

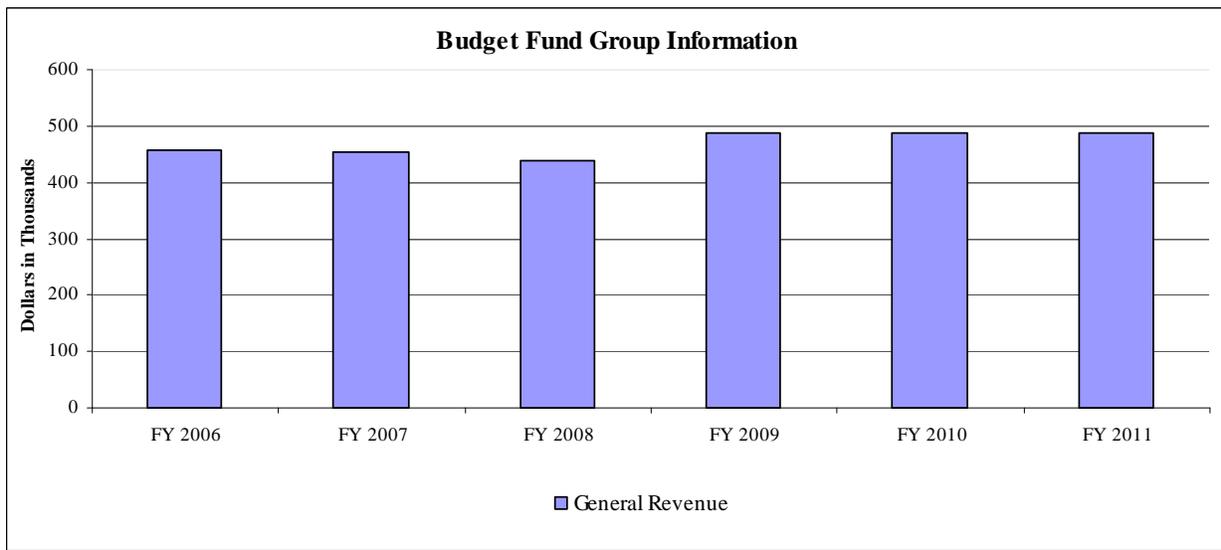
Environmental Review Appeals Commission

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, the State Fire Marshal’s Office, the State Emergency Response Commission, and county and local boards of health. The commission has statewide jurisdiction and is the highest level of administrative appeal for final actions of the agencies listed above. The appeals heard by the commission generally are highly technical and legal in nature. Decisions of the commission may be appealed to the Franklin County Court of Appeals, or, if the appeal arises from an alleged violation of a law or regulation, to the court of appeals for the district in which the violation is alleged to have occurred.

