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# WUC

Water Utility Council of the  
PA-Section, American Water  
Works Association (PA-AWWA)



## GOVERNMENT RELATIONS UPDATE

From Milliron & Goodman Government Relations, LLC.

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*PA- Section, American Water Works Association  
National Association of Water Companies  
Water Works Operators' Association of Pennsylvania*

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### EPA and DOT Finalize Greenhouse Gas and Fuel Efficiency Standards for Heavy-Duty Trucks

**O**n August 16, 2016, the U.S. Environmental Protection Agency (EPA) and the U.S. Department of Transportation's National Highway Traffic Safety Administration (NHTSA) jointly finalized standards for medium- and heavy-duty vehicles that will improve fuel efficiency and cut carbon pollution, while bolstering energy security and spurring manufacturing innovation. The final phase two standards were called for by President Obama's Climate Action Plan, and respond to the President's directive in early 2014 to develop new standards that run into the next decade.

The final phase two program promotes a new generation of cleaner, more fuel-efficient trucks by encouraging the wider application of currently available technologies and the development of new and advanced cost-effective technologies through model year 2027. The final standards are expected to lower CO<sub>2</sub> emissions by approximately 1.1 billion metric tons, save vehicle owners fuel costs of about \$170 billion, and reduce oil consumption by up to two billion barrels over the lifetime of the

vehicles sold under the program. Overall, the program will provide \$230 billion in net benefits to society, including benefits to our climate and the public health of Americans. These benefits outweigh costs by about an 8-to-1 ratio.

The final standards are cost effective for consumers and businesses, delivering favorable payback periods for truck owners. The buyer of a new long-haul truck in 2027 would recoup the investment in fuel-efficient technology in less than two years through fuel savings.

"The actions we take today on climate change will help lessen the impacts on future generations," said EPA Administrator Gina McCarthy. "This next phase of standards for heavy- and medium-duty vehicles will significantly reduce greenhouse gas emissions while driving innovation, and will ensure that the United States continues to lead the world in developing fuel-efficient technologies through the next decade and beyond."

"Today's ambitious but achievable announcement is a huge win for the American people, giving us cleaner air, more money saved at the pump, and real benefits for consumers across the supply chain," said Transportation Secretary Anthony Foxx. "Today's action preserves flexibility for manufacturers to deliver on these objectives

through a range of innovations and technology pathways."

Heavy-duty trucks are the second largest segment and collectively make up the biggest increase in the U.S. transportation sector in terms of emissions and energy use. These vehicles currently account for about 20 percent of GHG emissions and oil use in the U.S. transportation sector. Globally, GHG emissions from heavy-duty vehicles are growing rapidly and are expected to surpass emissions from passenger vehicles by 2030. Through the Paris climate agreement and discussions with other countries, the United States is working with other major economies to encourage progress on fuel economy standards, and reduce greenhouse gas emissions that will improve global energy and climate security by reducing our reliance on oil.

The product of four years of extensive testing and research and outreach to industry, environmental organizations, labor unions, and other stakeholders, the vehicle and engine performance standards would cover model years 2021-2027, and apply to semi-trucks, large pickup trucks and vans, and all types and sizes of buses and work trucks. These standards will result in significant GHG emissions reductions and fuel efficiency improvements across all of these vehicle types. For example, when the standards are fully phased in, tractors in a tractor-trailer will achieve up to 25 percent lower CO2 emissions and fuel consumption than an equivalent tractor in 2018.

The agencies are also finalizing fuel-efficiency and GHG standards for trailers for the first time. The EPA trailer standards, which exclude certain categories such as mobile homes, will begin to take effect in model year 2018 for certain trailers, while NHTSA's standards will take effect as of 2021, with credits available for voluntary participation before then. Cost effective technologies for trailers - including aerodynamic devices, light weight construction and self-inflating tires - can significantly reduce total fuel consumption by tractor-trailers, while paying back the owners in less than two years due to the fuel saved. Recognizing that many trailer manufacturers are small businesses, the program includes provisions that reduce burden, such as a one-year delay in initial

standards for small businesses and simplified certification requirements.

