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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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November 31, 2016 -- Issue 1011

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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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### See You At The Polls!

By: *Pedro A. Cortés, Secretary of State*

**I**t is hard to escape the fact that the November 8 general election is quickly approaching.

At the Pennsylvania Department of State, we have a deep commitment to ensuring a fair, secure and smooth electoral process. Voting is one of our most fundamental rights as citizens. As Pennsylvania's Chief Election Officer, it is my responsibility to see that every eligible citizen in my jurisdiction has a meaningful opportunity to register and vote.

I am happy to report that there are now more than 8.6 million people in Pennsylvania registered to vote. It is certainly an impressive number and accomplishment. That will not mean much though if the majority of our registrants do not show up at the polls on Election Day. I encourage all registered voters in Pennsylvania to complete their civic duty and cast a ballot.

As the final countdown begins and you decide which candidates to pick, there are a few other important matters to keep in mind. I am talking about your rights as a voter. State and federal laws

endow voters with certain protections as they carry out their constitutional right to vote. I encourage you to educate yourself about your rights before going to your polling place. To confirm your [registration](#) or locate your [polling place](#), visit [votesPA.com](http://votesPA.com) for complete voter information.

The Department of State prides itself on providing all eligible voters with voter education resources. One of our great election-related resources is Everyone.votesPA.com. The site offers voter rights information in two easily downloadable brochures. The brochures are: Everyone [VotesPA 2016 Voter Guide](#) (PDF) and [Top 5 Things Every Pennsylvania Voter Should Know for the 2016 Election](#) (PDF).

You can easily download and print copies of the brochures to take to your polling place. We want every voter to know what to expect and who to contact if an issue arises.

Thank you to the 8.6 million Pennsylvanians who are now registered to vote. Also, I want to congratulate Pennsylvania for embracing our online voter registration (OVR) application. By the close of registration on October 11, nearly 900,000 people had used OVR since it launched in August 2015.

Registering to vote was just the first step. The final step is to let your voice, your vote, count. Please encourage every registered voter you know to go to the polls. Voting is the best way for us to have a say in our economy, justice system, schools, and workforce. It is the best way to bring about the future you envision for your family, your community and your nation. See you at the polls!

Source: PA Department of State, 11/2/2016

## DEP Declares Drought Warning for Four Counties, Increases Drought Watch to 30 Counties

The Department of Environmental Protection (DEP) has declared a drought warning for four counties and increased the number of counties on drought watch status to 30, following a meeting Wednesday of the Commonwealth Drought Task Force.

"We're asking residents and businesses, particularly in central and eastern counties, to use water wisely and follow simple water conservation tips to ease the demand for water," said DEP Acting Secretary Patrick McDonnell. "We suggest that public water systems that implemented water restrictions this summer continue them to preserve their drinking water supplies."

Data from the Commonwealth drought monitoring network show that dry conditions persisting in the middle of the state and lack of precipitation in the eastern part of the state have deepened precipitation deficits, resulting in extremely low stream flow and groundwater levels, particularly in the Lehigh Valley and surrounding areas in the Delaware River Basin.

However, to the west of the Appalachian Mountains and extending along the northern tier, above-average precipitation has improved precipitation, surface water, and ground water to normal or above normal levels.

- **Drought warning:** Carbon, Lehigh, Monroe, and Northampton Counties. Citizens are encouraged to voluntarily reduce their water use by 10-15 percent.
- **Drought watch:** Adams, Bedford, Berks, Bucks, Centre, Chester, Clinton, Cumberland, Dauphin, Delaware, Franklin, Fulton, Huntingdon, Juniata, Lackawanna, Lancaster, Lebanon, Luzerne, Mifflin, Montgomery, Northumberland, Perry, Philadelphia, Pike, Schuylkill, Snyder, Sullivan, Union, Wayne, and York Counties. Citizens are encouraged to reduce their nonessential water use by 5 percent.
- **Normal status:** Potter County was moved from warning status to normal. The other counties in normal status are Allegheny, Armstrong, Beaver, Blair, Bradford, Butler, Cambria, Cameron, Clarion, Clearfield, Columbia, Crawford, Elk, Erie, Fayette, Forest, Greene, Indiana, Jefferson, Lawrence, Lycoming, McKean, Mercer, Montour, Somerset, Susquehanna, Tioga, Venango, Warren, Washington, Westmoreland, and Wyoming.

