

Presentation to the Annual Sanitary Engineers Association Summer Meeting, June 16, 2014

Agenda

1. Reauthorization of State Capital Improvement Program (SCIP) at higher funding levels for an additional ten years
 - *First five years are funded at \$ 175 million per year*
 - *Second five years are funded at \$200 million per year*
 - *Total authorization of \$1,875 million for ten years*
 - *CCAO is sponsoring a webinar Wednesday, August 13 from 9:30 to 10:30 a.m. with Mike Miller, Director of the Ohio Public Works Commission (OPWC)*
2. Ohio Utility Protection Service (OUPS) Legislation
 - *Three bills have been drafted: 1) OUPS draft prepared by the Enforcement Committee of the Working group working on OUPS; 2) a so-called “utility strawman” drawn up by utility interests; and 3) a draft based on a similar law from North Carolina*
 - *Elements common to all drafts include the following*
 - *Establish process for levying of penalties for utilities, excavators, developers and designers who fail to use the positive response system*
 - *Impose an obligation to report violations*
 - *Establish some type of technical advisory committee to hear cases of alleged violations and to make recommendations to the PUCO regarding suggested penalties*
 - *All three bills permit appeals and establish some type of appeals process*
 - *Penalties would include fines of between \$1000 and up to \$50,000 per violation and may also include safety training courses, a corrective action plan, and other non-monetary penalties*
 - *Meeting this Thursday with Senator Coley and Representative Sprague as well as the OUPS Coalition*

- Concerns that existing system is not working as intended because parties are not checking to see if a response from various utilities has been received
3. OEPA Solid Waste Reform Legislation
 - Rumor is that Ohio EPA intends to have solid waste proposal introduced after the November Election
 - Ohio EPA has yet to release a document spelling out precisely what will be included in their proposal
 - OEPA has held numerous meetings with interested parties including CCAO and the Organization of Solid Waste Districts of Ohio
 - Proposal includes the following major elements: SWAC and litter prevention advisory council to be combined into Ohio Materials Management Advisory Council; Simplification of state plan; solid waste district plan cycle revisions; flow control changes; Require C&DD facilities to be permitted; and address orphan landfills
 - While OEPA is proposing not to address more controversial issues of consolidation/organization of districts, solid waste district fees, rule-making authority and other matters, there is no guarantee that OEPA or anyone else will be able to control what the legislature does with this issue.
 4. Sewage Treatment Rules from the Ohio Department of Health (Brian)
 5. Drainage Task Force (Brian)
 6. Nutrient Management Legislation SB 150 (Brian)