

**State of Ohio**  
**The Executive Budget**  
Fiscal Years 2012 and 2013

**The Jobs Budget**  
*Transforming Ohio for Growth*

**Governor John R. Kasich**



Book One:  
**The Budget Book**

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### Role and Overview

The Ohio Environmental Protection Agency (Ohio EPA) protects human health and the environment by restoring contaminated land; protecting water resources; and implementing standards for air quality, drinking and stream water quality, wastewater treatment, and solid, infectious, and hazardous waste treatment and disposal. To carry out these functions, Ohio EPA: issues permits for installation and operation of pollution sources; provides oversight through inspections and air, water, and ground sampling; monitors and reports on environmental quality; provides compliance assistance and environmental education to industry and the general public; helps businesses prevent pollution; takes enforcement actions against violators; and responds to spills and other emergencies. The Ohio EPA provides \$18 million a year in funding to local governments and organizations through grants for air pollution control, environmental education, diesel school bus retrofits, watershed restoration, and to acquire land and conservation easements that protect and improve water quality. The Ohio EPA also supports economic development by providing \$440 million a year in federal and state funded low-interest loans and subsidies to local communities for wastewater and drinking water infrastructure projects.

In the fiscal year 2012-2013 biennium, Ohio EPA is not requesting any new fees or fee increases.

The Ohio EPA's director, who is appointed by the governor, oversees 1,130 full-time and 43 part-time employees; the agency's staffing levels have continually decreased since fiscal year 2001. The Ohio EPA employees work from Columbus and district offices located in Twinsburg, Bowling Green, Logan, and Dayton.

More information regarding the Environmental Protection Agency is available at <http://www.epa.state.oh.us/>.

### Agency Priorities

- Improve permit activities with general permits and permits by rule, reduce the permit backlog, and develop air pollution reduction programs to meet tighter federal air quality standards for ozone, fine particulates, lead, nitrogen dioxide, and sulfur dioxide. While Ohio met the federal standards adopted in the 1990s or earlier, many counties will not meet the new, more stringent standards.
- Implement federal and state clean water requirements, while minimizing economic impacts and streamlining permitting and enforcement. Compliance with goals to protect aquatic life in Ohio's large rivers improved from 63 percent in 2002 to 93 percent in 2010. However, Ohio still faces complex challenges from nutrient pollution, toxic algae, and wetland loss.
- Protect public health by improving compliance with drinking water regulations at public water systems serving Ohio's citizens. Compliance at small water systems serving transient populations has improved from 65 percent to 83 percent since 2007. The Ohio EPA's goal is to achieve 90 percent compliance by 2014 and maintain compliance at community water systems at over 95 percent.
- Facilitate, oversee, and fund contaminated site cleanups, including sites that pose a health threat, and restore the land to economically viable use. In fiscal year 2010, cleanups were completed at 42 orphan drum, 37 voluntary action, 9 remedial, and 1,000 emergency spills sites.
- Provide \$440 million per year in Water Pollution Control and Water Supply financing for infrastructure projects that benefit public health and water quality. In the current biennium, federal stimulus funds combined with traditional financing provided over \$475 million for 335 projects, many in economically challenged communities.
- Promote alternative waste management, including organics recycling, waste-to-fuel, landfill gas recovery, and beneficial use of waste. Of 12 million scrap tires generated annually, 80 percent are now beneficially used. Reducing landfill waste helps prevent ground water contamination, gas emissions, odors, and subsurface fires.

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- Work with hazardous waste facilities that are required to assess and investigate past releases of hazardous waste and oversee cleanups. Although Ohio's hazardous waste generation is lower than it has been since 1996, there are still over 18,000 generators and 646 facilities that are required to clean up a portion of their property.
- Provide free technical and permitting assistance to businesses on environmental regulations and waste reduction, and support environmental education. In 2010, over 2,100 businesses received technical assistance and over \$980,000 in educational grants were awarded. Looking ahead, group training will be expanded to serve more businesses efficiently.

### **Funding Recommendation for FY2012 and FY2013**

#### **Funding Summary**

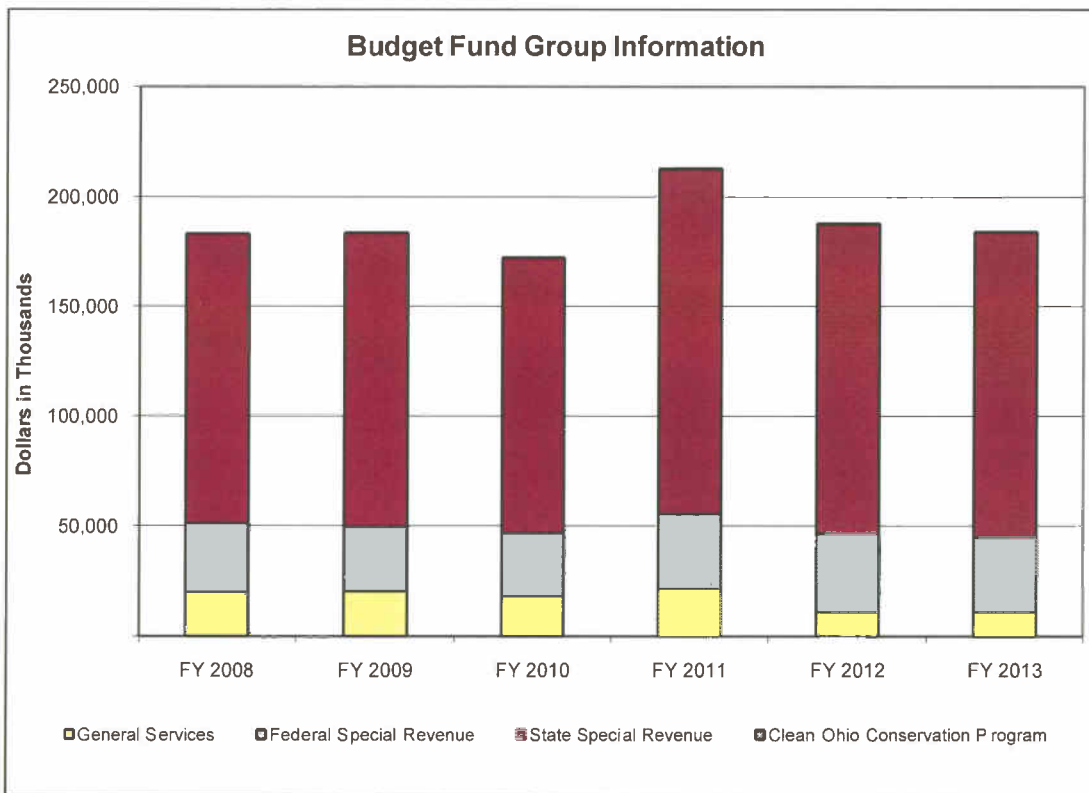
- All funds: Funding for fiscal year 2012 is \$187.9 million (or an 11.8% decrease from fiscal year 2011). Funding for fiscal year 2013 is \$184.2 million (or a 2.0% decrease from fiscal year 2012).