A drought emergency has not been declared for any county. A drought emergency, which requires a proclamation from the Governor, calls for mandatory restrictions on nonessential water use to protect water supplies as well as public health and safety.

Through a cooperative program with the U.S. Geological Survey, DEP helps fund a statewide network of gauges to monitor groundwater levels and stream flows. This network provides the state's drought coordinator with comprehensive data that are used to determine drought classifications. In addition to precipitation, groundwater and stream flow levels, DEP monitors soil moisture and water supply storage. The data are shared with other state and federal agency personnel on the task force.

Varying conditions under drought watch and warnings may dictate individual water suppliers or municipalities asking for more stringent conservation actions. DEP will be notifying all water suppliers in affected areas of the need to monitor their supplies and update their drought contingency plans as necessary.

DEP encourages all citizens to take steps to reduce their water use:

- **Run water only when necessary.** Avoid running the faucet while brushing your teeth or shaving, or letting the shower run for several minutes before use.
- **Check for household leaks.** A leaking toilet can waste up to 200 gallons of water each day.
- **Run dishwashers and washing machines only with full loads.**
- **Replace older appliances with high-efficiency, front-loading models that use about 30 percent less water and 40 to 50 percent less energy.**
- **Install low-flow plumbing fixtures and aerators on faucets.**

DEP also offers other water conservation recommendations and water audit procedures for commercial and industrial users, such as food processors, hotels and educational institutions. These recommendations and additional drought monitoring information are available on the [DEP Drought Information website](#).

Source: DEP Press Release, 11/3/2016

## Revenue Department Releases October 2016 Collections

Pennsylvania collected \$2.2 billion in General Fund revenue in October, which was \$36.1 million, or 1.6 percent, more than anticipated, Secretary of Revenue Eileen McNulty reported today. Fiscal year-to-date General Fund collections total \$8.8 billion, which is \$182.4 million, or 2 percent, below estimate.

**Sales tax receipts** totaled \$871.9 million for October, \$2.2 million above estimate. Year-to-date sales tax collections total \$3.4 billion, which is \$70.3 million, or 2 percent, less than anticipated.

**Personal income tax (PIT)** revenue in October was \$874.1 million, \$6.1 million below estimate. This brings year-to-date PIT collections to \$3.6 billion, which is \$60.9 million, or 1.7 percent, below estimate.

October **corporation tax revenue** of \$191.3 million was \$31.8 million above estimate. Year-to-date corporation tax collections total \$775.3 million, which is \$30 million, or 3.7 percent, below estimate.

**Inheritance tax revenue** for the month was \$76.3 million, \$100,000 below estimate, bringing the year-to-date total to \$299.9 million, which is \$9.5 million, or 3.1 percent, below estimate.

**Realty transfer tax revenue** was \$41.9 million for October, \$8.8 million below estimate, bringing the fiscal-year total to \$161.5 million, which is \$26.2 million, or 13.9 percent, less than anticipated.

**Other General Fund tax revenue**, including cigarette, other tobacco products, malt beverage, liquor and table games taxes, totaled \$175.1 million for the month, \$24.9 million above estimate and bringing the year-to-date total to \$577.2 million, which is \$14.9 million, or 2.6 percent, above estimate.

**Non-tax revenue** totaled \$4.2 million for the month, \$7.7 million below estimate, bringing the year-to-date total to \$63.2 million, which is \$400,000, or 0.6 percent, below estimate.

