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**Kathy Cooper**

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**From:** ecomment@pa.gov  
**Sent:** Monday, September 18, 2017 3:39 PM  
**To:** Environment-Committee@pasenate.com; IRRRC; eregop@pahousegop.com; environmentalcommittee@pahouse.net; regcomments@pa.gov; apankake@pasen.gov  
**Cc:** c-jflanagan@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.**

**Commenter Information:**

Wendy Malehorn  
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**Comments entered:**

To Whom it May Concern,

In December 2016, the United States Environmental Protection Agency sent a letter to the PA Department of Environmental Protection stating Pennsylvania's drinking water quality is at risk. EPA determined DEP failed to meet federal requirements. DEP does not deny the allegations; they are not inspecting drinking water treatment facilities as per EPA standards. DEP explains that the quality of public drinking water has been placed at increasing risk because of decreases in DEP's budget. The underfunding has led to a reduction in DEP staffing and to date, staffing is 64% of what it was in 2007. Why would we underfund DEP and put the public's health at risk?

Environmental related topics are generally a bore to the public and our policymakers. Specifically, water is not glamorous and thankfully the United States of America has a safe water supply. Therefore, it is easy to cut funds from an industry that stays out of sight, out of mind. In conclusion, for over a decade the health of over 10 million Pennsylvanians has been put at risk as tax dollars have been redirected away from DEP in the state budget.

To maintain primacy, DEP needs funding. Governor Wolf directed DEP to increase permit fees and establish new annual fees to address the funding gap. DEP proposed the fee package to the Environmental Quality Board in May 2017. Through the fee package, new annual fees would be instituted for all public water systems. Additionally, one-time permit fees would be increased.

Pennsylvanians may not know how much DEP has done to protect public health, however, they have. Regarding drinking water, DEP regulates 93 contaminants, monitors system performance, provides technical, managerial and financial assistance all, to ensure sustainable systems while

protecting public health. To continue the mission set forth by the Pennsylvania legislature, more knowledgeable staff is needed.

However, not only has DEP been asked to do more with less; the same has been asked of our water systems. Regulations have directed a great deal of investment decisions at water treatment systems all while sources of public funding have eroded. Therefore, our water system infrastructure has suffered. At this point, it has decayed to a life-threatening point. Asking systems to pay more regulatory fees is going to impair the systems as they strive to restore and rebuild (to just a satisfactory level).

Legislators may believe that systems should raise rates, however systems will not raise rates – they cannot. At the national and state level, water may not be newsworthy, however at the local level water rates are very politically charged. Therefore, systems will once again pay the regulatory fee through the existing rate structure setting our systems further behind. Ultimately, the proposed fees will cause:

1. Systems to defer maintenance.
2. Hurt the Pennsylvania economy.
3. Force more operators out of the industry/limit prospective operators (wages are too low and benefits are too limited).

In the end, this proposal will only fund the Department of Environmental Protection and ensure Pennsylvania retains regulatory primacy. The true mission of the PA DEP (protecting the health of Pennsylvania tax payers) will not be accomplished. Rather than focus on pleasing the EPA, the Pennsylvania Legislature should focus on ensuring the livelihood of the water industry. In the end, if the focus is changed to fixing the true problem, the EPA will also be satisfied.

To conclude, the EQB should reject the new fee proposal. The budgets of our water systems cannot afford to pay more towards regulatory fees. The legislature must look at other options to protect public health.

Sincerely,

Wendy M. Malehorn

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No attachments were included as part of this comment.

Please contact me if you have any questions.

Sincerely,  
Jessica Shirley

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