



September 25, 2017

Via Electronic Submission: <http://www.regulations.gov>

Re: Comments of the Glass Packaging Institute - Docket ID No. EPA-HQ-OW-2017-0203 - "Waters of the United States" – Reinstatement of Preexisting Rules

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On behalf of the Glass Packaging Institute (GPI), I am offering the following testimony in strong support to recodify "The Waters of the United States" (WOTUS) back to its preexisting rules.

GPI is the North American trade association for the glass container manufacturers, glass recyclers, and suppliers of materials, equipment and transportation to the industry. Collectively, our member companies employ 18,000 Americans at 45 glass container manufacturing plants in the US, producing nearly 28 billion food and beverage containers each year.

GPI and its member companies support the protection and water quality of our nation's navigable waters. However, as proposed, the WOTUS rules would potentially place tens of thousands of streams, ponds, adjacent waters, ditches and other local bodies of water under federal jurisdiction. *Congress has explicitly recognized that states have the primary role in regulating land and water resources when enacting the Clean Water Act.*

Extending the Clean Water Act's jurisdiction over bodies of water traditionally regulated by state and local authorities with insignificant connections to a navigable waterway would impose substantial costs on the glass container industry, as well as their customers and supplier companies.

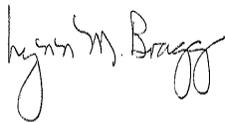
Glass container manufacturing plants operate under Title V permits, and renewal of such permits every five years is already a lengthy and time consuming process. As proposed, WOTUS may require adjustments and new permits for glass container manufacturers, depending on which bodies of water are moved under federal jurisdiction. Such determinations would be arbitrary, capricious, and unable to be planned for by the companies.

Glass container manufacturing plants run 24 hours a day, 7 days a week. Any permit application delays or other disruption that would force the furnaces to idle would not only delay the bottle manufacturing process, but also cost the companies millions of dollars to restart production.

It is the policy of the Congress to recognize, preserve, and protect the primary responsibilities and rights of states to prevent, reduce, and eliminate pollution of land and water resources. Nowhere in the Clean Water Act did Congress contradict this express statutory policy and provide that US waterways be primarily regulated by the federal government to the exclusion of state responsibility.

Thank you for your thoughtful consideration of our testimony and comments.

Sincerely,

A handwritten signature in black ink that reads "Lynn M. Bragg". The signature is written in a cursive style with a large, looped initial "L".

**Lynn M. Bragg**  
President