In addition to the General Fund collections, the **Motor License Fund** received \$206 million for the month, \$4.9 million below estimate. Fiscal year-to-date collections for the fund - which include the commonly known gas and diesel taxes, as well as other license, fine and fee revenues - total \$869.6 million, which is \$4.8 million, or 0.5 percent, below estimate.

Source: DOR Press Release, 11/1/2016

## EQB: Meeting Cancellation

The November 15, 2016, meeting of the Environmental Quality Board is **cancelled**. The next regular meeting of the Board is scheduled for Tuesday, December 20 at 9 a.m. in the Rachel Carson State Office Building, Harrisburg.

Meeting materials will be available at [www.dep.pa.gov](http://www.dep.pa.gov) (select "Public Participation," then "Environmental Quality Board (EQB)," then "2016 Meetings"). Questions should be directed to Laura Edinger at 717-783-8727 or [ledinger@pa.gov](mailto:ledinger@pa.gov).

Source: PA Bulletin, [11/5/2016](#)

## Governor Wolf Signs Bill to Provide Unemployment Insurance for an Additional 44,000 Pennsylvanians

On November 3, 2016, Governor Tom Wolf signed [HB 319](#) into law which will finally provide nearly 44,000 additional people with insurance in the event they lose their job or cannot find work.

"This agreement brought together both Republicans and Democrats, as well as advocates in the business community and organized labor, to ensure that we help the unemployed while they try to find work," said Governor Tom Wolf. "We accomplished this while remaining fiscally responsible and good stewards of taxpayer dollars. Once again, this is another example of how people can come together to find real solutions to serious challenges, despite the belief by some that Harrisburg is no longer able to tackle big issues on behalf of the people of Pennsylvania."

Act 144 will help to ensure that seasonal workers and those who need unemployment insurance will have better and more efficient access to those funds. While there are many people who need unemployment insurance to get them through periods of unemployment, seasonal workers in

industries such as construction utilize these funds to make it through the winter months.

"This well-designed solution prevents what could have been a serious employment and economic problem in many areas of the state, so it comes as a huge relief for tens of thousands of seasonal workers and for their employers," said Senator Lisa Baker.

"Through a strong bipartisan effort, we developed a sound policy to ensure that approximately 44,000 workers will no longer be ineligible for benefits." Representative John Galloway said. "Thanks to all the legislators and staff who worked together to put the needs of workers as a top priority."

The previous rule mandated that 49.5 percent of wages must be earned outside the highest quarter of earning for an individual to receive unemployment insurance. This percentage was prohibitively high and left many individuals and families of seasonal workers without this important financial bridge to cover leaner work months.

The change made in this legislation, lowering that bar to 37 percent of wages earned outside the highest quarter, removes a significant barrier to receiving benefits and will allow Pennsylvania families and workers to receive what they have earned - a stable and reliable unemployment insurance benefit.

To pay for this change, the legislation adopts several cost saving changes to ensure that Pennsylvania's UC trust fund remains financially solvent. They include:

- An across the board 2% reduction (reset) in benefits - \$44 million in annual savings.
- Slowed growth in future benefits, beginning in 2020 through 2023 the maximum benefit will grow.
- From 2024 and thereafter the maximum benefit will grow by 4%, this change will save at least \$400 million annually, and is expected to grow each year thereafter.

To ensure that the fund's health continues to improve a series of triggers have been included to address any decline or stalled growth of the funds reserves. The amendment also includes several updates to the laws fraud provisions to further protect the integrity of the system.

**Source:** Governor Wolf's Press Office, 11/3/2016

## **EPA Releases Report on Progress Made to Reduce Water Pollution from Nonpoint Sources**

**E**PA has released the first-ever national snapshot of the agency's work to reduce water pollution from nonpoint sources, which affect more than 80 percent of the country's assessed rivers, streams, lakes and reservoirs. Through the strong state, tribal, and territorial partnerships built through EPA's Clean Water Act Section 319 Nonpoint Source Pollution Management Program, more than 6,000 miles of streams and 164,000 acres of lakes have been removed from EPA's impaired waters list.

