
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE RESOLUTION

No. 216 Session of
2017

INTRODUCED BY FOLMER, ARGALL, MARTIN, LANGERHOLC, RESCHENTHALER,
SCARNATI, WHITE, MENSCH, DiSANTO, VOGEL, HUTCHINSON AND WARD,
OCTOBER 17, 2017

REFERRED TO ENVIRONMENTAL RESOURCES AND ENERGY, OCTOBER 17, 2017

A RESOLUTION

1 Urging the Congress of the United States to delay and review the
2 Environmental Protection Agency's MS4 program.

3 WHEREAS, In 1990, the United States Environmental Protection
4 Agency (EPA) began requiring urban areas with populations of
5 100,000 or more to obtain National Pollution Discharge
6 Elimination System (NPDES) permits for storm water runoff as
7 part of the Phase I Municipal Separate Storm Sewer System (MS4)
8 regulations; and

9 WHEREAS, In 1999, the EPA issued Phase II of the MS4
10 regulations, requiring small urbanized areas to obtain NPDES
11 permits for storm water discharges; and

12 WHEREAS, With more than 7,000 MS4s nationwide, the
13 Commonwealth of Pennsylvania is home to two Phase I and 953
14 Phase II MS4s in boroughs, cities, towns and townships; and

15 WHEREAS, NPDES permits for MS4s require permittees to develop
16 and implement storm water controls to minimize the discharge of
17 runoff from the rainwater sewer systems; and

1 WHEREAS, MS4s are designated in urbanized areas as determined
2 by the latest Federal decennial census and, accordingly, as
3 communities of the Commonwealth of Pennsylvania grow they are
4 included in MS4 permitting requirements; and

5 WHEREAS, Controlling storm water runoff to comply with the
6 MS4 regulations has become a financial burden on many
7 communities of the Commonwealth of Pennsylvania; and

8 WHEREAS, The cost of compliance with the MS4 program has been
9 estimated to cost Pennsylvania taxpayers several billion
10 dollars; and

11 WHEREAS, This unfunded mandate has already added additional
12 costs and increased taxes on residents and businesses and
13 restricted growth in our neighborhoods; and

14 WHEREAS, The Pennsylvania Storm Water Management Act, Act 167
15 of 1978, and 25 Pa. Code Chapter 102, Erosion and Sediment
16 Control, adequately address storm water within the Commonwealth
17 of Pennsylvania; therefore be it

18 RESOLVED, That the Senate of the Commonwealth of Pennsylvania
19 urge the Congress of the United States to delay and review the
20 EPA's MS4 program for a period of two years to develop a
21 coherent and equitable plan for the program's implementation;
22 and be it further

23 RESOLVED, That copies of this resolution be transmitted by
24 the Secretary of the Senate to the President of the United
25 States, the President pro tempore of the United States Senate
26 and the Speaker of the United States House of Representatives;
27 and be it further

28 RESOLVED, That a copy of this resolution be transmitted to
29 the Administrator of the United States Environmental Protection
30 Agency.