

**CHAPMAN AUTO PARTS & SALES, INC.**

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April 27, 2021

Dear IRRC Members:

The Department claims that increases are necessary to administer the WQM and NPDES programs and to implement the Pennsylvania Clean Streams Law, as well as the NPDES program mandated by the federal Clean Water Act. While I can certainly agree it is important to maintain adequate funding for environmental compliance monitoring, increasing financial burdens on entities in which these programs rely on to generate such funding may actually not be in the best interest of DEP.

It is our understanding that funding for the Clean Water Program should and has come out of DEP's General Fund appropriation, and not out of fees levied on businesses and municipalities throughout the Commonwealth. From what we have heard it was not the intention of the General Assembly to fund DEP's Clean Water Program through application fees authorized by the Clean Streams Law. Another important consideration regarding statutory authorization of these increases is the word reasonable. Though subjective, it is clear from the excessive percentage of the proposed increases that it has now moved beyond reasonable by any definition. DEP is proposing exponential increases from existing fees that will impose a severe hardship on businesses that may still be struggling to recoup from the pandemic.

Finally, and perhaps the least palatable portion of this proposed regulation according to some state legislators, is the proposal to adjust fees every two years based on changes to the U.S. Bureau of Labor Statistics Employment Cost Index for State and Local Government Compensation. Allowing fee increases to occur based on an index without going through the regulatory process circumvents the intent of the General Assembly to require that fee increases be set by regulation. This will also prevent the important step required by the Regulatory Review Act of public participation in the process by allowing future increases to happen out

of the public's view, thus denying Pennsylvanians who will be impacted the ability to comment.

PARTS has a history of a positive working relationship with the Department of Environmental Protection on making the necessary state regulations related to storm water permitting issues the best that they can be for the waters, citizens and regulated industries of the Commonwealth.

We strongly urge the IRRC to reject the proposed regulation IRRC 3227 regarding Water Quality Management and National Pollution Discharge Elimination System Permit Application and Annual Fees. These proposed fee increases for these two programs as well as the proposed changes to the oversight process for changing the fees.

The increase in fees represents a serious burden for many professional automotive recycling businesses and would have far reaching consequences on the waters, citizens and regulated industries businesses. We have seen the cost of compliance rise just over the last five years from \$500 (\$100 per year) for a 5-year permit to \$500 per year and now \$1500 per year with potential of fees being raised every two years. Pennsylvania businesses cannot afford the current suggested increase not to mention an unknown amount in two years.

Chapman Auto Parts & Sales Inc. has been in the auto recycling industry since 1960 at the same location and we are a small struggling business trying to stay alive. Over the years we have been very active in our state association P.A.R.T.S. we have done our best to stay in compliance with all the rules and regulations as they pertain to our environmental duties but watching the increases to our fees and testing is disturbing. Increases may not be needed if all businesses are required to comply. There are recycling businesses around me that do not even have a storm water permit because their township does not require them to have one. I suggest that you bring everybody in compliance before you start hiking up the fees for only the yards that have the permits also the municipalities need to consider not getting carried away with the increases that they want to impose. With that being said all of the fees and increases are going to force businesses to close because they just can't afford it anymore. As a suggestion, enforce the \$3000.00 on the people who don't have a permit but leave the \$500.00 yearly fee in place for the existing ones.

Richard T. Cherico- President

