



Pennsylvania Municipal League
President – Danene Sorace, Mayor, City of Lancaster



Pennsylvania State Association of Township Commissioners
President – Sam Valenza, Commissioner, Upper Moreland Township

August 1, 2022

The Honorable Daryl Metcalfe
Chairman
House Environmental Resources and Energy Committee
144 Main Capitol Building
Harrisburg PA 17120

The Honorable Greg Vitale
Minority Chairman
House Environmental Resources and Energy Committee
30 East Wing
Harrisburg PA 17120

Dear Chairmen,

Please accept this letter for the August 2 hearing packet on Senate Bill 597. On behalf of the members of The Pennsylvania Municipal League and Pennsylvania State Association of Township Commissioners (PSATC), we are opposed to the current language of SB 597. We recognize that a number of improvements and clarifications were made to the language as it moved through the Senate; unfortunately, however, we still have a number of concerns leading to our opposition.

The League and PSATC do not disagree that public water and wastewater providers should have asset management plans and be prepared for cybersecurity threats. However, the broad, one-size-fits-all approach of SB 597 will undoubtedly result in a significant unfunded mandate from both a compliance and personnel perspective. This cost will be passed on to consumers.

In addition to the local costs, SB 597 creates significant burden on the Department of Environmental Protection (DEP) as DEP is charged with overseeing the new program and reviewing and approving each plan. The bill allows DEP to recoup its administrative costs through an assessment on each water and wastewater operator. This fee will also be passed on to consumers. Therefore, the public water consumer will be paying twice for this mandate.

Additionally, we question some of the information that the asset management plans are expected to transmit to DEP. For example, maps of system infrastructure, including the location of critical valves. Would such information be considered public when it is transferred to DEP?

Finally, we question the purpose behind this legislation. The extensive mandates would appear to be a way to push public systems to privatize. We do not believe that this is always the best course of action for consumers. Traditionally, public systems have been able to keep costs down and work with consumers who are behind on their bills because they are not answering to investors and working to generate profit.

Given the vast differences in systems and their capacity for developing plans and preparing for cyber threats, would it not make more sense from a policy perspective to provide best management practices and resources to public systems rather than mandating specific requirements?

We believe this legislation needs more work to reduce its impact on public system consumers before moving any further in the legislative process.

We welcome the opportunity to be involved in the modification of the language. Thank you for your consideration.

Sincerely,

A handwritten signature in cursive script that reads "Amy Sturges". The signature is written in black ink and is positioned below the word "Sincerely,".

Amy Sturges
Deputy Executive Director for Advocacy
PML and PSATC