
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE RESOLUTION

No. 107 Session of
2017

INTRODUCED BY MOUL, MILLARD, PICKETT, ZIMMERMAN, MCGINNIS, RYAN,
KEEFER, SAYLOR, ROTHMAN AND SANKEY, FEBRUARY 28, 2017

REFERRED TO COMMITTEE ON ENVIRONMENTAL RESOURCES AND ENERGY,
FEBRUARY 28, 2017

A RESOLUTION

1 Urging the Congress of the United States to repeal 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, EPA issued Phase II of the MS4 regulations,
10 requiring small urbanized areas to obtain NPDES permits for
11 storm water discharges; and

12 WHEREAS, With more than 7,000 MS4s nationwide, Pennsylvania
13 is home to two Phase I and 953 Phase II MS4s in boroughs,
14 cities, towns and townships across the Commonwealth; 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 Pennsylvania communities grow they are included in MS4
4 permitting requirements; and

5 WHEREAS, Controlling storm water runoff to comply with the
6 MS4 regulations has become a financial burden on many
7 Pennsylvania communities; 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, Pennsylvania's 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 therefore be it

18 RESOLVED, That the House of Representatives of the
19 Commonwealth of Pennsylvania urge the Congress of the United
20 States to repeal the EPA's MS4 program; and be it further

21 RESOLVED, That certified copies of this resolution be
22 transmitted by the Executive Clerk to the President of the
23 United States, the President pro tempore of the United States
24 Senate and the Speaker of the United States House of
25 Representatives; and be it further

26 RESOLVED, That certified copies of this resolution be
27 transmitted to the Administrator of the United States
28 Environmental Protection Agency.