



CITY OF ALLENTOWN

No. 111

RESOLUTION

R – 2021

Introduced by the Administration on July 21, 2021

SUPPORTS OPPOSITION TO SENATE BILL 597

Resolved by the Council of the City of Allentown, That

WHEREAS, Pennsylvania Senate Bill 597 would impose new unnecessary costs and restrictions on municipal, authority and small private water companies; and

WHEREAS, the differences between existing regulations and the proposed requirements in SB 597 will create a compliance conflict for entities like the Lehigh County Authority which has a 50-year lease of the City of Allentown's water and sewer system to ensure that the exceptional quality of drinking water and treated sewage effluent are continuously maintained serving city and suburban customers; and

WHEREAS, SB 597 places enforcement of The Water Quality Accountability Act under the Public Utility Commission, effectively placing water and wastewater system operation and maintenance under two different state regulatory agencies creating serious conflicts and overreach with no significant gains to systems or the general public; and

WHEREAS, the Bill's requirements for items such as meter testing, mapping, security plans and asset management obligations are presently in both USEPA regulation and PA codes thus creating conflict with this Bill's purpose of regulation under the Public Utility Commission.

AND WHEREAS, these actions will bring considerable costs while at the same time prohibiting systems from obtaining funding for these same activities under Section 3709 thus forcing providers to pass these redundant costs on to their customers;

NOW, THEREFORE BE IT RESOLVED THAT, Allentown City Council urges a no vote on Senate Bill 597.

- **What Department or bureau is Bill originating from? Where did the initiative for the bill originate?**

Department of Public Works, Office of Compliance

- **Summary and Facts of the Bill**

Opposing Pennsylvania Senate Bill 597 which seeks to duplicate regulatory responsibilities and oversight for Public Water/Sewer Systems to the Public Utility Commission PUC.

- **Purpose – Please include the following in your explanation:**
 - **What does the Bill do – what are the specific goals/tasks the bill seek to accomplish**
 - **What are the Benefits of doing this/Down-side of doing this**
 - **How does this Bill related to the City’s Vision/Mission/Priorities**

SB 597 will place water and wastewater system operation and maintenance under two different state regulatory agencies. SB 597 bypasses current procedures for developing changes in regulation which includes public comment periods and technical reviews. SB 597 evades scrutiny.

- **Financial Impact – Please include the following in your explanation:**
 - **Cost (Initial and ongoing)**
 - **Benefits (initial and ongoing)**

If SB 597 becomes law, it will unnecessarily increase costs to our citizens. It will also increase administrative costs related to the duplication of oversight. Imbedded in SB 597 is a PUC budget increase to pay for the implementation and enforcement of this redundant oversight.

SB 597 includes a provision that jeopardizes federal and state funding if PUC does not approve an asset management plan. There are no specific criteria for approval of submitted plans.

- **Funding Sources – Please include the following in your explanation:**
 - **If transferring funds, please make sure bill gives specific accounts; if appropriating funds from a grant list the agency awarding the grant.**

N/A

- **Priority status/Deadlines, if any**

SB 597 seems to be fast-tracked through the Pennsylvania legislature. The sooner the City voices opposition, the better.

- **Why should Council unanimously support this bill?**

This resolution will join the PA Municipal League, PA State Association of Township Supervisors, PA State Association of Boroughs, PA Municipality Authorities Association, the Rural Water Association, Water Works Operators' Association of PA, Eastern Pennsylvania Water Pollution Control Association and individual municipalities and authorities in opposition of SB 597.