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February 14, 2012

Department of Environmental Protection
Attn: Mr. Thomas Callaghan, Director
Bureau of Mining Programs
Rachel Carson State Office Building
Harrisburg, PA 17105-8461

Dear Mr. Callaghan:

I am writing to express extreme concern over the proposed changes to 25 Pa. Code Chapter 77 regarding the pending fee schedule for noncoal permits and services.

The proposed \$1,450 Underground Mining Permit-Active would cripple small family owned and operated businesses. Small facilities cannot afford this high cost.

For example, there is a small business in my district that only has four employees. This business would need to buy three permits for a total of \$4,350. To cover the costs of these permits, they would be forced to give the employees a pay cut or lay someone off for a few months.

There are no rules or regulations being put in place. It is simply the state asking small business owners to pay more money. It is very difficult to imagine that the cost to regulate these small operations was free in the past but will now cost the state \$1,450. The cost of a permit should roughly reflect the cost to regulate, and the numbers do not add up. This appears to be a money grab by DEP to offset smaller appropriations in the General Fund Budget.

The proposed fee schedule is arbitrary, excessive, and punitive and does not relate to the actual cost of regulating. The proposed fee schedule would cause extreme harm to small business owners, reduce the number of rural jobs and create an unnecessary hardship on these struggling businesses.

I am requesting that the proposed fee schedule be abandoned and not adopted.

Sincerely,

A handwritten signature in cursive script that reads "Brad Roae".

Brad Roae
State Representative
6th Legislative District

cc: Representative Scott Hutchinson
Roger Bly

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