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OHIO LEGISLATIVE SERVICE COMMISSION

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Office

S.B. 171
134th General Assembly

Fiscal Note & Local Impact Statement

[Click here for S.B. 171's Bill Analysis](#)

Version: As Introduced

Primary Sponsors: Sens. Hoagland and Rulli

Local Impact Statement Procedure Required: No

Tom Wert, Senior Budget Analyst

Highlights

- The Division of Oil and Gas Resources Management within the Department of Natural Resources (DNR) could incur some minimal costs to review documentation submitted by individuals who wish to sell processed or recycled brine products under the bill. Any such costs would be paid from the Oil and Gas Well Fund (Fund 5180).

Detailed Analysis

Under the bill, the Division of Oil and Gas Resources Management within the Department of Natural Resources (DNR) could incur minimal new costs to review documentation submitted by individuals who wish to sell processed or recycled brine derived from oil and gas production from nonhorizontal wells as a commodity. Specifically, the bill requires that a holder of a permit, order, or approval to dispose of brine who wishes to sell brine as a commodity demonstrate that its intended use is not expected to result in damage or injury to public health, safety, or the environment. Any of the following information satisfies this requirement: (1) documentation that the Ohio Department of Transportation (ODOT) has approved the commodity for de-icing or snow control, (2) documentation that the commodity, with or without a corrosion inhibitor, is listed on the most recent Pacific Northwest Snowfighters qualified products list, or (3) documentation from a private certification entity approved by ODOT. Along with the documentation, the holder must submit the results of a representative sample of the commodity, analyzed by a laboratory, confirming that the commodity does not exceed certain chemical and radiological limits. After submitting the documentation, the brine may be sold for purposes of surface application in de-icing, dust control, portable restrooms, or any other purpose approved by the Chief of the Division of Oil and Gas Resources Management.

The bill also allows the Chief to establish reporting requirements for commodity sellers and requires the Chief to collect up to four samples of a commodity from a seller each year. These

provisions could result in additional new costs for the Division. However, the bill does not appear to create significant additional workloads for the Division, and any new costs are likely to be minimal at most. Core regulatory and oversight functions related to oil and gas production and related waste management are paid from the Oil and Gas Well Fund (Fund 5180).