#### **The Executive Recommendation will fund the following objectives:**

- Attain and maintain Ohio's air quality at a level that will protect public health. The Ohio EPA regulates more than 73,000 sources of air pollution and issues 750 permits each year to support new and expanding businesses that provide jobs for Ohio's citizens.
- Restore and maintain the integrity of Ohio's lakes and streams for drinking water, recreational, and industrial use. The Ohio EPA regulates 10,000 water pollution sources, issues over 1,000 construction and dredge and fill permits each year, and awards around \$8 million in grants to support surface water restoration and protection.
- Assess and protect ground water quality and ensure that 4,930 public water systems are properly constructed, maintained, and operated so as to provide safe drinking water. The Ohio EPA will also ensure waste handling facilities are not impacting ground water. Adequate supplies of safe drinking water are critical to public health, safety, and economic welfare.
- Clean up land contaminated by historical and new releases of hazardous substances in order to reduce threats to humans and the environment, and remove barriers to economic development. The Ohio EPA responds to more than 1,000 emergency spills, and oversees 30 Voluntary Action Program projects and 300 longer term remedial assessment and cleanup projects each year.
- Provide \$440 million in low interest loans and subsidies to over 200 local communities each year for wastewater and drinking water treatment plants and infrastructure. Reduce discharges of polluted water, protect public health, improve drinking water quality, and save communities \$160 million in interest compared to conventional financing.
- Ensure proper disposal of waste at 57 solid waste landfills, 62 transfer facilities, 481 composting facilities, and 55 construction and demolition debris landfills. Regulate 33 scrap tire facilities and 61 tire transporters; and 3,728 infectious waste generators, 79 transporters, and 93 treatment facilities.
- Oversee the handling of hazardous waste at 46 permitted treatment, storage and disposal facilities, 1,000 large quantity generators, 9,700 small quantity generators, 7,750 conditionally exempt small quantity generators, and 646 facilities subject to cleanup requirements.
- Assist 2,100 businesses and 900 other organizations and individuals each year with environmental regulations, permit applications, waste reduction, and recycling. Provide a toll-free hotline, 200 annual on-site compliance and pollution prevention assessments, training, and "plain English" publications.
- Promote environmental education by awarding \$1 million in annual grants and scholarships targeting schools, small businesses, and local governments. Protect children by awarding \$600,000 in grants to local school districts to install pollution control equipment on about 460 school buses each year.
- Conduct 150 investigations each year into potential criminal activities including illegal burying, burning, or abandonment of hazardous wastes, illegal discharges into waters of the state, and falsification of analytical documents. Train with federal, state, and local agencies to respond to a potential terrorist incident in Ohio.

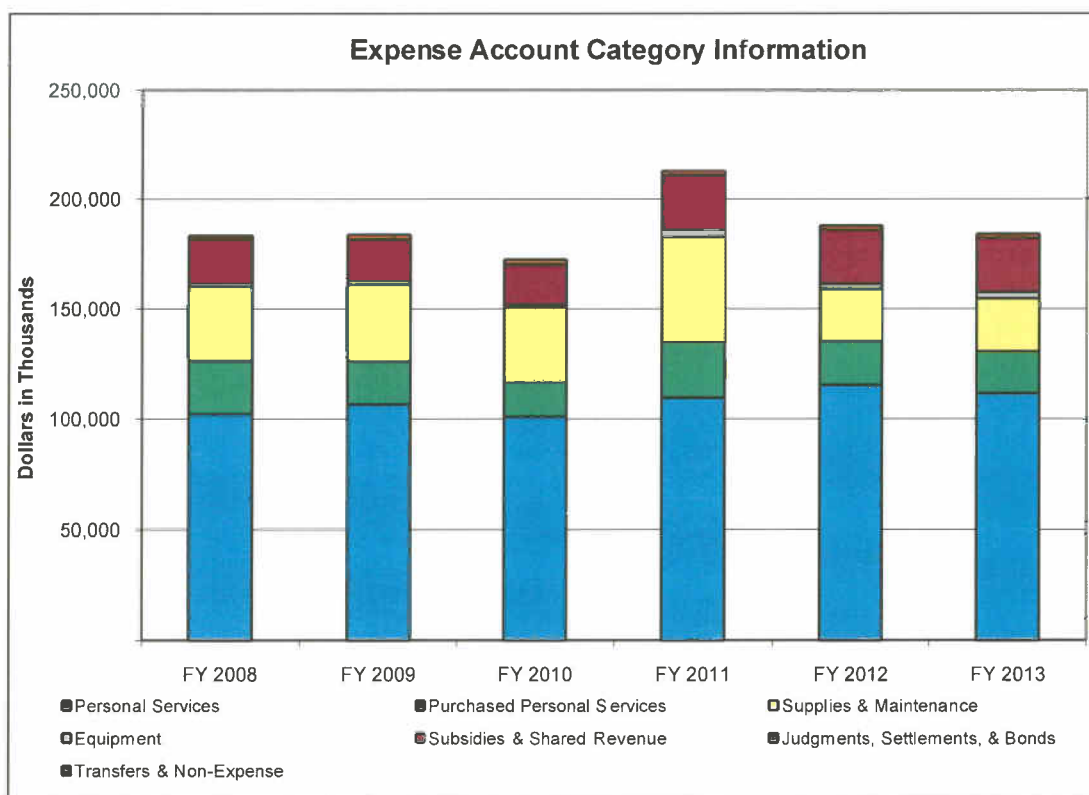
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- Provide 249,300 laboratory tests on about 9,300 air, water, sediment, and tissue samples each year to support the environmental monitoring and cleanup efforts of Ohio EPA's program divisions. Respond to 6,300 annual requests for laboratory training and technical assistance, and certify 450 drinking water labs each year.



(in Thousands)	Actual			Est.	% Change	Recommended			
	FY 2008	FY 2009	FY 2010			FY 2011	FY 2012	% Change	FY 2013
General Services	20,021	20,448	18,069	21,604	19.6%	11,301	-47.7%	11,057	-2.2%
Federal Special Revenue	31,084	29,111	28,695	33,697	17.4%	35,147	4.3%	33,773	-3.9%
State Special Revenue	132,078	134,005	125,342	157,362	25.5%	141,145	-10.3%	139,081	-1.5%
Clean Ohio Conservation Program	190	207	210	291	38.4%	284	-2.4%	284	0.0%
<b>Totals</b>	<b>183,373</b>	<b>183,771</b>	<b>172,316</b>	<b>212,954</b>	<b>23.6%</b>	<b>187,877</b>	<b>-11.8%</b>	<b>184,195</b>	<b>-2.0%</b>

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(in Thousands) Expense Account Category	Actual			Est	% Change	Recommended			
	FY 2008	FY 2009	FY 2010	FY 2011	FY10-11	FY 2012	% Change	FY 2013	% Change
Personal Services	102,180	106,589	100,962	109,457	8.4%	115,225	5.3%	111,403	-3.3%
Purchased Personal Services	24,374	19,762	15,854	25,428	60.4%	20,208	-20.5%	19,214	-4.9%
Supplies & Maintenance	33,610	34,863	33,935	47,687	40.5%	23,657	-50.4%	24,101	1.9%
Equipment	1,853	1,842	1,108	3,637	228.4%	2,383	-34.5%	2,828	18.7%
Subsidies & Shared Revenue	19,708	18,796	17,992	24,704	37.3%	24,461	-1.0%	24,680	0.9%
Judgments, Settlements, & Bonds	0	20	660	0	-100.0%	0	-	0	-
Transfers & Non-Expense	1,649	1,900	1,806	2,041	13.0%	1,942	-4.8%	1,970	1.4%
<b>Totals</b>	<b>183,373</b>	<b>183,771</b>	<b>172,316</b>	<b>212,954</b>	<b>23.6%</b>	<b>187,877</b>	<b>-11.8%</b>	<b>184,195</b>	<b>-2.0%</b>

**Program Series 1: Air Pollution Control (7000A)**

This program series includes three programs that protect public health. These programs work to maintain federal clean air requirements with balanced regulatory controls designed to limit adverse impacts on Ohio's businesses. The Air Emission Authorization and Evaluation Program (7001B) operates 245 monitors to measure air quality; regulates and monitors 13,000 facilities through permitting, facility reporting, and on-site inspections; and reduces the emission of toxic air pollutants. The program also comments on and determines the impact of new federal programs, and develops state implementation plans to meet national air quality standards that require emission inventories, computer modeling, and rules to implement new emission controls. The Mobile Sources Control Program (7004B) provides vehicle emission inspections once every two years to achieve pollution reductions from 1.6 million vehicles in the Cleveland/Akron area that would otherwise have to be attained through additional controls on businesses and utilities. The Right to Know Program (7002B) manages chemical inventories for 7,200 facilities with hazardous materials and provides funding to 87 local emergency planning commissions to help them respond to chemical releases.

