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Kathy Cooper

From: ecomment@pa.gov
Sent: Monday, September 25, 2017 1:55 PM
To: Environment-Committee@pasenate.com; IRRRC; eregop@pahousegop.com; environmentalcommittee@pahouse.net; regcomments@pa.gov; apankake@pasen.gov
Cc: c-jflanaga@pa.gov
Subject: Comment received - Proposed Rulemaking: Safe Drinking Water General Update and Fees



Re: eComment System

The Department of Environmental Protection has received the following comments on Proposed Rulemaking: Safe Drinking Water General Update and Fees.

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IRRC
2017 SEP 25 P 2:13

Commenter Information:

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Comments entered:

Subchapter N. DRINKING WATER FEES

The General Fund support for DEP has been dramatically reduced. With respect to the Safe Drinking Water Program, DEP receives \$7.7 million of its funding from the General Fund. According to DEP, the Safe Drinking Water Program is short \$7.5 million. It does not seem fair that our customers' tax dollars are used to fund the \$7.7 million from the General fund, and will now be responsible for contributing to the \$7.5 million funding gap.

Western Berks Water Authority also believes that the fees that are being charged to medium and large size water systems do not accurately reflect the actual cost of the service being provided. In some instances, the fee is more than 800% greater than the service being provided. This is supported by the statutory requirement in the PA Safe Drinking Water Act (SDWA) (Section 4(c) of Act 43 of 1984). We believe that these fees do not reflect the level of service that we receive from the department and that it creates another burden on the ratepayers for large and medium water systems where they are forced to subsidize the fees for smaller water systems.

As a medium sized system, we have been hit with a double-whammy. The large systems have a large customer base to spread out fees. The smaller systems are being subsidized. Therefore, as it relates to the percent of rate increase required to meet the new fees, mid-sized systems will require the largest increase to meet the dollar amount required by the fee package.

Subsidies for small water systems should not come from overly burdensome fees on medium size water systems. A subsidization policy for small water systems should be made by the General Assembly and should come from the general fund.

§ 109.1404 (Community and noncommunity water system permitting fees)

This section establishes fees, based upon population served, involving the application for a construction permit or a major construction permit amendment. The Western Berks Water Authority opposes the proposal to base permit fees on population served. Permit fees should be based on the scope of work (i.e., type of project, scope of the project, project size and complexity) and are independent of the system size.

The Western Berks Water Authority believes that the original intent of minor permits was to provide the DEP with a simple notice of the applicant's intent. Since these are minor projects there should be very little need for extensive DEP review. Unfortunately, minor permits have been treated by the DEP nearly the same as major permits and appear to consume the same level of resources for both the PWS and DEP.

In addition, minor permits should not require extensive DEP review so any such permit fees should be substantially less than proposed and, more importantly, bear a reasonable relationship to the actual cost of providing a service, as required by the Pennsylvania Safe Drinking Water Act.

No attachments were included as part of this comment.

Please contact me if you have any questions.

Sincerely,
Jessica Shirley

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