number of new permits issued is generally less than 3 per year. There are approximately 5 hazardous waste permit renewals per year, but this can vary from year-to-year. In between renewals, the division works with facilities to review and process permit modifications, ensuring that the effective permit is a "living document." Both the fee for a new hazardous waste permit application and the application to renew a hazardous waste permit is $1,500.00. Permit renewals occur once every ten (10) years. Annual fees can range from $500 (container storage) to $40,000 (off-site disposal). The division receives approximately $270,000 in permit fees annually. This revenue funds hazardous waste permit related review, outreach, and administration. It is also used to fulfill requirements for the federal Resource Conservation and Recovery Act (RCRA). The division has compared fees across multiple states and regions related to hazardous waste permitting, including as recently as 2023. Upon reviewing the results of the rate survey, Ohio continues to maintain fees much lower than average and the division has opted to maintain fees at their current rates.

Division of Air Pollution Control

In 1986, U.S. Congress enacted the Asbestos Hazard Emergency Response Act (AHERA, or TSCA Title II) which mandates a regulatory program to address asbestos hazards in schools. This includes mandatory training and accreditation of individuals performing certain types of asbestos-related work in schools. AHERA requires states to adopt a state accreditation program that is no less stringent than AHERA's Model Accreditation Program. Since 2018, Ohio EPA has enforced the asbestos program and issues licenses for asbestos abatement contractors and certifications for abatement workers, abatement specialists, project designers, evaluation specialists, and air monitoring technicians. Ohio EPA's asbestos program licenses contractors to perform asbestos removal projects, develop plans to manage asbestos found in a facility, persons conducting air sampling for asbestos, and companies that provide required asbestos training.

Each year, Ohio EPA processes about 1,200 initial and 3,800 renewal individual asbestos certifications, along with 30 initial and 215 renewal contractor licenses. Certification requirements may vary by type and some licensees must complete additional US EPA training.

There is a $50 annual fee for an asbestos hazard abatement worker certification, a $200 annual fee for a hazard abatement specialist certification, a $200 annual fee for a hazard evaluation specialist certification, a $200 annual fee for a hazard abatement project designer certification, and a $100 annual fee for a hazard abatement air monitoring technician certification.

Annual contractor license applications must include the $750 fee, proof of at least one Ohio EPA-certified asbestos hazard abatement specialist, and a list of projects completed within the last year, including client information, project dates, and quantities of asbestos-containing materials removed. The contractor must provide proof of registration with the Ohio Secretary of State and list any incomplete asbestos abatement activities, penalties, citations or lawsuits filed against the company. All certifications and licenses expire one year after issuance unless revoked or suspended.

Potential training providers may apply to Ohio EPA for course approval, which expires one year from the final approval date but may be renewed annually. The application fee is $900 for an initial course and $300 for a refresher course.

These licensure fees provide about $900,000 per year which funds the oversight of asbestos removal activities and the administration of the certification program. The fees have remained the same since 2004.

For the enhanced motor vehicle inspection and maintenance program, the contractor trains and issues

vehicle inspector certificates with Ohio EPA approval and oversight. Ohio EPA directly issues the repair shop and waiver repair technician certificates. The goal is to ensure the repair shops and inspectors are properly equipped, trained, and qualified, respectively, to perform automotive repairs associated with emission controls in order to comply with the 1990 amendments to the federal Clean Air Act.

Approximately 200 vehicle inspector certificates, 5 repair shops and 8 waiver repair technician certificates are issued annually. Vehicle inspector certificates are a part of the total program costs and are not extra. Initial and renewal certificates for repair shops and repair technicians are provided at no cost and the division receives no revenue. Vehicle inspectors are not required to have continuing education; however, waiver repair technicians must keep current with Automotive Service Excellence technician courses. The repair shop and waiver repair technician certificates are voluntary.

House Bill 59 addresses occupational licensure requirements associated with the E-Check program. Under House Bill 54, Ohio EPA was required to submit a State Implementation Plan (SIP) revision to US EPA proposing to replace the E-Check program with a self-attestation approach. Ohio EPA submitted that SIP revision on November 11, 2025. On December 11, 2025, the US EPA published a proposed denial of the revision in the Federal Register. US EPA is currently reviewing public comments and will issue a final decision once that review is complete. If the U.S. EPA ultimately determines that Ohio may replace the E-Check program with a self-attestation program while still meeting federal Clean Air Act requirements, Ohio EPA will move to repeal all rules associated with the E-Check program, including occupational licensing fees and related requirements.

Division of Material Waste Management

The Division of Materials and Waste Management (DMWM) administers Ohio's solid waste, infectious waste, and construction & demolition debris programs to ensure these waste streams are managed in a manner protective of human health, safety, and the environment.

