

**Testimony by
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before the
Senate Majority Policy Committee
March 16, 2010**

Good morning Chairman Erickson and members of the Committee. Thank you for the opportunity to share our thoughts and suggestions about the Department of Environmental Protection's permitting process.

The American Council of Engineering Companies of Pennsylvania, or ACEC/PA, is the only statewide organization representing the interests of private engineering firms in the Commonwealth. We represent more than 130 firms, from large international firms with tens of thousands of employees worldwide to some one and two person operations that have a more regional scope. My members employ engineers, land surveyors, geologists, and other scientist and technicians who assist clients in completing their projects. Our goal is to enable member firms to provide quality engineering services in the best interest of their clients and the public. I hope that my testimony today advances that goal. ACEC/PA will work with you, the rest of the General Assembly and the Department to improve the process for the people of Pennsylvania.

My members have long been frustrated by the length of time that it takes the Department to issue environmental permits. For example, one firm told me that DEP takes longer than the allotted 180 days to review Act 537

plans, dealing with Sewage Facility Plans. This type of delay can hold up potential funding for the project and interfere with local support, which is sometimes built through a somewhat fragile coalition.

There are many reasons for this lengthy process, including lack of manpower and a lack of communication and coordination between agencies.

ACEC/PA encourages the Department to find ways to streamline permitting reviews. This could include better cooperation and coordination with other government agencies. For example, the Department could accept Federal reviews and submissions as meeting Pennsylvania's requirements, rather than requiring a largely duplicative review for the Commonwealth. Also the Department (or some agency) should be designated as the lead agency to coordinate the state agencies that have a hand in permit review. Permits often must also be reviewed by the Fish and Boat Commission, the Game Commission, the Historical and Museum Commission, DCNR and local agencies like the County Conservation District and Planning Commission in addition to the DEP review.

It has also been suggested that better communication is need between DEP Central Office and regional offices and also between the Department and the Conservation Districts. We recognize that this is a tall order in any organization and that all large groups face similar concerns.

We encourage all state agencies to review any submission prepared by a

design professional with an eye toward the health, safety and welfare of the public rather than adherence to personal preferences or arbitrary criteria. When a design professional seals a document they are taking responsibility for the content of that document and a state agency should rely on that seal. There are also times when the consultant submitting the plan might be more familiar with DEP regulations and policy than the reviewer at a Conservation District. I also heard from multiple members that the process would benefit from a philosophical shift. They feel that the reviews seem to focus on finding deficiencies or problems rather than focusing on getting the job done.

Recent budget cuts have impacted DEP's ability to review permits. We believe that DEP and other state agencies can and should rely on licensed professionals in private practice to assist in fulfilling their mission. Contracts with engineering firms could be used to pick up the slack when a particular area of the state or a program has a large number of permits for review. This will allow the department to efficiently process permits without permanently expanding the state workforce. Some members that I spoke to cited the third party review in the dam safety program as an example of a process that could be used in other program areas.

Some other suggestions that I received were to create a searchable database to allow applicants to see similar approved permits to save time and costs and to create a program for consultants to certify their projects and eliminate direct DEP review.

Let me say that the Department seems to be working on some of these ideas on their own, and they have been engaging the consultant community as they change their processes

Thank you again for the opportunity to testify today and let me reiterate our willingness to work with the members of the General Assembly and the Department to improve the process.