The report found that EPA's 319 grants are a catalyst toward water quality improvement-of 538 water bodies with documented water quality improvement, states reported a total \$1.78 billion of funding was provided for restoration work. Of that amount, \$13% (\$238 million) is attributed to Section 319 funding. EPA's Nonpoint Source Program Report highlights other major accomplishments and offers a glimpse of the more than 2,000 nonpoint source projects underway across the country.

Learn [more](#).

**Source:** Water Headlines from EPA, 11/3/2016

## **EPA to Host Webinar Series on Financing Disaster Recovery and Resilience**

## **Mitigation for Water and Wastewater Utilities**

**C**ommunities are facing an increasing need to prepare for disasters and mitigate impacts to their water and wastewater infrastructure. With the emerging challenges of stronger and more frequent storms, droughts, and floods, the costs to respond are rising. EPA's Water Infrastructure and Resiliency Finance Center and EPA's Water Security Division are hosting two free webinars to highlight the financing resources available to utilities and community decision makers for disaster recovery and resilience planning with mitigation. The first webinar will discuss disaster recovery financing and will be held on November 22, from 1 p.m. to 2:30 p.m. The second webinar will cover resilience mitigation financing and will be held on December 7, from 1 p.m. to 2:30 p.m.

[Register for Webinar 1.](#)

[Register for Webinar 2.](#)

**Source:** Water Headlines from EPA, 11/3/2016

## **EPA Releases Three Tools to Help Drinking Water Systems Manage Cyanotoxins in Drinking Water**

**H**armful algal blooms in surface waters can produce toxins known as cyanotoxins, which can be harmful to humans and animals. EPA has released three tools to help communities prepare for and reduce risks from cyanotoxins in drinking water. These tools include a template and example plans for cyanotoxin management in drinking water, a cyanotoxin drinking water treatment optimization document, and a cyanotoxin risk communication toolbox.

These materials provide public water systems with examples and ready-to-use templates to tailor to their systems, as they see appropriate, to aid in



managing and communicating the risks of cyanotoxins in drinking water.

Development of these tools was highlighted in the Algal Toxin Risk Assessment and Management Strategic Plan for Drinking Water, submitted by EPA to Congress in 2015.

Learn [more](#).

**Source:** Water Headlines from EPA, 11/3/2016

## EPA Launches New Guide for Long-Term Stormwater Planning

**E**PA launched a guide, toolkit and technical assistance to promote comprehensive, community-wide planning approaches to manage stormwater. With long-term stormwater plans, communities can make strategic investments in their stormwater systems that yield strong environmental results.

Along with EPA's continued commitment to support communities' water infrastructure investments, EPA will provide coordinated technical assistance to four communities to develop community-based integrated plans that will serve as national models. The communities include: Burlington, Iowa; **Chester, Pennsylvania**; Hattiesburg, Mississippi; Rochester, New Hampshire; and Santa Fe, New Mexico.

EPA will leverage the lessons learned from these efforts to help lower barriers to long-term stormwater planning, improve water quality, and decrease the costs of stormwater management.

Learn [more](#).

**Source:** Water Headlines from EPA, 11/3/2016

## Growing Greener Plus Program Now Accepting Grant Applications for

## Water Quality Improvement Projects

*Grants available for watershed protection and restoration and surface mining reclamation and conservation*

**T**he Pennsylvania Department of Environmental Protection (DEP) is now accepting applications for projects under the Growing Greener Plus Program. Up to \$18 million in grants will be available for eligible projects that restore and protect Pennsylvania watersheds and reclaim and conserve surface mining lands.

"Protecting and restoring Pennsylvania's waters and watersheds is one of the most important things we can do for the environment," said Acting DEP Secretary Patrick McDonnell. "Growing Greener is a program with a long history of success in restoring Pennsylvania's waters, and we are looking forward to continuing that success with this next round of grants."

