

Water Resources Advisory Committee

to the Pennsylvania Department of Environmental Protection

P.O. Box 2063
Harrisburg, PA 17105-2063

June 8, 2012

Michael Krancer
Secretary
Department of Environmental Protection
Rachel Carson State Office Building
400 Market St.
P.O. Box 2063
Harrisburg, PA, 17105-2063

Re: Chapter 105, Fee Package Final Rulemaking

Dear Secretary Krancer,

On May 16, 2012 the Water Resources Advisory Committee (WRAC) discussed the proposed rulemaking to amend the existing Dam Safety and Waterway Management regulation in 25 Pa. Code Chapter 105. DEP staff have met with WRAC at the proposed rulemaking stage as well as at final to discuss the fees for inclusion or revision in the rulemaking.

By a majority vote of 10 to 1, WRAC passed the following motion in support of moving the rulemaking package forward to the Environmental Quality Board (EQB).

WRAC endorses moving the Final Chapter 105 fees rulemaking to the Environmental Quality Board for consideration. WRAC recommends that DEP amend the rulemaking to remove the fee exemption for state, county or municipal agencies or municipal authorities found at 105.13(a). In addition, WRAC recommends DEP consider adding a provision to waive or partially waive a fee when modifications to a dam are required by the Mining Safety and Health Administration because of overlapping jurisdictions.

WRAC thanks the Office of Water Management for providing regular updates on water issues, policies and regulations. We look forward to further discussions. If there are any questions of WRAC's action on January 11, 2012, please contact me by email at robert_cavett@merck.com or by telephone at (215) 652-7973, or contact Duke Adams, Liaison to WRAC by e-mail at ranadams@pa.gov or by telephone at 717.783.7404.

Sincerely,



Robert Cavett
Vice Chair
Water Resources Advisory Committee