



pennsylvania
DEPARTMENT OF ENVIRONMENTAL PROTECTION



Bureau of Safe Drinking Water

Chapter 109 General Update and Fees Proposed Rulemaking

Technical Assistance Center Board for Small
Water Systems (TAC)

Harrisburg, PA

November 14, 2016

Background and Purpose

- Incorporate the remaining general update provisions that were separated from the proposed Revised Total Coliform Rule (RTCR) as ordered by the EQB
- Establish new annual fees and amend existing permit fees
- Incorporate additional general updates that will:
 - Establish the regulatory basis for issuing general permits
 - Clarify that NCWSs require a permit or approval from DEP prior to construction or operation
 - Address concerns related to gaps in monitoring and tracking of back-up water sources and entry points

▶ Remaining General Updates from RTCR

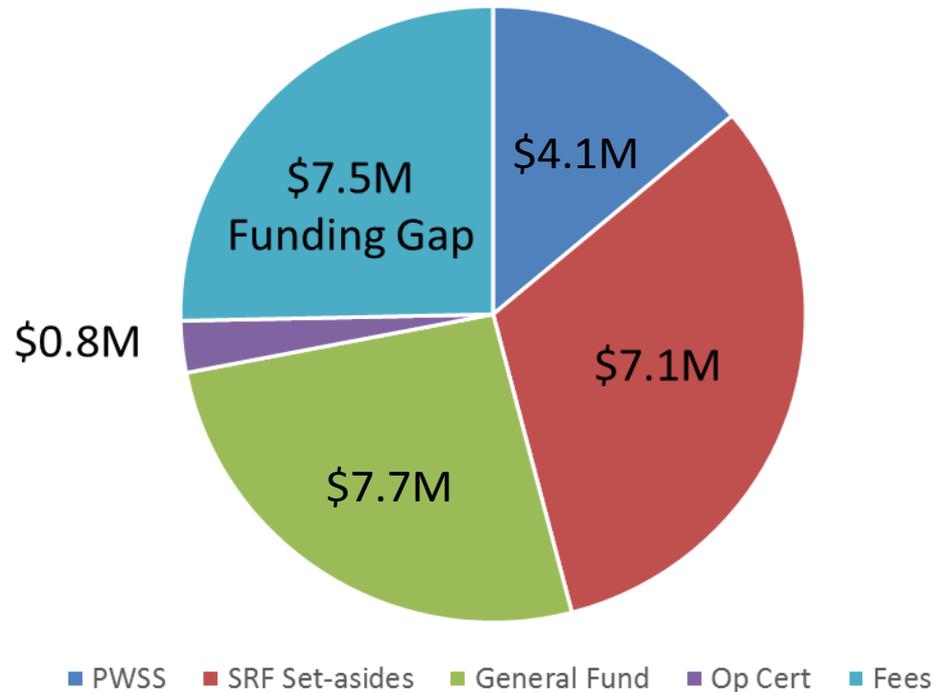
- Clarify source water assessment and protection program requirements
- Revise treatment technique and turbidity performance requirements for pathogens
- Revise permit requirements and design standards, and add new requirements for alarm and shutdown capabilities
- Require auxiliary power or an alternate provision – finished water storage or interconnections

Fees

- DEP is seeking to fill the **funding gap** to ensure sufficient program capacity to protect public health, comply with existing environmental laws and regulations, and maintain primacy
- Fees are intended to cover ~ 50% of state costs or \$7.5 M. The remaining funds (\$7.7 M) will continue to come from the General Fund.
- Fees will cover technical services; operations; program management, development and administration; and other state costs

SDW Program Costs and Funding

SDW Program Costs and Funding



New Annual Fees

- At least 25 states charge annual fees including DE, NJ, OH and VA
- Annual fees apply to all PWSs
- The proposed fees are intended to bear a reasonable relationship to the actual cost of providing services
- The fees also factor in affordability and equitability

New Annual Fees

- Annual fees range from:
 - ❑ \$250 - \$40,000 for CWSs
 - ❑ \$50 - \$1,000 for NCWSs
 - ❑ \$1,000 - \$2,500 for BVRBs
- Annual fees will likely be passed on to the 10.7 million customers as a user fee
- Per person costs range from \$0.35 to \$10 per year

Increased Permit Fees

- Permit fees have not been increased since originally adopted in 1984
- Fees were determined using a workload analysis
- Fees range from \$50 - \$10,000

Additional General Updates

- Establish regulatory basis for general permits for high volume, low risk modifications to streamline permitting process
- Clarify that NCWSs must obtain a permit or approval from DEP prior to construction or operations
- Address concerns related to gaps in monitoring and tracking of back-up sources



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Thank You

Lisa Daniels, Director
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