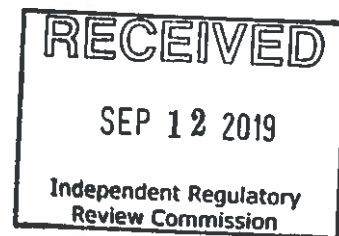


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FRANKLIN TOWNSHIP
BOARD OF SUPERVISORS
(YORK COUNTY)



September 5, 2019

Independent Regulatory Review Commission
333 Market St, 14th Floor
Harrisburg, PA 17101
irrc@irrc.state.pa.us

Dear Commissioners:

We would like to express our opposition to the Rule Change and Increase in Department of Environmental Protection Permit Fees.

We understand 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 the Independent Regulatory Review Commission (IRRC) must consider if the regulation is in the public interest and the proposed regulations economic or fiscal impact.

The Board of Supervisors of Franklin Township, York County, Pennsylvania 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.
 - a. The Township of Franklin has existing permits subject to these proposed increases and undertakes work requiring permits subject to these increases.
2. Landowners, Businesses and Sewer and Water Authority within Franklin 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.
 - a. The Water and Sewer Authority serving significant portions of Franklin Township have existing permits subject to these proposed increases and often require permits for work subject to these increases.
 - b. Landowners and businesses within Franklin Township have existing permits subject to these proposed increases and often require permits for work subject to these increases.



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BOARD OF SUPERVISORS
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3. The Board of Supervisors are elected officials of Franklin 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.
4. 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.

Please consider our opposition to the Rule Change and Increase in Department of Environmental Protection Permit Fees and act to hold these growing fees in check.

On behalf of the Franklin Township Supervisors,


Teresa M. Adams
Franklin Township Secretary

Cc Representative Dawn Keefer
Senator Mike Regan