Examples of eligible projects include streambank fencing, streamside forest buffers, mine land reclamation and reforestation, and other projects designed to reduce non-point sources of water pollution.

DEP is placing special focus on projects in the 43 counties that make up the Chesapeake Bay Watershed, particularly projects that implement Best Management Practices to reduce nitrogen, phosphorus, and sediment runoff.

"Focusing Growing Greener projects in the Chesapeake Bay watershed will lead to better water quality here in Pennsylvania for hundreds of communities and millions of people," said McDonnell. "Every drop of water that is cleaner through these projects is a benefit to local communities and helps us reach our goals for the watershed."

Projects outside the Chesapeake Bay watershed are also eligible for grants, especially those that are in regional priority watersheds. Grants are available for county and municipal governments, county conservation districts, watershed organizations, and

other organizations involved in the protection and restoration of Pennsylvania's environment. Additional details on eligible organizations can be found on the DEP website at <http://www.dep.pa.gov/growinggreener> .

The Growing Greener Plus program covers grants eligible under four separate grant programs: Growing Greener, 319 Nonpoint Source (NPS), Surface Mining Conservation and Reclamation Act (SMCRA) Bond Forfeiture, and Abandoned Mine Drainage Set-Aside grants. All grants can be applied for with the same forms, found on the DEP website.

Applications will be accepted through Friday, January 13, 2017.

For more information, please see <http://www.dep.pa.gov/growinggreener> and the [PA Bulletin](#).

Source: DEP Press Release, 11/4/2016

## **New Disposal Options for Unwanted and Expired Medicines**

**P**ennsylvanians have more options to dispose of unwanted and expired medicines and pharmaceutical drugs thanks to enactment of HB 1737, part of the opioid epidemic package of bills signed by Governor Tom Wolf.

“With this new legislation we want to remind PA residents that there are safe ways to dispose of unwanted and expired medicines,” said Department of Environmental Protection (DEP) Acting Secretary Patrick McDonnell. “We want to encourage everyone to safely and responsibly dispose of medicines and other pharmaceuticals rather than just flush them down the drain or send them to a landfill.”

The law, sponsored by Representative John Maher, allows pharmaceuticals delivered to collection events to be incinerated at permitted facilities, instead of solely being disposed of as hazardous waste and allows collection events

conducted by law enforcement, medical facilities, pharmacies, and resource recovery facilities incinerating the pharmaceuticals to be exempt from registering with DEP prior to commencing operations.

“We hope that changing prior disposal restrictions will encourage more collection events to enable people to dispose of expired and unwanted drugs,” said McDonnell.

The Department encourages organizations hosting collection events to contact Pennsylvania’s Department of Drug and Alcohol or the U.S. Drug Enforcement Administration for help in publicizing the events and for guidance on disposal options.

For more information on prescription drug disposal please visit the DEP [website](#). For more information on the opioid epidemic package, visit <http://www.pa.gov/collections/opioid-epidemic/>.

Source: DEP Press Release, 11/2/2016

## **PennDOT Reviews Preparations for Coming Winter Visit 511PA.com to Check Road Conditions before Leaving Home**

**W**ith snow already visiting some areas of Pennsylvania, PennDOT Secretary Leslie S. Richards outlined the agency's plans for winter services and encouraged drivers to be prepared as well.

"Our residents count on PennDOT to keep them moving regardless of the weather and we take that mission very seriously," Richards said during a news conference at the PennDOT maintenance facility in Norristown, Montgomery County. "We have our materials and equipment in place and our staff of dedicated equipment operators, district-level staff and staff in Maintenance and Operations are ready to go."

This winter, all of the more than 2,200 PennDOT-owned and rented plow trucks will be

equipped with AVL technology - meaning the public can view the trucks on interstates and expressways this winter at [www.511PA.com](http://www.511PA.com). PennDOT started the AVL program in 2014 in 119 plow trucks and expanded it to more than 700 trucks last winter. The AVL unit in each truck sends a cellular signal through the system showing where a truck is located and whether or how much material is being spread from the truck.

