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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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200 North 3<sup>rd</sup> Street ♦ Suite 1500 ♦ Harrisburg, PA 17101 ♦ Phone: 717-232-5322 ♦ Cell: 717-574-3963 ♦  
Erik A. Ross, Associate ♦ [www.millirongoodman.com](http://www.millirongoodman.com)

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Harrisburg, PA

[Erik@millirongoodman.com](mailto:Erik@millirongoodman.com)

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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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### Senate Republicans Elect Leadership Team for 2017- 2018 Legislative Session

**A**fter voters re-elected all Republican incumbents and five new Senators last week, Senate Republicans strengthened their majority to the largest level in 66 years.

Today, Senate Republicans re-elected their leaders for the 2017-18 legislative session, retaining the current team to serve in their respective roles.

**Senator Joe Scarnati** (R-25) has been nominated once again to serve as President Pro Tempore. The full Senate will vote on Scarnati's nomination when it reconvenes in January. As President Pro Tempore, he will be responsible for appointing the chairpersons and members of the standing committees of the Senate. He will also play a significant role in negotiations with the Administration and the House of Representatives.

**Senator Jake Corman** (R-34) will serve his second term as Majority Leader. His duties include overseeing the legislative agenda, developing policies and strategies for the Senate Republican Caucus, and playing a key role in floor debates. He will also have a major role in negotiating issues with the Administration and House of

Representatives and in coordinating action on the Senate floor.

Leadership of the Appropriations Committee, one of the most influential of the standing committees, will remain with **Senator Pat Browne** (R-16). The committee reviews all legislation for its fiscal impact and plays a crucial role in developing the state budget.

**Senator John Gordner** (R-27) was re-elected Majority Whip. His duties include acting as assistant floor leader, working to gain support for legislation and assuring that Republican policies and strategies are maintained through the cooperative efforts of the majority caucus.

**Senator Bob Mensch** (R-24) will continue to serve as Majority Caucus Chairman for the 2017-2018 legislative session. As chairman he presides over Republican caucus meetings to discuss bills and amendments and to develop caucus strategy.

As the Majority Caucus Secretary, **Senator Richard Alloway** (R-33) oversees all executive nominations submitted to the Senate for confirmation. He will coordinate the review of the background and experience of nominees and ensure that proper documentation is submitted.

**Senator Chuck McIlhinney** (R-10) will remain Majority Caucus Administrator and **Senator David Argall** (R-29) will continue to chair the Policy Committee.

The new members of the Republican caucus include:

- **John DiSanto**, 15th Senatorial District (Parts of Dauphin County and all of Perry County) - Senator-elect DiSanto owns and operates a construction, development and property management business. Born and raised in Harrisburg, he has been involved in numerous civic organizations.
- **Wayne Langerholc**, 35th Senatorial District (All of Cambria and Bedford Counties and part of Clearfield County) - Senator-elect Langerholc is a Cambria County Assistant District Attorney, heads up the Cambria County Drug Task Force and serves as a Richland Township Supervisor.
- **Dan Laughlin**, 49th Senatorial District (Part of Erie County) - Born Erie and raised in a housing project, Senator-elect Laughlin attended Penn State Behrend and worked day and night jobs in the construction and steel industry to support his family. He established and built from the ground up a family business, Laughlin Builders, formed a waste company, and operates an insulating business and rental company.
- **Scott Martin**, 13th Senatorial District (Part of Lancaster County) - Senator-elect Martin is Vice President of Business Development at Community Network Resources. He served for eight years as a Lancaster County Commissioner and as Chairman of the PA Republican Caucus of County Commissioners.
- **Mike Regan**, 31st Senatorial District (Parts of York and Cumberland Counties) - Senator-elect Regan served in the House of Representatives since 2013, representing the 92nd District and spent 23 years as a member of the U.S Marshals Service within the Department of Justice.

Two Senate Republicans will retire at the end of the year. They are Senator Pat Vance (R-31) and

Senator Lloyd Smucker (R-13), who was elected to Congress.

**Source:** Senate Republican Communications, 11/16/2016

## Senate Democrats Announce Leadership Team

**O**n November 16, 2016, Senate Democrats elected leaders for the 2017-18 legislative session. **State Senator Jay Costa** (D-Allegheny) was re-elected Democratic Floor Leader.

"It is an honor and a privilege to once again be chosen to serve the caucus as Leader," Costa said. "We face many challenges moving into the new session but our members are focused and determined to address key issues and provide for the needs of all Pennsylvanians."

Costa was elected to the Senate in 1996 and was elected into leadership in 2006, serving first as Caucus Chairman and later Democratic chair of the Senate Appropriations Committee.