Compared to the proposal, the final program:

- Achieves 10 percent more GHG and fuel consumption reductions;
- Has more robust compliance provisions, including improved test procedures, enhanced enforcement audits and protection against defeat devices;
- Includes more stringent diesel engine standards
- Improves the vocational vehicle program with a regulatory structure better tailored to match the right technology for the job;
- Maintains the structure and incremental phase-in of the proposed standards, allowing manufacturers to choose their own technology mix and giving them the lead time needed to ensure those technologies are reliable and durable.

NHTSA and EPA have worked together to harmonize their standards under this program. The agencies have worked closely with the State of California's Air Resources Board in developing and finalizing the standards. All three agencies are committed to the goal of setting harmonized national standards. Throughout every stage of development, this work has benefited from a collaborative dialogue with industry, labor and environmental organizations. For example, this feedback has improved the agencies' ability to measure industry performance and enforce compliance for both full vehicle and engine standards.

Today's final rulemaking builds on the fuel efficiency and GHG emissions standards already in place for model years 2014-2018, which alone will result in CO2 emissions reductions of 270 million metric tons and save vehicle owners more than \$50 billion in fuel costs. Truck sales were up in model years 2014 and 2015, the years covered under the first round of truck standards.

The rule also builds on standards that the Administration has put in place for light-duty vehicles, which are projected to reduce carbon pollution by billions of tons of over the lifetime of

vehicles sold, and will save consumers money at the pump.

For more details on DOT's and EPA's phase two greenhouse gas emissions and fuel efficiency standards for medium- and heavy-duty vehicles, visit: <https://www3.epa.gov/otaq/climate/regs-heavy-duty.htm> and <http://www.nhtsa.gov/fuel-economy>

Source: EPA Press Release, 8/16/2016

## DEP Releases Update on Zika Surveillance and Response

DEP this week released results of surveillance for Aedes mosquitoes, which have been found to be vectors of the Zika virus. At this time, there have not been any cases of Zika transmitted locally in Pennsylvania, nor have mosquitoes tested positive for the virus.

Twenty-six counties in Pennsylvania have active surveillance sites for albopictus mosquitoes, commonly known as Asian Tiger mosquitoes. The mosquitoes are predominantly found in southern and eastern counties. There have not been any specimens of Aedes aegypti collected, which are the primary carrier of Zika in South America. Aedes aegypti have not been found in Pennsylvania since 2002.

[Read more.](#)

Source: DEP News, 8/18/2016

## Governor Wolf Releases over \$25 Million in Capital Funding to Repair Unsafe Dams

On August 17, 2016, Governor Tom Wolf announced \$25.7 million in funding for the repair of five high-hazard, unsafe dams, and

the design of two others, managed by the Pennsylvania Fish and Boat Commission (PFBC).

High-hazard, unsafe dams have deficiencies of such a nature that if not corrected and the dams were to fail, substantial property damage and a probable loss of human life could occur.

“These lakes not only offer recreational opportunities in communities, but also provide enormous economic benefits in terms of tourism,” Governor Wolf said. “Fixing dams in desperate need of repair is an important safety measure to sustain these tourist attractions for all Pennsylvanians.”

“We are so grateful to Governor Wolf for his dedication to rehabilitating this vital Commonwealth infrastructure,” PFBC Executive Director John Arway said. “With this commitment in place, our agency has a roadmap for restoring the remaining high-hazard, unsafe dams that we manage for anglers and boaters. We will work diligently to implement the plans to ensure that the lakes remain as centerpieces of local and regional recreational economies.”