The AVL system is part of Governor Wolf's GO-TIME initiative that leverages inter-agency coordination and collaboration to maximize efficiency, modernize state government operations, and provide the highest quality services.

The Secretary noted that PennDOT has compiled all of its information about winter series into a special page on the web site at: <http://www.penndot.gov/TravelInPA/Winter/Pages/default.aspx>

The site also has a complete winter guide with detailed information about winter services in each of PennDOT's 11 engineering districts.

With \$205 million budgeted for statewide winter operations, PennDOT deploys about 4,800 on-the-road workers and has more than 768,000 tons of salt on hand across the state.

The state's snow plow trucks are equipped with computerized salt spreaders that allow operators to calibrate the exact amount of salt to be distributed regardless of the speed of the truck.

"Our equipment operators have an enormous amount of responsibility during a storm as they plow snow, monitor computers that control the flow of salt, monitor pavement temperatures, and keep their eyes on traffic and possible roadside obstacles," Richards said. "We urge drivers to allow plenty of space to snow plow operators so they can perform their jobs effectively and safely."

When winter weather hits, PennDOT's primary focus is on interstates and expressways, and equipment may be redirected to those routes during significant winter events. The more traffic a roadway has, the more attention it will receive from plows, so motorists may find deeper accumulations

on less-traveled routes and should adjust their driving for those conditions.

In addition to planning for traffic impacts, Richards noted that vehicle preparation is critical to safe winter travel.

If motorists encounter snow or ice-covered roads, they should slow down, increase their following distance and avoid distractions. Last winter in Pennsylvania, preliminary data shows that there were 224 crashes resulting in 103 injuries on snowy, slushy or ice-covered roadways where aggressive-driving behaviors such as speeding or making careless lane changes were factors.

Tires should also be checked often for the correct level of air pressure and adequate tire-tread depth to perform on ice and snow. A quick way to check tread depth is to insert a penny in the tread groove with Lincoln's head upside down. If you can see the entire head, the tires are worn and traction will suffer. If you live in an area prone to heavy snow, drivers may want to consider using dedicated snow tires or carrying a set of tire chains. At a minimum, all-season tires should be rated for use in mud and snow.

Once vehicles are travel-ready, drivers should be prepared for winter or vehicle emergencies especially if long-distance travel is planned. PennDOT urges motorists to carry an emergency kit.

An emergency kit should include items such as non-perishable food, water, first-aid supplies, warm clothes, a blanket, cell phone charger and a small snow shovel. However, motorists should tailor their kits to any specific needs that they or their families may have. Consider adding such items as baby supplies, extra medication, pet supplies, or even children's games.

For more information on PennDOT's winter preparations and additional winter-driving resources for motorists, visit the department's winter Web page, [www.PennDOT.gov/winter](http://www.PennDOT.gov/winter).

Motorists can check conditions on more than 40,000 roadway miles, including color-coded winter conditions on 2,900 miles, by visiting



[www.511PA.com](http://www.511PA.com). 511PA , which is free and available 24 hours a day, provides traffic delay warnings, weather forecasts, traffic speed information, and access to more than 800 traffic cameras.

511PA is also available through a smartphone application for iPhone and Android devices, by calling 5-1-1, or by following regional twitter alerts accessible on the 511PA website.

For more PennDOT information, visit [www.penndot.gov](http://www.penndot.gov) . Follow PennDOT information on Twitter at [www.twitter.com/PennDOTNews](https://www.twitter.com/PennDOTNews) and follow the department on Facebook at [www.facebook.com/pennsylvaniadepartmentoftransportation](https://www.facebook.com/pennsylvaniadepartmentoftransportation) and Instagram at [www.instagram.com/pennsylvaniadot](https://www.instagram.com/pennsylvaniadot) .

**Source:** PennDOT Press Release, 11/4/2016

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***This newsletter provides general information, not legal advice as to any specific matter. It should not be used as a substitute for appropriate legal advice.***