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Fund	ALI	ALI Name	Estimated		Recommended		
			FY 2011	FY 2012	% Change	FY 2013	% Change
3570	715619	Air Pollution Control	6,310,203	6,310,203	0.0%	6,310,203	0.0%
4K20	715648	Clean Air-Non Title V	3,587,176	3,152,306	-12.1%	2,906,267	-7.8%
4T30	715659	Clean Air Title V Permit Program	17,700,104	15,969,694	-9.8%	15,870,676	-0.6%
5420	715671	Risk Management Reporting	135,964	132,636	-2.4%	132,636	0.0%
5920	715627	Anti-Tampering Settlement	5,654	2,285	-59.6%	2,285	0.0%
5BC0	715622	Local Air Pollution Control	2,035,000	2,297,980	12.9%	2,297,980	0.0%
5BC0	715672	Air Pollution Control	7,607,000	4,438,629	-41.7%	4,534,758	2.2%
5BY0	715681	Auto Emissions Test	14,803,470	13,029,952	-12.0%	13,242,762	1.6%
6780	715635	Air Toxic Release	179,746	138,669	-22.9%	138,669	0.0%
6790	715636	Emergency Planning	2,628,647	2,623,192	-0.2%	2,623,252	0.0%
6960	715643	Air Pollution Control Administration	750,000	1,480,651	97.4%	1,480,812	0.0%
<b>Total for Air Pollution Control</b>			<b>55,742,964</b>	<b>49,576,197</b>	<b>-11.1%</b>	<b>49,540,300</b>	<b>-0.1%</b>

**Program Series 2: Emergency and Remedial Response (7020A)**

This program series includes six programs designed to assess, clean up, and return to beneficial use contaminated properties. The Emergency Response Program (7020B) responds 24/7 to mitigate and address over 1,000 hazardous material spills each year. The Voluntary Action Program (VAP) (7021B) provides cleanup standards, technical assistance, and certifications for about 18 laboratories and 100 environmental professionals. More than 20 cleanups are reviewed each year and a covenant not to sue is issued, protecting the property owner from further liability. The program also provides compliance oversight at all 313 properties with a covenant not to sue. The Clean Ohio Program (7022B) provides technical assistance, application, and cleanup reviews for projects funded with \$50 million in Clean Ohio funding awarded annually. The Remedial Response Program (7023B) oversees over 300 ongoing investigation and clean projects at contaminated sites that are a threat to human health and the environment. The Federal Facilities Oversight Program (7024B) monitors assessment and cleanup of contaminated federally owned/operated sites. The Brownfields and Site Assessment Program (7025B) supports assessment, facilitates cleanup, and redevelopment of contaminated industrial sites in all program areas.

Fund	ALI	ALI Name	Estimated		Recommended		
			FY 2011	FY 2012	% Change	FY 2013	% Change
3CS0	715688	Federal NRD Settlements	100,000	100,000	0.0%	100,000	0.0%
3F30	715632	Federal Supported Cleanup and Response	3,775,881	3,344,746	-11.4%	3,290,405	-1.6%
4R90	715658	Voluntary Action Program	1,032,098	999,503	-3.2%	997,425	-0.2%
5000	715608	Immediate Removal Special Account	643,903	633,832	-1.6%	634,033	0.0%
5050	715623	Hazardous Waste Cleanup	12,726,425	11,077,273	-13.0%	10,942,533	-1.2%
5050	715674	Clean Ohio Environmental Review	109,725	108,104	-1.5%	108,104	0.0%
5410	715670	Site Specific Cleanup	48,650	48,101	-1.1%	48,101	0.0%
5BC0	715617	Clean Ohio	741,000	611,455	-17.5%	611,455	0.0%
5BC0	715678	Corrective Action	1,180,000	31,765	-97.3%	105,423	231.9%
5S10	715607	Clean Ohio Operating	291,174	284,083	-2.4%	284,124	0.0%
6440	715631	Emergency Response Radiological Safety	286,114	279,838	-2.2%	279,966	0.0%
<b>Total for Emergency and Remedial Response</b>			<b>20,934,970</b>	<b>17,518,700</b>	<b>-16.3%</b>	<b>17,401,569</b>	<b>-0.7%</b>

**Program Series 3: Hazardous Waste Management (7040A)**

This program series includes two programs that regulate hazardous waste such as toxic or ignitable waste. The Hazardous Waste Management Program (7040B) regulates 1,000 large quantity and 9,700 small quantity hazardous waste generators, and 46 permitted treatment, storage, and disposal facilities. The Cessation of Regulated Operations Program (7041B) inspects facilities that are closing or were abandoned and requires responsible parties to remove and properly dispose of hazardous substances. An average of 45 facilities is inspected each year helping to prevent costly cleanups. This program series is being consolidated into the Emergency and Remedial Response and Solid and Infectious Waste Management program series, saving \$475,000 annually.

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Fund	ALI	ALI Name	Estimated		Recommended		
			FY 2011	FY 2012	% Change	FY 2013	% Change
3540	715614	Hazardous Waste Management	4,193,000	4,193,000	0.0%	4,193,000	0.0%
4P50	715654	Cozart Landfill	100,000	100,000	0.0%	100,000	0.0%
5030	715621	Hazardous Waste Facility Management	11,318,132	10,241,107	-9.5%	9,789,620	-4.4%
5BC0	715675	Hazardous Waste	116,000	95,266	-17.9%	95,266	0.0%
<b>Total for Hazardous Waste Management</b>			<b>15,727,132</b>	<b>14,629,373</b>	<b>-7.0%</b>	<b>14,177,886</b>	<b>-3.1%</b>

**Program Series 4: Solid and Infectious Waste Management (7060A)**

This program series includes four programs to ensure that waste disposal does not cause water pollution, create a health hazard, or violate federal laws. Ohio generates approximately 33 million tons of solid waste each year of which nearly 13 million tons are recycled. The Solid Waste Program (7060B) regulates 57 solid waste landfills, 62 transfer facilities, and 481 compost facilities; and promotes recycling and landfill alternatives such as composting and converting waste to fuel. The program also provides remediation to stop the spread of pollution from abandon landfills and provides comprehensive landfill capacity planning. The Infectious Waste Program (7061B) regulates the generation, transportation, treatment, and disposal of infectious waste to minimize the potential transmission of infectious disease. The Construction and Demolition Debris Program (7062B) regulates 55 landfills to ensure proper disposal of 4.5 million tons of waste annually and minimize the potential for fires, odors, and groundwater contamination. The Scrap Tire Program (7063B) regulates transporters and disposal facilities to ensure proper disposal of the 12 million scrap tires generated each year and contracts for cleanups at scrap tire dumps.

