

To: Chairman Kick, Vice Chair Lear, Ranking Member Rogers, and members of the House Energy & Natural Resources Committee

From: Bill Frankart, Seneca County Commissioner

Subject: SB 119 Proponent Testimony, 4th Hearing, May 1, 2024

Chairman Kick, Vice Chair Lear, Ranking Member Rogers, and Members of the House Energy & Natural Resources Committee:

Good morning. I am Bill Frankart, one of the three commissioners in Seneca County. On behalf of the Seneca County Board of Commissioners, I am here today to provide testimony in support of Senator Bill Reineke's proposed Senate Bill 119. My aim is to offer more context and background information to better explain the need for this vital legislation, and I'd like to show you a short video to accompany my testimony today.

To provide some perspective, according to the Ohio Environmental Protection Agency, the WIN Waste of Seneca County landfill received approximately 2.3 million tons of waste in 2023. This staggering amount, equivalent to 4.6 billion pounds, is comparable to the weight of about 44 fully-loaded ships the size of the Titanic. Among this waste, the EPA estimates that 2 million tons were categorized as construction and demolition debris, while the remaining 265,000 tons were considered solid waste. Based on these figures, the current fee structure generated approximately \$3,247,000 in revenue for various divisions of the Ohio EPA directly from this facility last year. Most of these funds, around \$2.5 million, were allocated to the EPA Division of Environmental and Financial Assistance's recycling and litter prevention program, meaning nearly 76 percent of the fees collected were dedicated to this. This raises an important question: how much state funding is allocated to testing, oversight, and enforcement actions at this facility?

We inquire because the Seneca County General Health District received about \$800,000 in fees from the facility last year. All of this funding must be used for specific purposes, most of which are directly related to oversight at WIN Waste. EPA officials have informed us that state funds generated at the landfill do not have the same legal requirement, and we perceive this as another example of the flawed framework of current laws. Considering the facility's history of noncompliance, its documented failure to meet the standards of the Federal Clean Air Act, and numerous notices of violations from the Ohio EPA, it is evident that a higher level of oversight is necessary at this facility.

Our objective with Senate Bill 119 is to ensure that our landfill and all other landfills meet the highest standards of state and federal rules and regulations. Changes needed to meet those high standards include more thorough waste generator oversight to ensure compliance with EPA regulations and to safeguard the health of our constituents.

Over 50 elected officials in our region recently signed a letter to Governor DeWine urging action on this issue. Specifically, we addressed an application before the EPA that could significantly increase the amount of trash entering Ohio and settling in Seneca County. The

proposed 60% expansion of the WIN Waste landfill in Fostoria would mean a daily increase of trash from 7,500 tons to 12,000 tons. A whopping 95% of that trash would arrive from out-of-state. As you will see from the video I am about to show you, this landfill is already enormous in size, and increasing its capacity by another 60% will be detrimental to our community without safeguards in place.

This is not a new issue. Elected officials, community leaders, and citizens have voiced concerns about the landfill for years. Concerns span from the big corporate management of the landfill, numerous owners within the last decade, the water quality of the surrounding community, the public safety ramifications of the debris, the foul odors that emanate from the facility, and the traffic from the trains that bring in the waste from other states. SB 119 would allow changes to be made to the ORC that would empower us to handle this locally.

#### *Show Video*

Although this video provides an eye-opening perspective of the overwhelming size of the landfill, you can only truly comprehend its enormity in person. I am very grateful that Rep. Rogers visited the landfill in November, and I invite the rest of you to also visit the landfill to help you better understand the need for the oversight provisions created by SB 119.

From a personal perspective, I am a lifelong grain farmer, so I understand the importance of farm preservation. I recently enrolled my 600-acre farm into an Ohio Department of Agriculture easement program to protect the land for future generations. Although the agreement will limit my family's use of the land, I felt this was an important step toward preserving the land for agricultural use. The WIN Waste landfill has already absorbed hundreds of acres of prime farmland, with plans to expand across even more.

The loss of farmland has a far-reaching impact. Lost farmland affects farmers and the local small businesses and co-ops that support agriculture, including Mennel Milling, Archer Daniels Midland Co., and Poet Bioprocessing who are feeding and fueling the nation from Fostoria, Ohio.

As a farmer, I ask you to embrace the ODA's mission of farmland preservation and help local farmers like myself protect what is left of our community's valuable land and natural resources.

I thank you for your time and will be happy to answer any questions.

Sincerely,

Seneca County Commissioner Bill Frankart