Costa will be joined in leadership for the 2017-18 legislative session by:

**Sen. Anthony Williams** (D-Phila./Montgomery), Democratic Whip. Williams has served in the state legislature since 1988 and was elected to the Senate in 1998. He has served as Democratic Whip since 2011.

**Sen. Vincent J. Hughes** (D-Phila./Montgomery), Democratic Appropriations chair. Senator Hughes was elected to the Senate in 1994 and served the caucus previously as Caucus Chairman. This will be Hughes' fourth term as Democratic Appropriations chair.

**Sen. Wayne Fontana** (D-Allegheny), Caucus Chairman. Fontana was elected to the Senate in 2005 and was appointed to the leadership team in 2011 as Caucus Administrator where he served for four years.

**Sen. Larry Farnese** (D-Philadelphia), Caucus Secretary. Sen. Farnese has represented the First Senatorial District since 2009 and has served on the Democratic leadership team as Caucus Secretary since 2014.

**Sen. Lisa Boscola** (D-Northampton/Lehigh), Policy Committee Chair. Boscola has served in the legislature for more than 20 years and was chosen to serve in 2010 as Caucus Administrator and elected in 2011 as Policy Committee chair.

The leadership positions are effective Dec. 1.

Source: Senate Democratic Caucus, 11/16/2016

## With 122 Members, House Republican Majority Chooses 2017-18 Leadership Team

The 122 members of the incoming Pennsylvania House Republican Caucus once again elected **Rep. Mike Turzai** (R-Allegheny County) as their choice for speaker of the House of Representatives and **Rep. Dave Reed** (R-Indiana County) as majority leader for the 2017-18 legislative session.

Today's caucus election comes seven days after Republicans increased their majority from 119 members going into Election Day to 122 members, retaining control of the state House for the fourth consecutive session.

Turzai and Reed were elected as part of today's reorganization session of the Republican Caucus. The formal election for speaker will take place in the full House when the 2017-18 session begins on Jan. 3, 2017. Republicans will hold a 122-81 majority in the state House.

"To be chosen by my colleagues to continue to serve as speaker of this esteemed institution is an exceptionally high honor," Turzai said. "I am proud of our members and the outstanding accomplishments we have achieved together over the past two years. I look forward to working with

all members to move Pennsylvania forward in the next session. Focusing on fiscal discipline and private sector job growth will be paramount."

"We stood for taxpayers and governed responsibly for the last two years, and with a 122-member majority, the House Republicans are ready to confront the many challenges still facing our Commonwealth," Reed said. "The people can expect us to again offer bold and rational solutions to address the issues and problems Pennsylvanians are facing. Better job and career opportunities, property tax relief, better budgeting and making sure all our schools actually educate will top our priority list in the next session."

The Republican leadership team includes:

SPEAKER OF THE HOUSE DESIGNEE: **Rep. Mike Turzai** (28th District, Allegheny County) is ending his first term as speaker. He was elected majority leader for two sessions, serving in that capacity from 2011-14. Turzai was first elected to the House in 2001 and previously served as whip during the 2009-10 legislative session and Republican Policy Committee chairman during the 2007-08 session.

MAJORITY LEADER: **Rep. Dave Reed** (62nd District, Indiana County) was first elected to the House in 2002. He is currently serving his first term as majority leader and was the Republican Policy Committee chairman from 2011-2014. Reed has also served as chairman of the House Republican Campaign Committee from 2009-14.

WHIP: **Rep. Bryan Cutler** (100th District, Lancaster County) was elected to the House in 2006. Unopposed, Cutler was re-elected to his second term as majority whip.

APPROPRIATIONS CHAIRMAN: **Rep. Stan Saylor** (94th District, York County) was first elected to the House in 1992. In the 2011-12 session, Saylor served as majority whip, and in the 2009-10 session, he was the Republican Policy Committee chairman. Currently, Saylor is chairman of the House Education Committee.

CAUCUS CHAIRMAN: **Rep. Marcy Toepel** (147th District, Montgomery County) was first

elected to the House in 2010. Prior to being elected, Toepel served in various positions in the Montgomery County government. This is her first term as a member of the caucus leadership team.

**POLICY COMMITTEE CHAIRMAN: Rep. Kerry Benninghoff** (171st District, Centre and Mifflin counties) was elected to the House in 1996. Unopposed today, he was elected to his second term as Republican Policy Committee chairman. Previously, Benninghoff served as the chairman of the House Finance Committee, chairman of the Cancer Caucus, and chairman of the Rural Health Caucus.