Fund	ALI	ALI Name	Estimated		Recommended		
			FY 2011	FY 2012	% Change	FY 2013	% Change
4K30	715649	Solid Waste	16,076,606	16,405,748	2.0%	16,082,618	-2.0%
4R50	715656	Scrap Tire Management	5,125,000	1,368,610	-73.3%	1,376,742	0.6%
4U70	715660	Construction and Demolition Debris	885,554	425,913	-51.9%	433,591	1.8%
5410	715670	Site Specific Cleanup	2,250,000	2,000,000	-11.1%	2,000,000	0.0%
5BT0	715679	C&DD Groundwater Monitoring	203,800	203,800	0.0%	203,800	0.0%
6600	715629	Infectious Wastes Management	100,000	91,573	-8.4%	88,764	-3.1%
<b>Total for Solid and Infectious Waste Management</b>			<b>24,640,960</b>	<b>20,495,644</b>	<b>-16.8%</b>	<b>20,185,515</b>	<b>-1.5%</b>

**Program Series 5: Drinking and Ground Waters (7080A)**

This program series includes six programs that ensure Ohio's citizens and businesses have access to adequate supplies of safe water. The Public Water System Supervision Program (7080B) annually reviews 100,000 sample and monitoring reports, conducts 2,000 on-site inspections/visits, and provides outreach and technical assistance to confirm Ohio's 5,150 public water systems comply with safe drinking water requirements. Staff members review 750 sets of engineering plans annually to ensure water systems are properly designed and constructed. The program annually funds 400 surveys and audits of laboratories and analysts to ensure they are meeting requirements for reliable drinking water sample analyses. The Operator Certification Program (7082B) annually tests 1,400 applicants and re-certifies half of Ohio's 9,000 operators of water and wastewater facilities. The Water Supply Loan Account Program (7087B) provides about \$75 million annually in low interest loans for drinking water infrastructure projects. The Ground Water Protection Program (7084B) annually collects water quality samples at over 200 locations to assess water quality conditions and help prevent contamination of ground water resources. The Underground Injection Control Program (7085B) regulates more than 32,000 wells used to inject a variety of fluids underground. The Source Water Protection Program (7086B) identifies threats to water being used by public water systems and works with state and local organizations to minimize those threats.

Fund	ALI	ALI Name	Estimated		Recommended		
			FY 2011	FY 2012	% Change	FY 2013	% Change
3530	715612	Public Water Supply	2,941,282	2,941,282	0.0%	2,941,282	0.0%
3620	715605	Underground Injection Control	111,874	111,874	0.0%	111,874	0.0%

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Fund	ALI	ALI Name	Estimated		Recommended		
			FY 2011	FY 2012	% Change	FY 2013	% Change
3BU0	715684	Water Quality Protection	650,000	650,000	0.0%	650,000	0.0%
3T30	715669	Drinking Water State Revolving Fund	2,273,323	2,273,323	0.0%	2,273,323	0.0%
4J00	715638	Underground Injection Control	456,714	445,234	-2.5%	445,571	0.1%
4K50	715651	Drinking Water Protection	7,699,007	7,410,118	-3.8%	7,405,428	-0.1%
5BC0	715673	Drinking and Ground Water	5,432,000	4,317,527	-20.5%	4,323,521	0.1%
5H40	715664	Groundwater Support	1,884,247	77,508	-95.9%	78,212	0.9%
<b>Total for Drinking And Ground Waters</b>			<b>21,448,447</b>	<b>18,226,866</b>	<b>-15.0%</b>	<b>18,229,211</b>	<b>0.0%</b>

**Program Series 6: Surface Water Protection (7100A)**

This program series includes seven programs designed to protect and restore the surface waters of the State of Ohio via permitting, monitoring, planning, and rule-making activities to support state standards and the federal Clean Water Act. The Water Quality Program (7100B) monitors 4,600 miles of streams and 10,000 acres of lakes each year, develops stream and lake restoration plans, and researches and writes water quality standards. The Nonpoint Source Program (7110B) provides approximately \$4 million in grant funding annually to local governments and environmental groups for planning and stream restoration work. The Storm Water Program (7115B) seeks to minimize pollutants from storm water runoff that enter Ohio's surface waters by regulating approximately 5,000 industrial, municipal, and construction sites. The National Pollution Discharge Elimination System Program (7120B) establishes pollutant discharge limits and monitoring requirements for approximately 3,000 wastewater facilities statewide. The 401 Certifications and Wetlands Research Program (7130B) certifies approximately 100 sites annually to ensure that dredging, filling, and relocating of wetlands or streams minimizes degradation of water quality. The Lake Erie Program (7140B) strives for long-term restoration of water quality by fostering improvements in the management of the rivers in the Lake Erie watershed and by restoring the near shores of Lake Erie. The Wastewater Construction Program (7145B) issues approximately 800 permits annually for new, expanded, or modified sewer systems and treatment plants, to ensure that water treated at these facilities is properly cleaned before discharge to the streams.

Fund	ALI	ALI Name	Estimated		Recommended		
			FY 2011	FY 2012	% Change	FY 2013	% Change
3BU0	715684	Water Quality Protection	5,089,000	7,450,000	46.4%	6,135,000	-17.7%
3F50	715641	Nonpoint Source Pollution Management	6,095,000	6,265,000	2.8%	6,260,000	-0.1%
4K40	715650	Surface Water Protection	8,915,000	7,642,625	-14.3%	6,672,246	-12.7%
5BC0	715624	Surface Water	13,198,000	8,970,181	-32.0%	9,114,974	1.6%
5BC0	715687	Areawide Planning Agencies	450,000	450,000	0.0%	450,000	0.0%
5N20	715613	Dredge and Fill	30,000	29,250	-2.5%	29,250	0.0%
5Y30	715685	Surface Water Improvement	2,850,000	2,800,000	-1.8%	2,800,000	0.0%
6990	715644	Water Pollution Control Administration	750,000	220,000	-70.7%	220,000	0.0%
<b>Total for Surface Water Protection</b>			<b>37,377,000</b>	<b>33,827,056</b>	<b>-9.5%</b>	<b>31,681,470</b>	<b>-6.3%</b>

**Program Series 7: Environmental Education (7150A)**

This program series funds grants for environmental education and pollution control equipment. The Ohio Environmental Education Fund Program (7150B) grants support education programs to: improve compliance and waste reduction by regulated entities; educate students, teachers, and the general public about technical aspects of environmental issues; and support university scholarships in environmental science and engineering. The Ohio Clean Diesel School Bus Fund Program (7151B) provides \$600,000 annually to help Ohio school districts and county developmental disability programs install pollution controls on buses to reduce student exposure to harmful pollutants in diesel exhaust, and provide the state match to secure additional federal grants for clean diesel projects.

