

**Congress of the United States**  
**Washington, DC 20515**

July 11, 2012

Mr. Michael Fox  
Chairman  
Montgomery Township Board of Supervisors  
1001 Stump Rd  
Montgomeryville, PA 18936

Dear Mike:

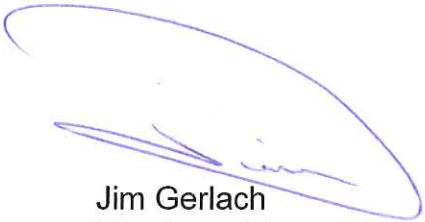
We wanted to follow up on prior communications regarding our shared concerns about the U.S. Environmental Protection Agency's (EPA) stormwater management regulations for Municipal Separate Storm Sewer Systems (MS4s).

We're pleased to report that our efforts to insert language into the FY13 House Interior, Environment, and Related Agencies Appropriations bill to prohibit the EPA from mandating that municipalities be responsible for stormwater beyond the "conveyance system" they own and operate were successful!

Attached please find the legislative text that was accepted via the Manager's Amendment during the House Appropriations Committee's mark-up of the bill. Further, you'll be pleased to know that, on June 28<sup>th</sup>, the House Appropriations Committee approved the bill and it should hopefully be considered by the full House in the coming weeks.

We are hopeful that this language will remain intact throughout the legislative process so that municipalities in Pennsylvania and across the nation are not required to shoulder an inordinate and unreasonable burden in the management of stormwater in the future.

Sincerely,



Jim Gerlach  
Member of Congress



Charlie Dent  
Member of Congress

Cc: Lester O. Houck, President, Pennsylvania State Association of Township Supervisors  
Cc: Ronald E. Evanko, President, Pennsylvania State Association of Boroughs  
Cc: John A. Garner, Jr., Executive Director, Pennsylvania League of Cities & Municipalities  
Cc: The Honorable Robert D. Robbins, Chairman, Pennsylvania Local Government Commission  
Cc: The Honorable Tom C. Creighton, Chairman, Pennsylvania House Local Government  
Committee  
Cc: The Honorable Robert Freeman, Democratic Chairman, Pennsylvania House Local Government  
Committee  
Cc: The Honorable John H. Eichelberger, Jr., Chairman, Pennsylvania Senate Local Government  
Committee  
Cc: The Honorable John P. Blake, Minority Chairman, Pennsylvania Senate Local Government  
Committee

At the end of the bill, before “SPENDING REDUCTION ACCOUNT”, insert the following:

1 SEC. \_\_\_\_ . Section 402(p)(3) of the Federal Water  
2 Pollution Control Act (33 U.S.C. 1342(p)(3)) is amended  
3 by adding at the end the following new subparagraph:

4 “(C) LIMITATION.—The Administrator or  
5 a State may not require a municipality oper  
6 ating a municipal separate storm sewer system  
7 serving a population of less than 100,000 to ob  
8 tain a permit under this subsection for a dis  
9 charge that—

10 “(i) is composed entirely of storm  
11 water from a facility that is not owned or  
12 operated by the municipality; and

13 “(ii) does not enter into the municipal  
14 separate storm sewer system.”.

Make associated conforming changes to the bill as necessary.