Construction funding is being released for locations:

- Donegal Lake, Westmoreland County
- Kyle Lake, Jefferson County
- Meadow Grounds Lake, Fulton County
- Minsi Lake, Northampton County
- Somerset Lake, Somerset County

Engineering design funding is being released for:

- Belmont Lake, Wayne County
- Lower Woods Pond, Wayne County.

The Donegal, Kyle, Minsi, and Somerset projects have all been designed and are going through the final permitting phases, with construction expected to commence in 2017.

The funding is part of a comprehensive, multi-year \$53.3 million plan to leverage capital budget dollars with local contributions, other support, and Oil Company Franchise Tax (OCFT) revenues

authorized by Act 89 of 2013 to design and repair 10 high-hazard, unsafe dams managed by the PFBC on behalf of the Commonwealth.

The PFBC plans to use OCFT revenues for the design and construction of Miller and White Oak ponds, and plans to use future OCFT revenues for the construction Belmont Lake and Lower Ponds Pond. OCFT revenues will also be used to remove the dam at Hankins Pond, which is no longer needed to support operations at the PFBC's Pleasant Mount State Fish Hatchery. All five of these projects are in Wayne County.

Source: Governor Wolf's Press Office, 8/17/2016

## **Governor Wolf Nominates Bruce Beemer for Attorney General**

**O**n August 18, 2016, Governor Tom Wolf announced that he has nominated Pennsylvania Inspector General Bruce Beemer to serve as Attorney General.

"Bruce Beemer has a depth of experience, he has the respect of the employees of the Office of the Attorney General, and I have no doubt that he will make this transition seamless and smooth," said Governor Wolf. "I have spoken with Republican and Democratic leaders in the Senate, and we have agreed that Bruce is the right fit for Attorney General at this time, and I am confident that he will be confirmed expeditiously. Bruce earned a reputation across the commonwealth as a tough prosecutor, effective administrator and thoughtful legal mind, which is why I appointed him Inspector General. I have great faith in his ability and know that he will serve efficiently and effectively as Attorney General. I also want to thank Bruce Castor for his service to the office, and I wish him well moving forward."

If confirmed as Attorney General, Beemer will resume his role as Inspector General upon completion of his service as Attorney General. Bruce Beemer currently serves as Pennsylvania's Inspector General, and prior to that he served as first deputy in the Office of the Attorney General of

Pennsylvania where he oversaw the day to day operations of the Criminal, Civil, and Public Protection Divisions, as well as being responsible for the management of almost 800 employees.

He previously served as a deputy district attorney in the Allegheny County District Attorney's Office. After joining that office as an assistant district attorney in 1996, he worked in the Crimes Persons, Narcotics and Homicide trial units where he tried over 100 jury trials and prosecuted over 75 homicide cases. He was responsible for several gang-related prosecutions within the City of Pittsburgh involving multi-jurisdictional coordination with state and federal agencies.

In 2005, Mr. Beemer was made supervisor of the District Attorney's General Trial Units and Summary Appeals Units. He managed a group of prosecutors in the office and regularly advised city, county and municipal police departments on legal issues relating to active investigations. He trained police officers and prosecutors on behalf of the Municipal Police Officer Training and Education Center, the Allegheny County Police Academy and the Pennsylvania District Attorney's Association.

From 2005 to 2011 Mr. Beemer was an adjunct professor at the University of Pittsburgh's School of Law where he taught trial advocacy to third year law students. He has served as a Board Member for the Center for Victims of Violent Crime.

In 2010, Mr. Beemer left the Allegheny County District Attorney's Office to engage in a private practice focused on plaintiffs' environmental toxic tort cases and white collar criminal defense. In late 2011, he was appointed Chief of Staff for the Office of Attorney General of Pennsylvania under Attorney General Linda Kelly and in 2013, he was appointed Chief of Criminal Prosecutions under Attorney General Kathleen Kane before being named First Deputy.

