Ohio Environmental Protection Agency

John R. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Nally, Director

SENATE BILL 294: OHIO EPA OMNIBUS REGULATORY REFORM

Summary & Key Provisions

To further efforts to make Ohio a leader in environmental and business assistance initiatives, Ohio EPA worked under the direction of Gov. John R. Kasich and the Ohio General Assembly to create an Ohio EPA Omnibus Bill that gives job creators and environmental leaders more common sense solutions to the issues they face. These initiatives, in addition to the Agency's day-to-day work, provide Ohio EPA customers with the efficient service they deserve.

HIGHLIGHTS OF SB 294:

- **Improves Compliance Assistance For Businesses**

  Background: The Ohio EPA's Office of Compliance Assistance and Pollution Prevention (OCAPP) currently, under statute, only offers confidentiality protection to small businesses seeking assistance on air permitting. However, Ohio EPA works with businesses frequently on a variety of compliance issues, not just air related. The lack of full confidentiality was a barrier to businesses who wanted help finding their way through complicated regulatory requirements.

  The Fix: SB 294 allows Ohio EPA to expand this confidentiality to assist all businesses with all Ohio EPA programs. Ohio EPA will also conduct a survey of all businesses that contact OCAPP to measure outreach success and make adjustments as needed.

  Outcome: By offering expanded confidentially, Ohio EPA is striking a good balance between providing businesses additional options while including safeguards to make sure companies with egregious compliance problems cannot use the program as a shield.

- **Streamlines Process and Creates One-Stop Shop to Clean Up Storage Tanks**

  Background: Ohio EPA and the Ohio Department of Commerce/BUSTR recently changed the statute to allow Class C (orphan) underground storage tank sites to proceed with remediation through Ohio EPA's Voluntary Action Program (VAP). This modification affected sites such as old gas stations that do not have a liable responsible party.

  The Fix: Allowing these sites to proceed through Ohio EPA's established VAP program allows a third party to remediate the site, making it available for future development. This bill took the next step to expand the availability of the program, by allowing volunteers who

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are not BUSTR “responsible persons” to clean up releases through the VAP if certain conditions are met.

Outcome: This change will streamline the process and create a one-stop agency shop and expedite the potential cleanup.

- **Creates More Options for Protective Wetland Development**

  Background: In the past, Ohio EPA has been limited to either on-site mitigation or mitigation banking as the only options available for wetland restoration.

  The Fix: SB 294 allows for the creation of an “in-lieu fee” wetland restoration program. The new program provides an additional tool for those required to mitigate their impacts to streams and wetlands in Ohio.

  Outcome: The change removes the burden of the mitigation from the applicant, who may not have the expertise or land conditions, and puts it in the hands of professionals, improving the likelihood of the success of the mitigation project.

- **Makes Certified Operator Testing More Accessible**

  Background: Those hoping to become certified for a Drinking Water and Waste Water Operator license would have to go through Ohio EPA – the sole test provider – and travel to Columbus for one of two examinations offered a year.

  Fix: SB 294 will allow Ohio EPA to make it more convenient for individuals to take certification testing for Drinking Water and Waste Water Operator licenses. The test will now be available in multiple locations around the state, including online, and will also include examination options at private entities.

  Outcome: Testing will now be more convenient and accessible for individuals hoping to obtain a license.

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