**CAUCUS ADMINISTRATOR: Rep. Kurt Masser** (107th District, Columbia, Montour and Northumberland counties) was first elected in 2010. This is his first term as a member of the caucus leadership team.

**CAUCUS SECRETARY: Rep. Donna Oberlander** (63rd District, Armstrong, Clarion and Forest counties) was elected to the House of Representatives in 2008. This is Oberlander's second term as caucus secretary; she was unopposed. Previously, she chaired the House Oil and Gas Caucus and the House Diabetes Caucus.

Appropriations Chairman Saylor said, "Our Appropriations Committee will focus its efforts on effectiveness of state programs, whether they match their intent and whether they have run their course. Pennsylvanians can be assured, we will not be a status quo committee and are committed to enacting a responsible budget which respects our taxpayers."

The elections took place today in the House Republican Caucus Room in the Main Capitol Building. Only members who will serve in 2017-18 Legislative Session were eligible to participate in today's balloting. Members who are leaving office did not participate in the election.

Source: House Republican Caucus, 11/15/2016

## PA House Democrats choose leaders for 2017-18

On November 15, 2016, returning and newly elected members of the Pennsylvania House Democratic Caucus chose their leadership team for the 2017-18 legislative session.

"As the minority party we face a continuing challenge, but we embrace it and look forward to working with Governor Tom Wolf to keep getting things done," Democratic Leader Frank Dermody said. "House Democrats will continue to fight hard at the Capitol and in our communities for a Pennsylvania that works better for all people, not just the special interests.

"We want a Pennsylvania that offers good jobs that support careers and family. We want a state with quality public schools, clean air and water, and a place that offers a fair opportunity for everyone who wants to work hard and make to their life better," he said. "We look forward to working with Democrats and Republicans to fight for policies that support these values and against the worst and most extreme ideas of those who would take Pennsylvania, its economy and its residents backwards."

House Democrats elected the following legislators to leadership positions for the 2017-18 term:

**Democratic Leader Frank Dermody**, 33rd Legislative District (Allegheny and Westmoreland counties). Representative since 1991.

**Democratic Whip Mike Hanna**, 76th Legislative District (Clinton and Centre counties). Representative since 1991.

**Caucus Chairman Dan Frankel**, 23rd Legislative District (Allegheny County). Representative since 1999.

**Caucus Secretary Rosita Youngblood**, 198th Legislative District (Philadelphia). Representative since 1994.

**Caucus Administrator Neal Goodman**, 123rd Legislative District (Schuylkill County). Representative since 2003.

**Policy Committee Chairman Mike Sturla**,  
96th Legislative District (Lancaster County).  
Representative since 1991.

**Appropriations Committee Chairman Joe Markosek**, 25th Legislative District (Allegheny County). Representative since 1983.

New members of the caucus, whose terms will begin Dec. 1, include:

- Reps.-elect Anita Astorino Kulik (Allegheny),
- Kevin Haggerty (Lackawanna),
- Carol Hill-Evans (York),
- Brian Kirkland (Delaware),
- Maureen Madden (Monroe),
- Perry Warren (Bucks), and
- Morgan Cephas, Isabella Fitzgerald, Christopher Rabb and Jared Solomon of Philadelphia.

The new and returning House lawmakers will formally take the oath of office as voting representatives on Jan. 3, 2017.

**Source:** House Democratic Caucus, 11/15/2016

## **PUC Commissioner Powelson Elected as President of National Association of Regulatory Utility Commissioners**

**P**ennsylvania Public Utility Commission (PUC) Commissioner Robert F. Powelson has been elected as the next president of the National Association of Regulatory Utility Commissioners (NARUC). He will serve a one-year term.

"Since my first meeting in 2008, I have found NARUC to be an organization with a diversity of

leaders and staff who work to bring a variety of perspectives to the table," said Commissioner Powelson. "Its mission to serve the public is something that has been steadfastly supported by those who have come before me, and I am honored and committed to continuing this work."

Founded in 1889, NARUC is a non-profit organization dedicated to representing the state public service commissions who regulate the utilities that provide essential services such as energy, telecommunications, power, water, and transportation. NARUC's members include utility regulators from all 50 States, the District of Columbia, Puerto Rico, and the Virgin Islands.

Commissioner Powelson was nominated by PUC Chairman Gladys M. Brown, who noted his extensive background and strong record of service in Pennsylvania. "It is with great pleasure that I nominate someone who is knowledgeable about issues that impact all of our states; someone who is forward thinking, especially in our ever changing environment; and someone who is passionate about public utilities, as demonstrated in every conversation he has on the many issues that we face as Commissioners," said Chairman Brown.