Mr. Beemer graduated summa cum laude in 1992 from the University of Scranton and in 1995 from the University of Pittsburgh School of Law. He resides just north of Pittsburgh in Bradford Woods, Pennsylvania. He and his wife Jodi have two children ages 9 and 7.

Source: Governor Wolf's Press Office, 8/18/2016

## Senate Leaders Comment on Governor Wolf's Selection of an Interim Attorney General

Senate President Pro Tempore Joe Scarnati (R-25) and Senate Majority Leader Jake Corman (R-34) have issued a statement on the Governor's nomination of a new Attorney General:

*"Governor Wolf's nomination of Bruce Beemer will help to provide stability for the office of Pennsylvania's Attorney General. We believe that Mr. Beemer will represent the legal interests of the Commonwealth in a trustworthy manner.*

*"Discussions with members of the Senate are currently taking place and we anticipate scheduling a Senate confirmation vote in the near future. It will be our recommendation to the Republican Caucus that they support Mr. Beemer to fill the vacancy.*

*"Mr. Beemer is well respected within the Office of Attorney General and we are confident that he will provide sound leadership until Pennsylvania's next Attorney General is selected by the voters on November 8th."*

Source: Senate Republican Communications, 8/18/2016

## Chris Quinn Sworn in as State Representative of 168th District - Delco lawmaker wasting no time, already at work on key initiatives

Accompanied by close family and friends, Chris Quinn of Middletown, Delaware County, took the oath of office on August 18, 2016 as state representative of the 168th Legislative District.

Quinn was elected in a July special election to fill a House seat once held by the late Speaker Matthew J. Ryan and recently vacated by Tom Killion, who now represents the 9th District in the state Senate.

"I am humbled by the opportunity to serve the citizens of the 168th Legislative District and grateful that they have entrusted me with the responsibility to represent them in Harrisburg," said Quinn, who was administered the oath by Judge James Nilon Jr. of the Delaware County Court of Common Pleas.

"There are many pressing issues before the General Assembly that have a direct impact on the residents of Pennsylvania and the citizens of my legislative district," said Quinn. "I am already involved in efforts to address the Commonwealth's opioid crisis, which threatens the health of our citizens and the peace and stability of our communities.

"As the father of three young daughters, I support sensible education spending, and will work to ensure senior citizens receive their fair share of support. I also favor initiatives to promote job growth and preserve open spaces, while holding the line on state spending," he said.

Born and raised in Delaware County, Quinn graduated from the University of South Florida, where he earned a degree in economics. He worked in the global electronics manufacturing industry for more than 10 years and traveled extensively before returning home to start his own independent insurance agency in Middletown in 2002.

In the House, Quinn will draw on his experience as an elected member of Middletown Township Council in 2008, where he was instrumental in the creation of Sleighton Park in Middletown and initiated the restarting of the Middletown Historical Society; and his experience as vice treasurer of the Delaware County Industrial Development Authority, which finances economic and industrial development projects throughout the county. Quinn also serves on the board of Wells for Relief International, a not-for-profit organization that designs, builds and maintains safe drinking water systems for at-risk populations around the world.

Quinn is active in his church and community, and has volunteered for a number of local organizations and as a youth soccer coach. He and his wife, Carle, live in Middletown with their three children.

The 168th Legislative District includes Media and Chester Heights boroughs as well as Middletown, Edgemont, Newtown, Upper Providence and Thornbury townships, and part of Marple Township.

State Rep. Chris Quinn takes the oath of office to represent the 168th Legislative District in the Pennsylvania House of Representatives. He is accompanied by his wife, Carle, and their three daughters. Additional photos available at [www.RepChrisQuinn.com](http://www.RepChrisQuinn.com).

**Source:** Representative Chris Quinn Press Release, 8/18/2016

## **Final Technical Guidance Document: Substantive Revision - 4-Log Treatment of Viruses Demonstration Guidance**

**4**-Log Treatment of Viruses Demonstration Guidance - DEP ID: 394-2125-002. The subject guidance document was developed to help all community water systems and some noncommunity water systems to comply with the Pennsylvania Groundwater Rule that was promulgated on December 26, 2009.