Fund	ALI	ALI Name	Estimated		Recommended		
			FY 2011	FY 2012	% Change	FY 2013	% Change
3V70	715606	Agency-Wide Grants	350,000	350,000	0.0%	350,000	0.0%
5CD0	715682	Clean Diesel School Buses	600,000	600,000	0.0%	600,000	0.0%



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Fund	ALI	ALI Name	Estimated		Recommended		
			FY 2011	FY 2012	% Change	FY 2013	% Change
6A10	715645	Environmental Education	1,500,000	1,488,260	-0.8%	1,488,718	0.0%
<b>Total for Environmental Education</b>			<b>2,450,000</b>	<b>2,438,260</b>	<b>-0.5%</b>	<b>2,438,718</b>	<b>0.0%</b>

**Program Series 8: Compliance Assistance and Pollution Prevention (7155A)**

This program series consists of a non-regulatory program. The Compliance Assistance and Pollution Prevention Program (7155B) provides compliance assistance and pollution prevention efforts. It provides free assistance to over 3,000 businesses and other external customers annually to help them comply with environmental regulations to reduce pollution through source reduction and recycling. It also helps businesses reduce costs and their impact on Ohio's environment by reducing the amount of waste they generate. Services of the program include a toll-free hot line; on-site compliance and pollution prevention assessments, workshops and training; a "plain-English" publications library; and hands on assistance in completing permit application forms.

Fund	ALI	ALI Name	Estimated		Recommended		
			FY 2011	FY 2012	% Change	FY 2013	% Change
4K30	715649	Solid Waste	241,000	336,803	39.8%	332,036	-1.4%
4T30	715659	Clean Air Title V Permit Program	373,000	379,777	1.8%	371,146	-2.3%
5BC0	715676	Assistance and Prevention	775,000	640,179	-17.4%	645,069	0.8%
<b>Total for Compliance Assistance and Pollution Prevention</b>			<b>1,389,000</b>	<b>1,356,759</b>	<b>-2.3%</b>	<b>1,348,251</b>	<b>-0.6%</b>

**Program Series 9: Environmental and Financial Assistance (7160A)**

This program series funds the Division of Environmental and Financial Assistance Program (7163B), which delivers technical, administrative, and financial assistance to Ohio communities, private entities, and the Ohio Power Siting Board. The program works with local communities to ensure proposed wastewater and drinking water treatment system projects meet the community's needs, regulatory compliance obligations, and best construction practices. Projects are funded with low interest loans and subsidies, which reduce the cost that is passed on to rate payers. Nonpoint source pollution control projects are also funded to help address issues like toxic algae. The program will award \$440 million in annual financing of which up to \$30 million will be in the form of subsidies that do not have to be repaid.

Fund	ALI	ALI Name	Estimated		Recommended		
			FY 2011	FY 2012	% Change	FY 2013	% Change
3F20	715630	Revolving Loan Fund - Operating	907,546	907,543	0.0%	907,543	0.0%
6760	715642	Water Pollution Control Loan Administration	4,832,682	4,317,376	-10.7%	4,321,605	0.1%
<b>Total for Environmental and Financial Assistance</b>			<b>5,740,228</b>	<b>5,224,919</b>	<b>-9.0%</b>	<b>5,229,148</b>	<b>0.1%</b>

**Program Series 10: Office of Special Investigations (7180A)**

This program series funds the Office of Special Investigations Program (7180B), which conducts complex investigations into alleged, egregious environmental violations that potentially involve criminal activities. Over the last six years, investigations resulted in 164 convictions for an average of 27 successful prosecutions per year. Investigators serve as Ohio EPA's Counter-Terrorism Response Team and are trained to work as first responders in hazardous environments (chemical, biological, and radiological).

Fund	ALI	ALI Name	Estimated		Recommended		
			FY 2011	FY 2012	% Change	FY 2013	% Change
5050	715623	Hazardous Waste Cleanup	1,413,505	1,433,961	1.4%	1,388,739	-3.2%
<b>Total for Office of Special Investigations</b>			<b>1,413,505</b>	<b>1,433,961</b>	<b>1.4%</b>	<b>1,388,739</b>	<b>-3.2%</b>

**Program Series 11: Environmental Lab Services (7200A)**

This program series includes two Division of Environmental Services laboratory programs. The

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Analytical Laboratory Services Program (7200B) provides agency divisions with scientific data by analyzing 9,300 annual environmental samples for toxic pollutants such as lead, mercury, cyanide, phosphates, herbicides, pesticides, fecal contamination, and algal toxins; and by providing emergency testing of contaminated drinking water. The Laboratory Certification and Assistance Program (7210B) inspects and certifies 450 laboratories that ensure the safety of water from public water systems, coordinates a federal testing program for wastewater laboratories, and provides training and technical assistance to agency staff members, external laboratories, and the public.

Fund	ALI	ALI Name	Estimated		Recommended		
			FY 2011	FY 2012	% Change	FY 2013	% Change
1990	715602	Laboratory Services	983,928	402,295	-59.1%	408,560	1.6%
4K40	715686	Environmental Lab Services	2,132,000	2,096,007	-1.7%	2,096,007	0.0%
5BC0	715677	Laboratory	1,454,000	939,717	-35.4%	958,586	2.0%
<b>Total for Environmental Lab Services</b>			<b>4,569,928</b>	<b>3,438,019</b>	<b>-24.8%</b>	<b>3,463,153</b>	<b>0.7%</b>

**Program Series 12: Program Management (7220A)**

This program series consists of one program. The Environmental Program Support Program (7220B) provides management and support to district and central support offices that provide services to external stakeholders and the agency's environmental programs. In each of the five district offices managers and administrative staff coordinate and support the efforts of all programs to deliver services in an efficient and consistent manner. Central support offices provide leadership and strategic direction, communicate directly with external stakeholders, provide agency wide information technology applications, keep the public informed of proposed agency actions, oversee enforcement, and provide fiscal, legal, building management, and employee services.

Fund	ALI	ALI Name	Estimated		Recommended		
			FY 2011	FY 2012	% Change	FY 2013	% Change
2190	715604	Central Support Indirect	17,282,760	8,594,348	-50.3%	8,555,680	-0.4%
3V70	715606	Agency-Wide Grants	150,000	250,000	66.7%	250,000	0.0%
4A10	715640	Operating Expenses	3,336,872	2,304,267	-30.9%	2,093,039	-9.2%
5BC0	715692	Administration	0	8,562,476	-	8,212,627	-4.1%
<b>Total for Program Management</b>			<b>20,769,632</b>	<b>19,711,091</b>	<b>-5.1%</b>	<b>19,111,348</b>	<b>-3.0%</b>

**Program Series 13: Federal Stimulus - EPA (7240A)**

This program series supports American Recovery and Reinvestment Act (ARRA) programs. The program series provided \$1.7 million for Clean Diesel School Bus pollution control equipment grants through the Federal Stimulus School Bus Program (7240B) and \$2.2 million for water quality planning through the Surface Water 604B Program (7244B). In addition, \$220.6 million for 274 Clean Water infrastructure projects and \$58.5 million for 61 Drinking Water infrastructure projects were provided through the Ohio Water Development Authority.

Fund	ALI	ALI Name	Estimated		Recommended		
			FY 2011	FY 2012	% Change	FY 2013	% Change
3BU0	715684	Water Quality Protection	750,000	0	-100.0%	0	-
<b>Total for Federal Stimulus - EPA</b>			<b>750,000</b>	<b>0</b>	<b>-100.0%</b>	<b>0</b>	<b>-</b>

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**Appropriation Line Item Analysis for Fiscal Years 2012 and 2013**

**Line Item Restructuring Analysis**

Within the Environmental Protection Fund (Fund 5BC0), new line item 715692, Administration, has been created to pay agency administrative expenses that were previously paid as indirect costs from Fund 5BC0 and other State Special Revenue Budget Fund Group (SSR) line items to the Central Support Fund (Fund 2190). These moneys were then disbursed from Fund 2190's line item 715604, Central Support Indirect. Beginning in fiscal year 2012, most programs will stop paying indirect costs from SSR line items. Instead, the allocation of funding from Fund 5BC0 for these programs has been reduced and those amounts have been placed in the new line item. Appropriations to Fund 2190's line item 715604, Central Support Indirect, have also been reduced in proportion to the appropriation amounts proposed in the new line item.