Looking ahead to the coming year, Commissioner Powelson will focus on three critical issues driving the future of utility regulation: Infrastructure, innovation and investment. "I think we would all agree that no modern nation has ever achieved economic prosperity or a high quality of life without adequate investment in infrastructure," Powelson said. "It is clear that encouraging sound financial investment in our nation's utility infrastructure is an important issue and one that NARUC should be engaged in."

Additionally, he noted that NARUC - and utility regulators across the country - can play a major role in embracing and fostering innovation. "From increased data analytics and cloud based software to new forms of energy storage - just to name of few - NARUC is the perfect place to examine these trends and figure out which ones have longevity and should be pursued," Powelson noted. "Over the next year, NARUC will focus on bringing thought-leaders in technology to NARUC and showcasing

some of the newest technologies in the utility realm."

Finally, Commissioner Powelson stressed the need to invest in people, especially efforts to ensure that the next generation of utility workers is prepared for future challenges, along with a focused effort to encourage utilities to hire veterans. "Investing in people - investing in the brain trust that will carry us forward into the next generation - is an essential investment that cannot be overlooked," Powelson said. "I would also like to launch a NARUC Task Force on Veterans' Affairs to examine best practices for hiring veterans in utility work and for partnering with community colleges to produce qualified candidates. I believe this is a partnership that has the potential to benefit everyone."

Commissioner Powelson was first nominated to the PUC in 2008, and he served as Chairman from 2011 to 2015. He is also a member of the NARUC Board of Directors and has served as NARUC first vice president, chair of the NARUC Committee on Water and a member of the Committee on Critical Infrastructure, the Subcommittee on Nuclear Issues-Waste Disposal and the Subcommittee on Education and Research.

Additionally, Commissioner Powelson is a past president of the Mid-Atlantic Conference of Regulatory Utilities Commissioners (MACRUC), a voting member of the National Regulatory Research Institute (NRRI) and serves on the Electric Power Research Institute (EPRI) Advisory Council. He also served as a member of the Marcellus Shale Advisory Commission and was President of the Chester County Chamber of Business & Industry from 1994 to 2008.

The Pennsylvania Public Utility Commission balances the needs of consumers and utilities; ensures safe and reliable utility service at reasonable rates; protects the public interest; educates consumers to make independent and informed utility choices; furthers economic development; and fosters new technologies and competitive markets in an environmentally sound manner.

For recent news releases and video of select Commission proceedings or more information about the PUC, visit our website at [www.puc.pa.gov](http://www.puc.pa.gov). Follow the PUC on Twitter - @PA\_PUC for all things utility. "Like" Pennsylvania Public Utility Commission on Facebook for easy access to information on utility issues.

Source: PUC Press Release, 11/15/2016

## **PUC Highlights ‘Utilities United Against Scams Day’; Reminds Consumers to Protect Themselves and Their Information from Scammers**

**O**n November 16, 2016, the Pennsylvania Public Utility Commission (PUC) highlighted the inaugural “Utilities United Against Scams Day” across the United States and Canada by joining regulators, utilities and industry leaders in raising awareness about utility scams, and continuing to urge consumers to take the necessary precautions to protect themselves and their personal information.

In launching its first week-long informational campaign to educate consumers about scams, Utilities United Against Scams designated November 16 as “Utilities United Against Scams Day” which, going forward, will be observed annually on the third Wednesday in November.

“With the heating season now upon us, and as part of this new industry-wide collaboration, the PUC continues its unwavering support to public outreach and educational efforts geared toward raising consumer awareness about utility scams,” said PUC Chairman Gladys M. Brown. “From imposters posing as legitimate utility workers to fraudulent telemarketing calls to threats of service termination for bill arrearages, scammers are constantly seeking to deceive utility customers into paying money and providing personal information that can be used for unlawful purposes. We want Pennsylvanians to be well informed about their

rights and protections, and well-equipped to act diligently, before falling victim to one of these scams.”

Chairman Brown urged customers suspecting a potential scam to contact the PUC’s Bureau of Consumer Services at 1-800-692-7380, as well as alert their local utility. Additionally, Chairman Brown noted that if someone claims to be a utility representative over the phone, or visits in person and wishes to enter the home, consumers should call the utility company first to verify that they are in fact speaking to a person from the utility.

Above all else, Chairman Brown urged consumers that if they feel their safety is threatened, they should immediately call their local police.

