

3227

Kathy Cooper

From: Faye Romberger <fromberger@carrolltownship.com>
Sent: Tuesday, May 14, 2019 9:20 AM
To: IRRC
Cc: 'dkeefe@pahousegop.com'
Subject: IRRC REFERENCE NUMBER (3227) - DEP Water Quality Management & National Pollution Discharge Elimination System Permit Application & Annual Fees
Attachments: DOC051419 - Resolution No 2019-12.pdf

To Whom It May Concern,

Attached is a Resolution that was adopted last night (May 13, 2019) by the Carroll Township Board of Supervisors, York County, in opposition to the Rule Change and Increase in Department of Environmental Protection Permit Fees. Please consider this Resolution before passing the DEP's - Water Quality Management and National Pollution Discharge Elimination System Permit Application and Annual Fees request. The new fees would place an unfair burden on the residents and business of the Township.

Thank you.

Faye Romberger
Secretary

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IRRC REFERENCE NUMBER (3227)

Department of Environmental Protection – Water Quality Management and National Pollution Discharge Elimination System Permit Application and Annual Fees

**CARROLL TOWNSHIP
YORK COUNTY, PENNSYLVANIA
RESOLUTION NUMBER 2019-12**

A RESOLUTION OF THE BOARD OF SUPERVISORS OF CARROLL TOWNSHIP, YORK COUNTY, PENNSYLVANIA IN OPPOSITION TO THE RULE CHANGE AND INCREASE IN DEPARTMENT OF ENVIRONMENTAL PROTECTION PERMIT FEES

WHEREAS, the Pennsylvania Department of Environmental Protection is considering a rule change removing regulatory action for fee increases and an increase in fees for permits under the title “Water Quality Management and National Pollution Discharge Elimination System Permit Application and Annual Fees”; and

WHEREAS, Independent Regulatory Review Commission (IRRC) must consider if the regulation is in the public interest and the proposed regulations economic or fiscal impact; and

WHEREAS, the Township of Carroll has existing permits subject to these proposed increases and undertakes work requiring permits subject to these increases; and

WHEREAS, landowners and businesses within Carroll Township have existing permits subject to these proposed increases and often require permits for work subject to these increases and

WHEREAS, the Water and Sewer Authority serving significant portions of Carroll Township have existing permits subject to these proposed increases and often require permits for work subject to these increases and

NOW THEREFORE BE IT RESOLVED, and it is hereby resolved by the Board of Supervisors of the Township of Carroll, County of York, Pennsylvania, that the Township of Carroll firmly opposes the increase in fees for the following reasons:

1. The Board of Supervisors are elected by its citizens and are directly accountable to them for Municipal Budgets and control of expenses for projects and this will increase costs to municipalities and residents with no additional benefit to the Township.
2. Landowners, Businesses and Sewer and Water Authority within Carroll Township will be directly and negatively impacted by these fee increases and will be required to pass those increases on to customers and landowners with no additional benefit to the landowners or businesses in the Township.
3. The Board of Supervisors believes there are efficiencies and work process improvement that DEP should implement that would eliminate the need for the increases and that the enduring inefficiencies should not be a burden on the residents and businesses of the Township.

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4. The Board of Supervisors are elected officials of Carroll Township and subject to election by residents of the Township and therefore are responsible for and qualified to set rates and fees on their residents and businesses. This proposal allows for non-elected and unknown government officials to set fees.
5. Under the Pennsylvania Constitution, Article VIII, the operating budget of DEP is determined by appropriations by the General Assembly and is not permissible via a Department increasing its' fees or permit costs to cover its budget. It appears the Department is not attempting set fees or permits that are reasonably related to cost and expenses that correspond to the work related to the fee or permit. It appears the Department is attempting to raise revenue via the permit and fees, for its operations.

BE IT FURTHER RESOLVED, that a copy of this Resolution shall be delivered by First Class Mail to our State Representative(s), State Senator, and Governor to so indicate the Carroll Township Board of Supervisors opposition and to request the DEP abandon this plan.

DULY ADOPTED this 13th day of May 2019, by the Carroll Township Board of Supervisors York County, Pennsylvania.

ATTEST:

TOWNSHIP OF CARROLL

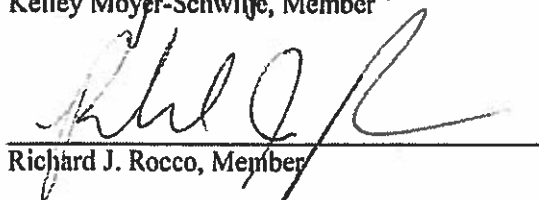

Faye L. Romberger, Secretary


Andy C. Rifter, Chairman


Brian R. Schmick, Vice-Chairman


Bruce R. Trostle, Member


Kelley Moyer-Schwilke, Member


Richard J. Rocco, Member