To illustrate changes in funding levels due to this restructuring, estimated fiscal year 2011 spending in the following table is converted from the previous line-item structure to the current line-item structure.

Fund	ALI	ALI Name	Estimated		Recommended		
			FY 2011	FY 2012	% Change	FY 2013	% Change
5BC0	715617	Clean Ohio	632,640	611,455	-3.3%	611,455	0.0%
		Local Air Pollution					
5BC0	715622	Control	2,035,000	2,297,980	12.9%	2,297,980	0.0%
5BC0	715624	Surface Water	10,759,542	8,970,181	-16.6%	9,114,974	1.6%
5BC0	715672	Air Pollution Control	4,840,558	4,438,629	-8.3%	4,534,758	2.2%
		Drinking and Ground					
5BC0	715673	Water	4,637,229	4,317,527	-6.9%	4,323,521	0.1%
5BC0	715675	Hazardous Waste	98,467	95,266	-3.3%	95,266	0.0%
		Assistance and					
5BC0	715676	Prevention	680,821	640,179	-6.0%	645,069	0.8%
5BC0	715677	Laboratory	966,078	939,717	-2.7%	958,586	2.0%
5BC0	715678	Corrective Action	-	31,765	-	105,423	231.9%
		Areawide Planning					
5BC0	715687	Agencies	450,000	450,000	0.0%	450,000	0.0%
5BC0	715692	Administration	7,887,665	8,562,476	8.6%	8,212,627	-4.1%

**Line Item Notes**

715604, Central Support Indirect: This line item is being reduced by \$8.6 million in fiscal year 2012 because EPA will be directly coding a portion of its administrative expenses to Fund 5BC0's new line item 715692, Administration.

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Line Item Summary By Budget Fund Group

Fund	ALI	ALI Name	Actual			Estimated		Recommended		% Change
			FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013		
1990	715602	Laboratory Services	966,203	1,076,550	728,023	983,928	402,295	408,560	-59.1%	1.6%
2190	715604	Central Support Indirect	15,718,301	16,742,196	15,187,999	17,282,760	8,594,348	8,565,680	-50.3%	-0.4%
4A10	715640	Operating Expenses	3,336,872	2,629,570	2,153,343	3,336,872	2,304,267	2,093,039	-30.9%	-9.2%
		<b>Total for General Services</b>	<b>20,021,377</b>	<b>20,448,316</b>	<b>18,069,366</b>	<b>21,603,560</b>	<b>11,300,910</b>	<b>11,057,279</b>	<b>-47.7%</b>	<b>-2.2%</b>
3530	715612	Public Water Supply	2,976,449	2,699,137	2,593,932	2,941,282	2,941,282	2,941,282	0.0%	0.0%
3540	715614	Hazardous Waste Management	4,202,196	3,902,431	3,214,538	4,193,000	4,193,000	4,193,000	0.0%	0.0%
3570	715619	Air Pollution Control	6,153,640	5,772,637	5,672,888	6,310,203	6,310,203	6,310,203	0.0%	0.0%
3620	715605	Underground Injection Control	105,335	96,872	104,736	111,874	111,874	111,874	0.0%	0.0%
3BU0	715684	Water Quality Protection	6,044,756	5,886,457	5,431,274	6,489,000	8,100,000	6,785,000	24.8%	-16.2%
3CS0	715688	Federal NRD Settlements	0	0	0	100,000	100,000	100,000	0.0%	0.0%
3F20	715630	Revolving Loan Fund - Operating	89,505	253,944	755,527	907,546	907,543	907,543	0.0%	0.0%
3F30	715632	Federal Supported Cleanup and Response	1,774,591	1,608,806	1,527,665	3,775,881	3,344,746	3,290,405	-11.4%	-1.6%
3F50	715641	Nonpoint Source Pollution Management	6,547,554	5,279,940	5,146,831	6,095,000	6,265,000	6,260,000	2.8%	-0.1%
3K40	715634	DOD Monitoring and Oversight	570,570	593,104	593,628	0	0	0	-	-
3N40	715657	DOE Monitoring and Oversight	680,202	682,141	812,059	0	0	0	-	-
3T30	715669	Drinking Water State Revolving Fund	1,824,943	1,948,548	1,965,237	2,273,323	2,273,323	2,273,323	0.0%	0.0%
3V70	715606	Agency-Wide Grants	113,988	386,547	876,770	500,000	600,000	600,000	20.0%	0.0%
		<b>Total for Federal Special Revenue</b>	<b>31,083,730</b>	<b>29,110,562</b>	<b>28,695,195</b>	<b>33,697,109</b>	<b>35,148,971</b>	<b>33,772,630</b>	<b>4.3%</b>	<b>-3.9%</b>
4I00	715638	Underground Injection Control	383,676	427,782	365,063	456,714	445,234	445,571	-2.5%	0.1%
4K20	715648	Clean Air-Non Title V	3,613,456	3,701,300	1,943,708	3,587,176	3,152,306	2,906,267	-12.1%	-7.8%
4K30	715649	Solid Waste	13,146,218	13,701,408	13,520,917	16,317,606	16,742,551	16,414,654	2.6%	-2.0%
4K40	715650	Surface Water Protection	10,491,272	11,992,590	5,974,131	8,915,000	7,642,625	6,672,246	-14.3%	-12.7%
4K40	715686	Environmental Lab Services	0	0	2,024,837	2,132,000	2,096,007	2,096,007	-1.7%	0.0%
4K50	715651	Drinking Water Protection	7,039,885	7,615,071	5,553,099	7,699,007	7,410,118	7,405,428	-3.8%	-0.1%
4P50	715654	Cozart Landfill	38,876	58,918	52,141	100,000	100,000	100,000	0.0%	0.0%
4R50	715656	Scrap Tire Management	7,544,036	3,680,064	1,240,679	5,125,000	1,368,610	1,376,742	-73.3%	0.6%
4R90	715658	Voluntary Action Program	852,141	960,001	928,562	1,032,098	999,503	997,425	-3.2%	-0.2%
4T30	715659	Clean Air Title V Permit Program	16,699,500	17,593,919	16,077,541	18,073,104	16,349,471	16,241,822	-9.5%	-0.7%
4U70	715660	Construction and Demolition Debris	958,266	822,721	671,322	885,554	425,913	433,591	-51.9%	1.8%
5000	715608	Immediate Removal Special Account	437,798	510,735	554,780	643,903	633,832	634,033	-1.6%	0.0%
5030	715621	Hazardous Waste Facility Management	8,687,756	10,439,966	10,308,559	11,318,132	10,241,107	9,789,620	-9.5%	-4.4%
5050	715623	Hazardous Waste Cleanup	11,955,989	12,710,252	11,494,029	14,139,930	12,511,234	12,331,272	-11.5%	-1.4%
5050	715674	Clean Ohio Environmental Review	11,327	23,556	14,748	109,725	108,104	108,104	-1.5%	0.0%
5410	715670	Site Specific Cleanup	25,359	18,995	1,133,108	2,298,650	2,048,101	2,048,101	-10.9%	0.0%
5420	715671	Risk Management Reporting	135,964	133,018	123,113	135,964	132,636	132,636	-2.4%	0.0%
5920	715627	Anti-Tampering Settlement	5,654	3,637	1,284	5,654	2,285	2,285	-59.6%	0.0%