Ohio EPA's scrap tire program protects Ohioans and the environment by ensuring the safe and proper management of more than 16 million scrap tires processed in Ohio each year. Ohio EPA supports the scrap tire infrastructure, including transporters and storage, recovery, and disposal facilities, through a regulatory framework that includes licensing and registration. Open dumping of scrap tires remains a challenge across the state, and Ohio EPA and the state's scrap tire infrastructure deliver services that ensure proper management and encourage recycling and support legitimate markets that utilize recycled tire rubber from Ohio's scrap tire recovery facilities.

Ohio EPA, in consultation with local boards of health and the Construction & Demolition Association of Ohio, oversees the C&DD operator certification program that delivers training to landfill and processing facility operators. Approximately 100 facility operators maintain this credential that includes continuing education of environmental regulations and best practices that support overall environmental compliance at these facilities. The agency does not receive fees for this operator certification program.

DMWM and approved local health districts issue more than 550 operational licenses and registrations annually. In SFY 2026, 220 operational licenses were issued, including 43 solid waste landfills, 39 C&DD landfills, 68 solid waste transfer facilities, 22 C&DD processing facilities, 27 composting facilities, 18 scrap tire facilities, and 2 infectious waste treatment facilities. In SFY 2026, the agency issued 234 registrations, including 148 scrap tire transporters and 83 infectious waste generators.

License and registration fees vary by facility type and are prescribed in ORC 3734.06 . Solid waste landfill and infectious waste treatment facility license fees range from $5,000 to $60,000, solid waste compost facility license fees range from $300 to $30,000, and the solid waste transfer facility and C&DD processing facility license fee is $750. Please note that there is no licensing fee for C&DD landfills, and fees for the registration of infectious waste generators were eliminated in 2025. Scrap tire fees can be

found in ORC 3734.82. Annual fees for scrap tire recovery facility licenses range from $100 to $5,500, scrap tire monofill facility license fees range from $5,000 to $60,000 annually, the scrap tire collection facility license fee is $200 annually, and scrap tire storage facility license fee ranges from $1,000 to $3,000 annually. Please note that fees for the registration of scrap tire transporters were eliminated in 2023.

Solid waste facility license fees are not retained by Ohio EPA and are instead remitted to the GRF and up to $2,500 is retained by approved local health districts to administer the program. Each year, more than $2 million in solid waste facility license fees are remitted to the GRF. License fees for scrap tire facilities are deposited into the scrap tire management fund to support the administration of this program; annual revenue from scrap tire license fees is approximately $115,000. License fees have not been increased in over 35 years.

All states similarly regulate licensed waste facilities overseen by DMWM. Approximately 37 other states also regulate scrap tire transportation. These include all states surrounding Ohio, with the caveat that West Virginia regulates waste hauling in general, not specifically scrap tires.

Thank you for your time. I would be happy to answer any questions that members of the committee may have.

List of Occupational Licenses and Certificates

DDAGW

1. Class A, I, II, III and IV Water Supply Operator (Federal Component, Safe Drinking Water Act)
2. Class I and II Water Distribution Operator (Federal Component, Safe Drinking Water Act)
3. Class A, I, II, III and IV Water Reclamation Operator
4. Class I and II Collection System Operator

DERR

1. VAP Certified Professional (Program is not Federal, but is voluntary)
2. Hazardous Waste Facility Installation and Operation Permit (Federal Component, Resource Conservation and Recovery Act)

DAPC

1. Asbestos Hazard Abatement Worker (Federal Component, Asbestos Hazard Emergency Response Act)
2. Asbestos Hazard Abatement Specialist (Federal Component, Asbestos Hazard Emergency Response Act)
3. Asbestos Hazard Evaluation Specialist (Federal Component, Asbestos Hazard Emergency Response Act)
4. Asbestos Hazard Abatement Project Designer (Federal Component, Asbestos Hazard Emergency Response Act)
5. Asbestos Hazard Abatement Air Monitoring Technician (Federal Component, Asbestos Hazard Emergency Response Act)
6. Asbestos Training Providers (Federal Component, Asbestos Hazard Emergency Response Act)
7. Asbestos Contractor
8. Vehicle Inspector (Federal Component, Clean Air Act)
9. Repair Shop (Federal Component, Clean Air Act)
10. Waiver Repair Technician (Federal Component, Clean Air Act)

DMWM

1. Solid Waste Facility Operation
2. Solid Waste Transfer Facility
3. C&DD Facility Install & Operation
4. C&DD Operator
5. C&DD Processing Facility
6. Composting Facility
7. Scrap Tire Facility
8. Scrap Tire Monocell/Monofill Facility
9. Scrap Tire Recovery Facility
10. Scrap Tire Collection Facility
11. Scrap Tire Storage Facility
12. Scrap Tire Transporter
13. Infectious Waste Treatment Facility
14. Infectious Waste Generator