

3227



May 1, 2019

**RE: Comment for Proposed Rulemaking: WQM and NPDES Permit Application Fees and Annual Fees (#7-533) (correction to Table in § 91.22(a) published April 6, 2019; 49 Pa.B. 1665)**

TeamAg, Inc, based in Lancaster County, works together with many Pennsylvania agricultural operations that will be affected by the proposed WQM and NPDES permit fees. With the current economic challenges, this is not an appropriate time to raise fees for our agricultural operations and places an increased unfair disadvantage on these Pennsylvania farms when compared to similar farming operations in our neighboring states.

Pennsylvania permit fees for CAFOs (Concentrated Animal Feeding Operations) are many times more expensive than our neighboring states. Under "D. Background and Purpose" in the Proposed Rulemaking, it is mentioned that an analysis "highlighted that NPDES fees in the Commonwealth are 50% to 90% less than surrounding and comparable states for most categories of NPDES permits." This is simply not true for **CAFO** NPDES permits. In New York, the annual fee for CAFO is only \$50 per year. In Maryland, the permit fee for CAFOs is waived. In Ohio the application fee for a new CAFO is \$200 and there is no annual fee. None of these states require Water Quality Management Permits for new manure storage facilities.

In this proposed Rulemaking, Pennsylvania DEP is proposing that the individual CAFO permit application fee be increased to \$3,000. Already, The PAG-12 CAFO General Permit requires a \$500 annual Notice of Intent fee beginning in 2020. The Pennsylvania Individual Water Quality Management Permit required for new manure storage facilities is to be increased to \$2,500. The General Water Quality Management Permit fee currently is \$500. All of these fees are much more expensive than what CAFO farms in our neighboring states are paying, and places a significant disadvantage on Pennsylvania farms. In addition to these fees, farms must pay for public notice fees for new applications, which can cost an additional \$500.

The Department of Environmental Protection should continue current efforts to improve its efficiency in the administration of these permits. Permit fee increases should only be considered after the Department is working with maximum efficiency. We suggest that an analysis be done of the neighboring states on how they administer their CAFO permits.

Thank you for considering our comments.

Faithfully yours,

*John Williamson*

John Williamson

TeamAg, Inc.