The draft document has helped water systems in submitting uniform information for analysis of 4-Log demonstration under the Pennsylvania Groundwater Rule. The compliance dates for community water systems varied by the size of the system and has passed. The document is now used primarily by noncommunity systems on an as needed basis.

The revisions include: (1) changes to the titles and form numbers for some of the forms; (2) minor changes to address comment from International

Ultraviolet Association (IUA); (3) minor changes to incorporate responses to the comments included in the comment and response document; (4) reference to e-library link for various forms instead of inclusion of those in the guidance document; and (5) inclusion of IUA's comment and response in the comment and response document.

This guidance was published as draft at 41 Pa.B. 307 (January 8, 2011) for a 30-day comment period. Comments were received from IUA and incorporated within the comment and response document. This technical guidance document has been renumbered from 385-2125-001 to reflect a Departmental reorganization.

**Contact:** Questions regarding this technical guidance document should be directed to David Mittner at (717) 787-9633 or [dmittner@pa.gov](mailto:dmittner@pa.gov).

**Effective Date:** Saturday, August 20, 2016.

**Source:** Pennsylvania Bulletin, [8/20/2016](http://www.pabulletin.com)

## **Sewage Advisory Committee Meeting Cancellation**

**T**he September 14 meeting of the Sewage Advisory Committee has been cancelled. The next meeting will be scheduled at a date to be determined. Questions concerning the next scheduled meeting should be directed to Nicholas Hong at 717-705-0485 or [nhong@pa.gov](mailto:nhong@pa.gov).

The agenda and meeting materials for the next meeting will be available through the Public Participation tab on the Department web site at <http://www.dep.pa.gov> (select "Public Participation," then "Advisory Committees," then "Water Advisory Committees," then "Sewage Advisory Committee").

**Source:** Pennsylvania Bulletin, [8/20/2016](http://www.pabulletin.com)

## **Small Water Systems Technical Assistance Center**

## Board Rescheduled Meeting and Additional Meeting

The August 30 meeting of the Small Water Systems Technical Assistance Center Board has been **rescheduled** for Monday, September 12 at 9 a.m. in the Rachel Carson State Office Building, Harrisburg. **An additional meeting is also scheduled for Monday, November 14** at 9 a.m. in the Rachel Carson State Office Building, Harrisburg.

Questions concerning the meetings should be directed to Dawn Hissner, Bureau of Safe Drinking Water at [dhissner@pa.gov](mailto:dhissner@pa.gov) or 717-772-2189. The agenda and meeting materials will be available through the Public Participation tab on the Department web site at <http://www.dep.pa.gov> (select "Public Participation," then "Advisory Committees," then "Water Advisory Committees," then "Small Water Systems Technical Assistance Center").

Source: Pennsylvania Bulletin, [8/20/2016](#)

## Proposed Rulemaking: Environmental Laboratory Accreditation

The Environmental Quality Board proposed to amend Chapter 252 (relating to environmental laboratory accreditation). The proposal clarifies existing requirements, deletes or amends overly restrictive and cost prohibitive requirements, proposes additional requirements necessary for laboratory accreditation, and amends the fee structure in § 252.204.

This proposed rulemaking was adopted by the Board at its meeting of May 17, 2016.

For further information contact Aaren S. Alger, Chief, Laboratory Accreditation Program, P.O. Box 1467, Harrisburg, PA 17105-1467, 717-346-8212; or William S. Cumings, Jr., Assistant Counsel, Bureau of Regulatory Counsel, P.O. Box 8464, Rachel Carson State Office Building, Harrisburg, PA 17105-8464, 717-787-7060.

Source: Pennsylvania Bulletin, [8/20/2016](#)

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