Executive Budget for FYs 2012 and 2013

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Environmental Protection Agency

Line Item Summary By Budget Fund Group

Fund	ALI	ALI Name	Actual			Estimated		Recommended		% Change	% Change
			FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013			
5BC0	715617	Clean Ohio	690,322	740,834	717,851	741,000	611,455	611,455	-17.5%	0.0%	
5BC0	715622	Local Air Pollution Control	1,026,368	1,026,368	1,827,000	2,035,000	2,297,980	2,297,980	12.9%	0.0%	
5BC0	715624	Surface Water	8,621,952	8,988,834	11,347,875	13,198,000	8,970,181	9,114,974	-32.0%	1.6%	
5BC0	715672	Air Pollution Control	4,997,281	5,199,253	6,544,292	7,607,000	4,438,629	4,534,758	-41.7%	2.2%	
5BC0	715673	Drinking and Ground Water	3,456,425	3,593,607	4,565,711	5,432,000	4,317,527	4,323,521	-20.5%	0.1%	
5BC0	715675	Hazardous Waste	100,845	109,890	112,250	116,000	95,266	95,266	-17.9%	0.0%	
5BC0	715676	Assistance and Prevention	661,791	702,233	722,040	775,000	640,179	645,069	-17.4%	0.8%	
5BC0	715677	Laboratory	1,206,665	1,196,053	1,375,395	1,454,000	939,717	958,586	-35.4%	2.0%	
5BC0	715678	Corrective Action	1,177,922	1,179,775	1,138,338	1,180,000	31,765	105,423	-97.3%	231.9%	
5BC0	715687	Areawide Planning Agencies	0	0	235,924	450,000	450,000	450,000	0.0%	0.0%	
5BC0	715692	Administration	0	0	0	0	8,562,476	8,212,627	-	-4.1%	
5B70	715679	C&DD Groundwater Monitoring	790	0	0	203,800	203,800	203,800	0.0%	0.0%	
5B70	715681	Auto Emissions Test	13,045,621	13,697,115	12,989,782	14,803,470	13,029,952	13,242,762	-12.0%	1.6%	
5C00	715682	Clean Diesel School Buses	905,285	507,011	201,639	600,000	600,000	600,000	0.0%	0.0%	
5DW0	715683	Auto Mercury Switch Program	54,768	11,031	0	0	0	0	-	-	
5H40	715664	Groundwater Support	2,064,103	2,120,792	1,689,164	1,884,247	77,508	76,212	-95.9%	0.9%	
5N20	715613	Dredge and Fill	29,833	29,759	28,516	30,000	29,250	29,250	-2.5%	0.0%	
5Y30	715685	Surface Water Improvement	0	0	0	2,850,000	2,800,000	2,800,000	-1.8%	0.0%	
6020	715626	Motor Vehicle Inspection and Maintenance	28,367	42,934	0	0	0	0	-	-	
6440	715631	Emergency Response Radiological Safety	247,983	235,179	259,316	286,114	279,838	279,966	-2.2%	0.0%	
6600	715629	Infectious Wastes Management	69,544	85,392	80,816	100,000	91,573	88,764	-8.4%	-3.1%	
6760	715642	Water Pollution Control Loan Administration	4,692,244	4,734,180	4,448,437	4,832,682	4,317,376	4,321,605	-10.7%	0.1%	
6780	715635	Air Toxic Release	164,072	192,273	100,791	179,746	138,669	138,669	-22.9%	0.0%	
6790	715636	Emergency Planning	2,508,011	2,827,733	2,506,550	2,628,647	2,623,192	2,623,252	-0.2%	0.0%	
6960	715643	Air Pollution Control Administration	1,498,984	507,203	727,820	750,000	1,480,651	1,480,812	97.4%	0.0%	
6990	715644	Water Pollution Control Administration	685,233	733,893	518,298	750,000	220,000	220,000	-70.7%	0.0%	
6A10	715645	Environmental Education	1,916,683	1,449,667	1,222,124	1,500,000	1,488,260	1,488,718	-0.8%	0.0%	
<b>Total for State Special Revenue</b>			<b>132,078,264</b>	<b>134,005,156</b>	<b>125,341,549</b>	<b>157,361,923</b>	<b>141,144,881</b>	<b>139,081,273</b>	<b>-10.3%</b>	<b>-1.5%</b>	
5S10	715607	Clean Ohio Operating	190,001	207,350	210,348	291,174	284,083	284,124	-2.4%	0.0%	
<b>Total for Clean Ohio Conservation Program</b>			<b>190,001</b>	<b>207,350</b>	<b>210,348</b>	<b>291,174</b>	<b>284,083</b>	<b>284,124</b>	<b>-2.4%</b>	<b>0.0%</b>	
<b>TOTAL Environmental Protection Agency</b>			<b>183,373,372</b>	<b>183,771,384</b>	<b>172,316,458</b>	<b>212,953,766</b>	<b>187,876,845</b>	<b>184,195,306</b>	<b>-11.8%</b>	<b>-2.0%</b>	

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State of Ohio

## Environmental Review Appeals Commission

### Role and Overview

The Environmental Review Appeals Commission (ERAC) hears and resolves appeals resulting from various technical and legal final actions taken by the Ohio Environmental Protection Agency, the Ohio Department of Agriculture, county and local boards of health, the State Fire Marshal's Office, and the State Emergency Response Commission. The commission functions like a court and was created specifically for the purpose of resolving environmental disputes involving the above-cited administrative agencies.

The commission consists of three members appointed by the Governor for staggered six-year terms. Each member must have extensive experience in pollution control and abatement technology, ecology, public health, environmental law, and economics of natural resource development or related fields. The day-to-day functions of the commission are performed by an executive secretary and one other employee.

More information regarding the Environmental Review Appeals Commission is available at <http://www.ERAC.ohio.gov>.

### Agency Priorities

- Continue to administer quasi-judicial appellate review of final actions in a non-partisan forum to efficiently resolve the issues brought before it within its jurisdiction.
- Resolve all appeals filed with the commission in a timely manner.
- Implement and revise policies and procedures to assure an efficient and timely appeal process.

