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H.B. 878
136th General Assembly

Bill Analysis

Version: As Introduced

Primary Sponsor: Rep. Glassburn

Eliza Bauler-O'Grady, Attorney

SUMMARY

- Increases the civil penalty, from up to $10,000 to up to $37,500, for repeat violations of unlawfully disposing of dredged material.

DETAILED ANALYSIS

Dredged materials disposal – civil penalties

The bill increases the civil penalty, from up to $10,000 to up to $37,000, for repeat violations of unlawfully disposing of dredged material. Current law generally prohibits a person from using, managing, or placing ("disposing") dredged material in any location.[1] "Dredged material" is material excavated or dredged from a federal navigation channel during harbor or navigation maintenance activities.[2] It typically means the mud, sand, silt, and rock removed from the bottom of water during operations to deepen or clear channels, rivers, and harbors.

There are limited exceptions in current law that allow for the disposal of dredged material. Specifically, dredged material may be disposed of if it is done in accordance with: (1) an EPA-approved dredging plan,[3] (2) limited circumstances authorized in law, (3) an EPA-issued permit allowing for dredging, or (4) any other authorization issued by the EPA Director.[4]

[1] R.C. 6111.07 and 6111.33(B), both not in the bill.

[2] R.C. 6111.33, not in the bill.

[3] See R.C. 6111.32, not in the bill.

[4] R.C. 6111.33, not in the bill.

Under current law, the civil penalty for a violation of unlawfully using, managing, or placing dredged material is up to $10,000 per day of violation.[5] The bill retains this penalty for a first-time violation, but imposes an increased civil penalty for repeat violations of up to $37,500 for each subsequent violation.[6]

HISTORY

Action	Date
Introduced	05-12-26

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[5] R.C. 6111.09(A) and 6111.07(A), not in the bill.

[6] R.C. 6111.09(A)(2).