The PUC reminds residential customers that if they are threatened with termination of utility service unless they arrange to pay off their bills over the phone, service will not be shut off until the utility company has taken the following steps:

- Send you a 10-Day Notice. Once you get the notice, the utility company has up to 60 days to shut off your service.
- Attempt to contact you three days prior to your shut-off date.
- During winter months (December 1 through March 31), if the utility company cannot reach you at the time of termination, they will leave a 48-hour notice at your residence.

Additionally, the PUC offers the following tips to help consumers protect themselves from scams:

#### Door-to-door

- Supplier sales representatives are required to prominently display a photo ID showing their name and the name of the supplier for whom they are working.
- If not displayed, ask for identification.

- Suppliers will only need your account information when you are ready to make the switch.
- Utilities do not normally come to your door unless you have called them.
- If someone claims to be a utility representative and wishes to enter your home, call the utility company to verify if they have personnel in the area.

#### Telemarketing

- Ask for the name of the supplier.
- Ask for the price and other terms and conditions. Know and understand how it compares to your utility price.
- Only share account information over the phone if you are ready to make a switch.
- Do not feel pressured to make any decisions over the phone or immediately.

The Pennsylvania Public Utility Commission balances the needs of consumers and utilities; ensures safe and reliable utility service at reasonable rates; protects the public interest; educates consumers to make independent and informed utility choices; furthers economic development; and fosters new technologies and competitive markets in an environmentally sound manner.

For recent news releases and video of select Commission proceedings or more information about the PUC, visit our website at [www.puc.pa.gov](http://www.puc.pa.gov). Follow the PUC on Twitter – @PA\_PUC for all things utility. “Like” PAPowerSwitch on Facebook for easy access to information on electric shopping.

**Source:** PUC Press Release, 11/16/2016

## **DEP Accepting Applications for Pennsylvania State Clean Diesel Grants**

On November 16, 2016, the Pennsylvania Department of Environmental Protection (DEP) announced that applications are now being accepted for the Pennsylvania State Clean Diesel Grant Program. More than \$500,000 will be made available to school districts, municipal authorities, political subdivisions, state agencies, nonprofit entities, corporations, and limited liability companies or partnerships incorporated or registered in Pennsylvania that operate diesel fleets.

The clean diesel program's goal is to improve air quality by decreasing emissions from diesel-powered motor vehicles. The program supports projects that re-power or retrofit fleet vehicles to curb emissions; purchase and install idle-reduction technology; or purchase clean alternative-fuel fleet vehicles.

The grant program is funded through an annual allocation from the U.S. Environmental Protection Agency's State Clean Diesel Program. Since the program's inception in 2008, DEP has awarded more than \$1.7 million in grants.

DEP will also be holding an informational webinar to provide general information about the Program and to answer any questions from attendees relating to the Program, including questions about the application form and instructions. The webinar will be held on November 30, 2016. For more information and please visit <http://www.dep.pa.gov/DataandTools/Webinars/Pages/default.aspx>.

All applications must be postmarked on or before December 28, 2016. Faxes and electronic copies will not be accepted.

To apply for a grant or for more information, visit [www.dep.pa.gov/Business/Air/BAQ](http://www.dep.pa.gov/Business/Air/BAQ) under the heading "Grant Availability."

**Source:** DEP Press Release, 11/16/2016

## Governor Wolf Announces Reopening of Solar Energy Program

On November 16, 2016, Governor Tom Wolf announced that the Commonwealth Financing Authority (CFA) recently reopened the Solar Energy Program (SEP) for applications, offering more than \$30 million in loan funds to promote the use of solar energy in Pennsylvania.

"The Solar Energy Program provides loans to for an array of solar projects, including facilities to generate, distribute, or store solar energy; manufacturing or assembly facilities for solar panels and other solar equipment; and the development or construction of facilities for the research and development of solar energy-related technology," said Governor Wolf. "These types of projects not only harness Pennsylvania's solar resources to help accommodate the commonwealth's energy needs, but also stimulate the economy and create jobs."

Under direction of the CFA, the SEP is jointly administered by the Department of Community and Economic Development (DCED) and the Department of Environmental Protection. For solar equipment manufacturing projects, SEP will offer loans of up to \$40,000 for every new job created within three years. For energy generation or distribution projects, SEP will offer loans up to \$5 million or \$3 per watt, whichever is less. SEP loans will be repaid over a period not to exceed 22 years for equipment and 15 years for real estate. Applicants must provide matching funds of at least \$1 for every \$3 of program funds awarded by CFA.

"Loans provided by the Solar Energy Program can be used for a range of project costs from the purchase and installation of solar equipment, to energy storage costs, to the purchase and installation of manufacturing or research equipment," said DCED Secretary Dennis Davin. "The goal of this program is to promote the generation and use of solar energy, and by providing a project financing option that can be used for many types of expenses, SEP does just that."