### Funding Recommendation for FY2012 and FY2013

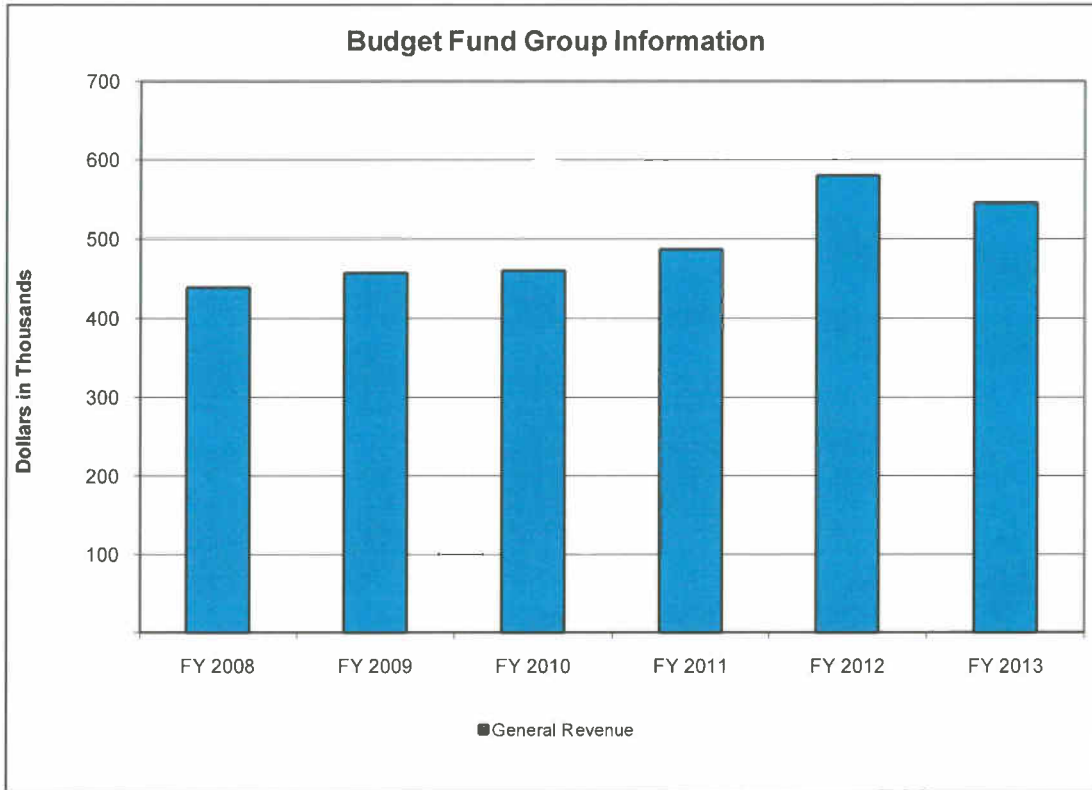
#### Funding Summary

- GRF: Funding for fiscal year 2012 is \$580,145 (or a 19.1% increase from fiscal year 2011). Funding for fiscal year 2013 is \$545,530 (or a 6.0% decrease from fiscal year 2012).

#### The Executive Recommendation will fund the following objectives:

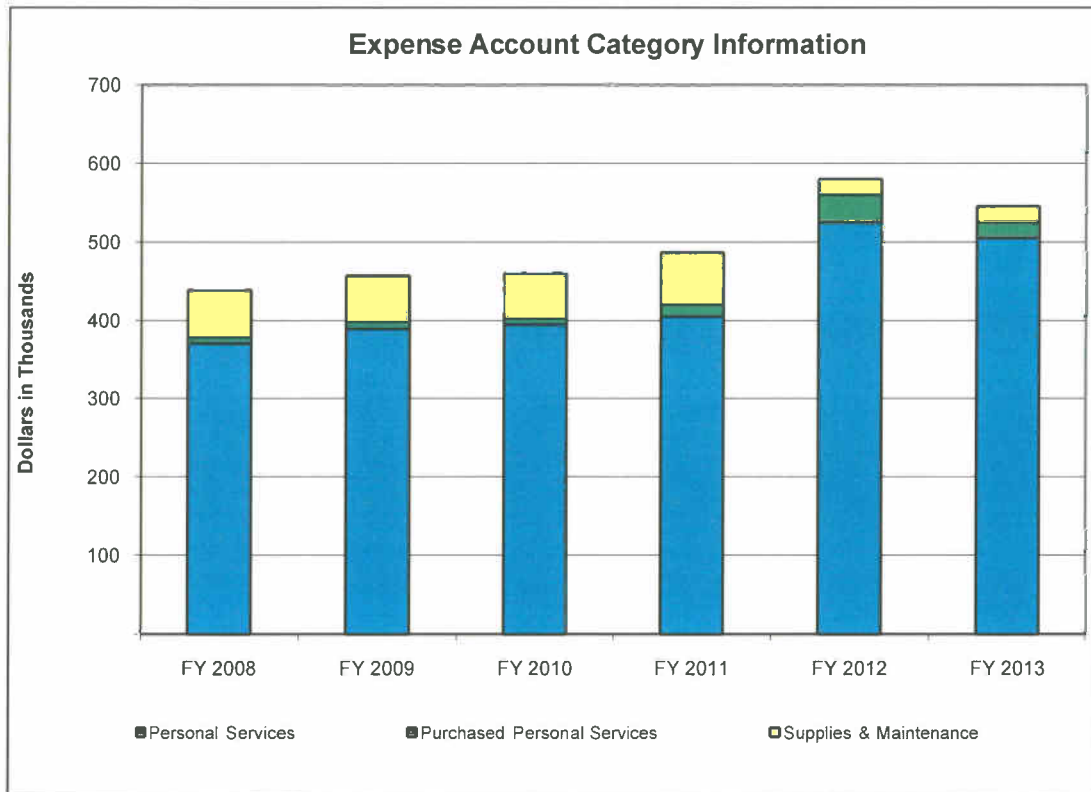
- Provide quasi-judicial appellate review of appeals of certain environmental actions of the Ohio Environmental Protection, the Ohio Department of Agriculture, the State Fire Marshal's Office, the State Emergency Response Commission, and county and local boards of health.
- Provide consistent body of environmental case law in Ohio.
- Provide impartial, professional oversight of the environmental decisions made by regulatory agencies, over which the commission has jurisdiction.

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**Environmental Review Appeals Commission**



(in Thousands)	Actual			Est.	% Change	Recommended			
	FY 2008	FY 2009	FY 2010			FY 2011	FY 2012	% Change	FY 2013
General Revenue	439	457	460	487	5.8%	580	19.1%	546	-6.0%
<b>Totals</b>	<b>439</b>	<b>457</b>	<b>460</b>	<b>487</b>	<b>5.8%</b>	<b>580</b>	<b>19.1%</b>	<b>546</b>	<b>-6.0%</b>

State of Ohio  
**Environmental Review Appeals Commission**



(in Thousands) Expense Account Category	Actual			Est.	% Change	Recommended			
	FY 2008	FY 2009	FY 2010	FY 2011	FY10-11	FY 2012	% Change	FY 2013	% Change
Personal Services	370	389	394	405	2.7%	525	29.7%	505	-3.8%
Purchased Personal Services	9	10	8	16	97.4%	35	123.2%	20	-41.9%
Supplies & Maintenance	61	59	58	66	14.7%	20	-69.8%	20	-0.1%
<b>Totals</b>	<b>439</b>	<b>457</b>	<b>460</b>	<b>487</b>	<b>5.8%</b>	<b>580</b>	<b>19.1%</b>	<b>546</b>	<b>-6.0%</b>

**Program Series 1: Environmental Review Appeals Commission (124A0)**

This program series, through the Hearing and Determination Process Program (124B1), supports all the Environmental Review Appeals Commission's work hearing and resolving environmental appeals in accordance with the Ohio Revised Code. The commission has only one program series and one program.

Fund	ALI	ALI Name	Estimated	Recommended			
			FY 2011	FY 2012	% Change	FY 2013	% Change
GRF	172321	Operating Expenses	487,000	580,145	19.1%	545,530	-6.0%
<b>Total for Environmental Review Appeals Commission</b>			<b>487,000</b>	<b>580,145</b>	<b>19.1%</b>	<b>545,530</b>	<b>-6.0%</b>



State of Ohio  
Environmental Review Appeals Commission

Line Item Summary By Budget Fund Group

Fund	ALI	ALI Name	Actual			Estimated		Recommended		% Change	% Change
			FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013			
GRF	172321	Operating Expenses	438,997	457,238	460,187	487,000	580,145	545,530	19.1%	-6.0%	
Total for General Revenue			438,997	457,238	460,187	487,000	580,145	545,530	19.1%	-6.0%	
TOTAL Environmental Review Appeals Commission			438,997	457,238	460,187	487,000	580,145	545,530	19.1%	-6.0%	