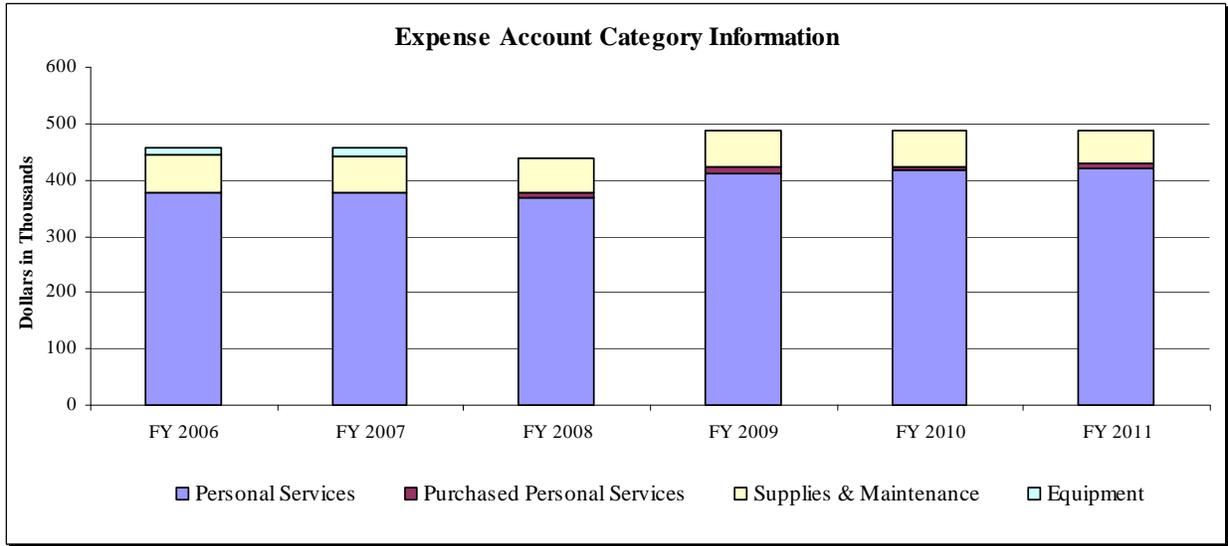
The commission consists of three members appointed by the Governor for staggered six-year terms. Each member must have extensive experience in the fields of pollution control and abatement technology, ecology, public health, environmental law, and economics of natural resource development. An executive secretary and one other full-time employee perform the day-to-day functions of the commission. The annual operating budget of the general revenue-funded commission is approximately \$487,000.

Summary of Budget History and Recommendations



(In Thousands)	ACTUAL			EST.	% CHANGE	RECOMMENDED			
	FY 2006	FY 2007	FY 2008			FY 2009	FY 08-09	FY 2010	% CHANGE
General Revenue	456	455	439	487	10.9	487	0.0	487	0.0
TOTAL	456	455	439	487	10.9	487	0.0	487	0.0

Environmental Review Appeals Commission



(In Thousands) EXPENSE ACCOUNT CATEGORY	ACTUAL			EST.	%	RECOMMENDED			
	FY 2006	FY 2007	FY 2008	FY 2009	FY 08-09	FY 2010	%	FY 2011	%
Personal Services	379	378	370	412	11.3	416	1.1	421	1.0
Purchased Personal Services	0	1	9	11	28.4	7	-36.4	7	0.0
Supplies & Maintenance	66	64	61	63	4.4	64	1.0	59	-6.8
Equipment	11	13	0	1	100.0	0	-100.0	0	0.0
TOTAL	456	455	439	487	10.9	487	0.0	487	0.0

PROGRAM SERIES 01: Environmental Review Appeals Commission

This program series supports the Environmental Review Appeals Commission’s duties to hear and resolve environmental appeals in accordance with Ohio Revised Code.

Program 01.01: Hearing/Determination Process

The commission hears appeals of final environmental legal actions taken by several state and local governmental agencies and makes determinations based on legal and technical aspects of each case. The decision in many cases establishes statewide legal precedents.

The Executive Recommendation will fund the following objectives:

- Continued funding of the day-to-day operations of the Commission; and
- Retention of the two current Commission staff members.

FUND				RECOMMENDED	
GROUP	FUND	ALI	ALI NAME	FY 2010	FY 2011
GRF	GRF	172321	Operating Expenses	487,000	487,000
TOTAL FOR PROGRAM				487,000	487,000

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LINE ITEM SUMMARY - Environmental Review Appeals Commission

FUND	ALI	ALI NAME	FY 2006 ACTUAL	FY 2007 ACTUAL	FY 2008 ACTUAL	FY 2009 ESTIMATE	FY 2010 RECOMMENDED	% CHANGE	FY 2011 RECOMMENDED	% CHANGE
GRF	172321	Operating Expenses	455,655	455,217	438,997	487,000	487,000	0.0	487,000	0.0
TOTAL General Revenue			455,655	455,217	438,997	487,000	487,000	0.0	487,000	0.0
TOTAL Environmental Review Appeals Commission			455,655	455,217	438,997	487,000	487,000	0.0	487,000	0.0