Applicants eligible for SEP funding include:

- **Businesses** - A corporation, partnership, sole proprietorship, limited liability company, business trust or other CFA-approved



commercial entity. The term also includes not-for-profit entities.

- **Economic Development Organizations** - A nonprofit corporation or association whose purpose is the enhancement of economic conditions in their community.
- **Political Subdivision** - A municipality, county, or school district

The first SEP approvals are anticipated for early 2017. For additional information on the Solar Energy Program, to review [program guidelines](#), or to apply, visit [dced.pa.gov](http://dced.pa.gov) <http://dced.pa.gov/>.

**Source:** Governor Wolf's Press Office, 11/16/2016

## State DEP to Investigate PFC Contamination on Ridge Run Road, Bucks County

The Pennsylvania Department of Environmental Protection (DEP) is investigating perfluorinated compounds (PFCs) found in exceedance of the 2016 Health Advisory (HA) established by the United States Environmental Protection Agency (EPA) in parts of East Rockhill and West Rockhill townships, and Perkasio Borough.

DEP began its initial investigation after being notified that one public supply well was found to contain combined concentrations of perfluorooctanoic acid (PFOA) and perfluorooctane sulfonate (PFOS) that exceeded the HA established by EPA, and another public supply well that was found to contain combined concentrations slightly below the HA.

Private well owners and community well owners serving highly sensitive populations, such as nursing homes and daycares, within approximately 1 mile of the impacted public wells will be contacted to schedule water sampling for PFCs. Bottled water will be immediately provided to any residence whose samples exceed the EPA's Health

Advisory for these contaminants. Initial sampling results will form the foundation for further analysis of the extent of contamination in the area, potential remediation options and long-term solutions for residents. Activities pertaining to this investigation, including sampling and any necessary bottled water distribution, are fully funded by DEP's Hazardous Sites Cleanup Fund.

Under the Safe Drinking Water Act, DEP does not regulate [private wells](#). Although DEP is testing for PFCs, it is recommended that all Pennsylvania residents with a private well have their well water sampled every 3 to 5 years for a variety of chemical compounds to ensure the water is safe to drink. DEP recommends private well owners contract with a state-certified lab that conducts drinking water tests. Should a resident desire PFC sampling separate from DEP's investigation, it is advised to confirm with the lab before proceeding with sampling. Not all labs are capable of performing a comprehensive evaluation, and the number of labs certified to test for PFCs is limited.

More information on the Ridge Run PFC investigation will be made available on DEP's [website](#), including information sheets, sampling maps, details for future public information sessions and more as it becomes available.

**Source:** DEP Press Release, 11/17/2016

## EPA Finalizes the Fourth Contaminant Candidate List 4

The Safe Drinking Water Act requires EPA to publish a list, known as the Contaminant Candidate List (CCL), of currently unregulated contaminants that are known or anticipated to occur in public water systems and which may require regulation.

EPA is issuing the final fourth Contaminant Candidate List (CCL 4), which includes 97 chemicals or chemical groups and 12 microbiological contaminants. Using information collected from the CCL, EPA will determine whether to regulate five or more contaminants on

the CCL. Additionally, the CCL is used to prioritize agency research needs and serves as the primary tool for identifying contaminants to be monitored under EPA's UCMR program.

Learn [more](#).

Source: Water Headlines from EPA, 11/17/2016

## EPA Finalizes Rule on Small Municipal Separate Storm Sewer Systems

EPA is changing its regulations governing how small municipal separate storm sewer systems (MS4s) obtain coverage under National Pollutant Discharge Elimination System (NPDES) general permits. This change will promote greater public engagement through clear requirements on the opportunities for public participation on the permitting process.

The final rule establishes two alternative approaches that an NPDES permitting authority can use to issue and administer small MS4 general permits that address the court remand. Both approaches ensure that the permitting authority establishes what is necessary for the MS4 to reduce the discharge of pollutants from its MS4 to the maximum extent practicable, to protect water quality, and to satisfy the appropriate water quality requirements of the Clean Water Act. Both approaches also ensure that the public participation requirements of the Clean Water Act are met. This regulation does not establish any new substantive requirements for small MS4s.

Learn [more](#).

Source: Water Headlines from EPA, 11/17/2016

## Hearing: 60,000+ Miles of Natural Gas Gathering Lines Should Be Regulated For Safety

The Public Utility Commission, [PA One Call](#) utility construction safety program and UGI Energy Services all recommended the 60,000 to 100,000 miles of natural gas gathering lines in 33 counties should be regulated for safety and mapped for emergency services during a hearing Wednesday by the Senate and House Emergency Preparedness and Veterans Affairs Committees.

