



TO: The Honorable Members of the House Environmental Resources and Energy Committee

FROM: Kevin Sunday, Director, Government Affairs

DATE: October 4, 2021

RE: Support Transparency and Reform to the Clean Streams Law, HB 1842

On behalf of the PA Chamber of Business and Industry I urge you to support **HB 1842**, which amends the state's Clean Streams Law to codify a more predictable and transparent reporting framework for spills and releases.

Decades ago, when the Clean Streams Law was passed, DEP was directed by the General Assembly to establish "standards of pollution" which would provide clarity to the public and regulated community regarding which events constitute a degradation of water resources; however, DEP never codified such standards into regulation but instead has broadly implemented this statutory requirement by asking private individuals, non-profits, businesses, municipal water authorities and other regulated entities to report any incident and determine post-hoc if the release constitutes pollution. This has resulted in inconsistent enforcement across the state, including companies being issued notices of violation for reporting every incident out of an abundance of caution and others being cited for not reporting incidents DEP determined should have been reported – for example, the flushing of fire hydrants.

Other states, including several within the Chesapeake Bay watershed, have established a list of reportable quantities for various constituent elements, as has the federal government. In short, a codification into the state's environmental regulation of what constitutes a spill or release is both required by statute and achievable, as demonstrated by these other jurisdictions. HB 1842 directs the executive branch to fulfill this long-standing requirement of the Clean Streams Law and improve certainty to the public and regulated community.

We urge you to vote yes on this important legislation. For any questions or further discussion, please contact Kevin Sunday, Director of Government Affairs, at ksunday@pachamber.org or (717) 645-2071.