



February 8, 2019

Submitted Electronically to dph.fee@ct.gov

Mr. Justin Milardo,
CT Department of Public Health
Drinking Water Section,
410 Capitol Avenue, MS#12DWS
Hartford, CT 06134

Dear Mr. Milardo:

The Connecticut Business and Industry Association (CBIA) appreciates this opportunity to submit comments on the Connecticut Department of Public Health's (DPH) recently released proposed modifications to the Safe Drinking Water Primacy Assessment.

It is our understanding that this proposed assessment is primarily intended to fund DPH staff. While CBIA understands the challenges our state agencies face due to the state's fiscal crisis, we generally do not favor creating assessments on businesses to address those challenges. Until each agency has undergone an aggressive strategic reassessment of its operations, its state and federal statutory obligations and a comprehensive lean initiative, we would not be able to support such an initiative.

However, we do not have knowledge as to the extent to which DPH may have undergone such processes. Proceeding on the assumption that it had, we would still have the following concerns:

1. Proposed connection fee cap. The proposed \$5 per service connection fee cap is too high, giving the department free rein to double the fee from what has been charged in year one. There is no longer a cap on the total dollars authorized under the fee or any certainty regarding what percentage of the Department's staff are being funded through this user fee. If any future increases are needed to support staffing to preserve the department's primacy role, the legislature should make this determination based on state and federal funding and staffing needs.
2. Cap on total fees collected. To avoid unfairly small businesses across the state, there must be specific limits related to the maximum amount being funded through the fee, as well as the amount per service connection, the percentage of the program funded with these fees, and the percentage that it may increase in any given year.
3. Need for a sunset. There should be a mechanism to 'sunset' the fee or require that the legislature specifically reauthorize it after a defined period of time, so that it does not permanently shift the burden of the program costs to businesses.

4. Accountability and Efficiency. DPH should be required to account for how the Safe Drinking Water Primacy Assessment fees are used and steps taken to adopt more efficient regulatory processes to avoid significant cost burdens for businesses. The report should be subject to some form of public hearing or review by the legislature. The report provided for in Section 2 (j) should include information on: 1) the resources, tasks and costs incurred to support primacy; 2) the portion of the budget which is already funded from other state or federal sources; 3) the portion of the time the department spends in regulating water systems by type, and 4) efforts to streamline permitting and other regulatory approval processes.

Thank you for this opportunity to submit comments and for your consideration of our concerns.

Sincerely,

A handwritten signature in black ink, appearing to read "Eric Brown". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Eric Brown
Vice President, Manufacturing Policy and Outreach