Natural gas gathering lines have not been included in the safety and mapping programs due to opposition from the conventional oil and gas drilling industry.

In early November, the General Assembly passed and Gov. Wolf signed [Senate Bill 1235](#) (Baker-R-Luzerne) reauthorizing the PA One Call Program for one year without including gathering lines, despite being included by the Senate. The provision was taken out by the House. As a result of that action, the One Call Program must be reauthorized again by the end of 2017, so this issue will again be up for discussion.

The Lycoming County Department of Public Safety told the Committees they did obtain gathering line information, but they had to sign nondisclosure agreements with conventional drilling companies. Even with the agreements, it could only be disclosed in the case of an emergency.

Sen. Tom Killion (R-Delaware) and Rep. Chris Quinn (R-Delaware) introduced the hearing, saying they requested the hearing in September because of concerns expressed about safety, environmental and location issues related to pipelines. At the same time, said Sen. Killion, thousands of jobs in the Southeast rely on pipelines.

Rep. Quinn said the hearing is intended to give members of the Senate and House Committees a better understanding of safety requirements and emergency response policies in place across the state. [Note: The proposed [Sunoco Mariner East 2 Pipeline](#), that would carry natural gas liquids to a refinery in Marcus Hook in Delaware County, has been controversial in Delaware and Chester counties. Sunoco announced this week the project would be delayed due to permitting issues.]

Here's a quick summary of comments presented to the Committees:

### Emergency Panel Panel

[Patrick Pauly](#), **Alternative Energy Emergency Response Training Program Administrator, PA Emergency Management Agency**, said the State Fire Academy began offering 2 training programs in late 2013 specific to pipeline emergencies at no cost to first responders. There are 50 instructors qualified to teach these classes and so far 194 students have completed the courses. Starting in 2017 PEMA will offer a grant program funded by Act 13 drilling impact fees to support local emergency equipment purchases and training. PEMA will also be offering a program on pipeline security in rural communities next year.

[Barry Hutchins](#), **Sr. Public Safety GIS Program Manager, Lycoming County Department of Public Safety – [Additional Testimony](#)**, said mapping of pipelines and related facilities are key components of emergency planning as well as assigning addresses to the features to support 9-1-1 emergency response as required by [Act 9 of 2012](#) for unconventional natural gas wells. In Lycoming County, natural gas gathering lines have been mapped, but the County had to sign nondisclosure agreements with conventional drilling companies to not share their location, except in an emergency.

### Pipeline Operators Panel

[Joe McGinn](#), **Senior Manager, Public Affairs, Sunoco & Sunoco Logistics Partners**. Sunoco said it has a 99.999 percent safety rate of delivering 16 billion barrels of products in over 7,500 miles of pipelines each year. Sunoco has more than 1,000 miles of pipelines in Pennsylvania, transporting tens of millions of barrels per year and has the most mileage in two of the most densely populated counties, Delaware (87 miles) and Chester (102 miles).

He said the U.S. Department of Transportation's Pipeline and Hazardous Materials Safety Administration and the Public Utility Commission oversee the operation of Sunoco Logistics pipelines in Pennsylvania.

In Pennsylvania, Sunoco Logistics this year sent more than 147,000 safety brochures to various stakeholder groups, including neighbors, emergency responders and construction and excavation companies along the pipeline routes.

Sunoco also regularly offers emergency responders and others annual training sessions related to pipeline awareness and emergency response. Last year, more than 2,100 people attended the free training sessions.

Sunoco also administers a grant program for local emergency equipment and training.

[Pam Witmer](#), **Vice President of Government Relations, UGI Energy Services**. UGI owns 72.5 miles of natural gas transmission and 53 miles of gathering lines in Pennsylvania. UGI designs-in safety measures that go beyond minimum federal requirements in pipe thickness, testing, cathodic protection, cover of depth in agricultural areas and remote cutoff valve placement. UGI also offers emergency training together with several partners, including the State Fire Marshall's Office, and this year have helped trained 390 first responders.

Witmer said pipelines are the safest way to transport natural gas. She noted UGI calculated it would take 10,000 trucks a day to move the same amount of energy as its [Panda Power pipeline in Snyder County](#).

In response to a question from Sen. Killion, Witmer said UGI would support including natural gas gathering lines in the PA One Call Program. [Note: Senate Bill 1235 (Baker-R-Luzerne) was signed into law in early November extended the PA One Call Program for one year, but without including gathering lines because of opposition from conventional well drillers.]

