Proponent Testimony In Support of Senate Bill 95

Before the Members of the Ohio Senate Committee on Energy and Natural Resources

October 25, 2017

Chairman Balderson, Vice Chair Jordan, Ranking Member O'Brien, and members of the Committee, thank you for the opportunity to offer this testimony in support of SB 95.

My name is Dr. Andrew Olah. I have a background in polymer science and engineering receiving my Ph.D. from Case Western Reserve University in Cleveland, Ohio. I have spent over 30 years in industry, originally employed by the BF Goodrich Company, (in Akron, Ohio) and after corporate acquisitions my position evolved to The Lubrizol Corporation (in Wickliffe, Ohio) a subsidiary of Berkshire Hathaway where I became an R&D Director. During my career, I have received 25 patents related to the development of new polymer materials, products and applications. After retirement from Lubrizol I returned to Case Western Reserve University where I have for four years been an Adjunct Professor and Technical Consultant in the Department of Polymer Science and Engineering.

I have also maintained professionally my position on several industry review boards and standards development committees. I have continuously served, for twenty-five years, on the PPI Hydrostatic Stress Board. I have continuously served, for fifteen years, as the Chairman of the ASTM F17.25 Subcommittee on Vinyl Pipe and have continuously served, for twenty years, on the NSF, International, ANSI/NSF Standard 61, Joint Committee on Drinking Water System Materials and Additives.

My role at Case Western Reserve University involves several responsibilities. One responsibility is teaching classes to senior, undergraduate engineers. A specific class that I teach is related to the environmental failure mechanics of polymeric materials.

In my introduction to this class I impress upon these upcoming engineers the awareness that all materials have disadvantages based upon the environmental conditions that they can experience. For example, in certain environments wood rots, steel and iron rusts, and copper corrodes; all specific to the contacting water chemistries. Although plastic materials may be impervious to these conditions there are other environments that the engineer must be aware of when utilizing polymer or plastic materials. Due to these requirements the engineer should have available all approved materials for the specific application in order to match the proper material with the specific end use environmental condition. By allowing engineers to have at their discretion all suitably recognized materials, the engineer can adequately design the best system optimizing mechanical performance and system longevity at a reasonable cost.

Currently, many engineers in Ohio are required to use only one material, often ductile iron, when designing a water distribution system. SB 95 removes this restriction for projects using state funds, allowing open competition of all approved, appropriate materials and free from outdated, material-specific requirements.

There are two important results. First, Ohio will get better projects designed with suitable materials. Second, because project materials can be bid on a performance basis, new vendors can enter the market and this competition will reduce costs for all materials.

I understand that concerns about engineering liability are also being associated with SB 95. SB 95 doesn't change a professional engineer's job or take away their decision making authority. As a recent legal opinion letter from Vorys, Sater, Seymour and Pease, LLP states, the *"Proposed Legislation does nothing to increase the P.E.'s potential liability or undermine the P.E.'s defenses against liability."* I understand that this information has been provided to the Committee.

In the state of Ohio drinking water chemistries can and do vary. They vary both geographically and also locally over time. In turn, the materials that are selected to comprise water distribution systems should address all potential water conditions. As I inform my classes, today's engineers should have a broad selection of approved materials and technologies at their fingertips. These advances can provide tremendous benefits – making Ohio's water infrastructure last longer and perform better.

For this reason I am in strong support for SB 95.

Thank you for the opportunity to speak today.

Sincerely,

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