[Stephanie Catarino Wissman](#), **Executive Director, Associated Petroleum Industries of PA**. Under a Pipeline Safety Excellence Initiative, API is also enhancing prevention efforts by improving threat detection and response competencies, expanding safety culture and management systems, and boosting emergency response capabilities.

In 2016, liquids pipeline operators completed development of a number of industry-wide recommended practices and technical reports to improve their ability to detect pipeline cracking, integrate safety data, manage safety efforts holistically, follow leak detection programs, and better plan for and respond to pipeline emergencies.

All pipeline operators establish a comprehensive mitigation strategy to reduce the impact should a release occur. Individual operators consider operational and environmental factors, including such things as pipeline size, product, flow rate, operating pressures and topography.

Pipeline operator's leak detection programs are an example of one such mitigation measure. These programs operate 24 hours a day, 7 days a week, with the goal to quickly identify and shut down a pipeline if a leak should occur.

API also helped create an online pipeline emergency response training program. Produced alongside the National Association of State Fire Marshals, the online portal delivers pipeline-specific training free to first responders. To date over 350 from Pennsylvania have taken this training.

#### Installers/Safety Panel

[Pete Klein](#), **Training Director, Steamfitters Local 420**, described the Local's training and certification programs. In response to a question, Klein said workers who have not gone through his comprehensive training program are working on pipelines outside the Philadelphia area and expressed a concern about "untrained workers" working on pipelines.

[Alan Seymour, Ph.D.](#), **Cleveland Electric Laboratories**, described some of the advanced leak detection technology used with pipelines.

#### Regulatory Panel

[Andrew G. Place](#), **Vice Chairman, PA Public Utility Commission**. Commissioner Place provided an overview of the pipelines regulated by the PUC, noting the Commission does not regulate safety aspects of pipelines regulated exclusively by

the Federal Energy Regulatory Commission as part of the interstate pipeline system or natural gas production and gathering lines.

Place noted it now regulates about 47,499 pipelines, but it does not regulate or know the location of between 60,000 and 100,000 miles of gathering pipelines.

He said the PUC recommended including mapping and other requirements for gathering lines in legislation to extend the PA One Call Program -- Senate Bill 1235 (Baker-R-Luzerne), but they were not included. [**Note:** Gathering lines were not included due to opposition from conventional oil and gas drillers, but the Program must be reauthorized again by the end of 2017.]

The PUC is also implementing the [Distribution System Improvement Charges Program](#) to help replace and improve legacy utility distribution systems, including 11,000 miles of legacy natural gas pipelines.

Place also described the [Lost and Unaccounted for Gas Program](#) which is designed to improve the operational efficiencies of natural gas utilities to reduce natural gas pipeline leaks.

He also highlighted recommendations from the [Governor's Pipeline Infrastructure Task Force](#) to give the PUC the ability to enforce PA One Call requirements, require annual leak pipeline surveys and establishing a centralized mapping system for emergency responders.

In response to a question, Place said the PUC does not have authority over the siting of a pipeline, particularly those regulated by the Federal Energy Regulatory Commission.

House Committee Chair Rep. Barrer noted several federal agencies were invited to participate in the hearing, but they chose not to attend.

[Bill Kiger](#), **President, PA One Call**, provided an overview of the PA One Call utility construction warning program. On the issue of gathering lines, Kiger said: "Pennsylvania excavators deserve the ability to notify ALL UNDERGROUND FACILITY OWNERS before they begin their work.

This cannot happen with the owners of 60,000 miles of lines PA Independent Oil and Gas Association in approximately 33 counties of Pennsylvania that were installed without inspection and in many cases are unmarked in the Class 1 areas as well. The shale stakeholders have had to spend millions of dollars over the past 10 years finding these lines thru “Subsurface Utility Engineering” (SUE) and geophysical consultants in the 30+ county area.” [Note: Senate Bill 1235 (Baker-R-Luzerne) extending PA One Call for 1 year did not include gathering lines. The Program will have to be reauthorized again by the end of 2017.]

**John Stefanko, Executive Deputy Secretary for Programs, DEP**, provided an overview of how DEP regulates pipeline construction through water quality and air quality permits and agency’s role in emergency response to spills and other incidents using the recent [Sunoco pipeline break](#) due to flooding in Lycoming County.

In response to a question, Stefanko also noted DEP does not have authority over the siting of a pipeline, particularly those regulated by the Federal Energy Regulatory Commission.

#### Citizens Panel

One member of the panel outlined concerns with the proposed Sunoco Mariner East 2 pipeline in Delaware County that included issues related to emergency response planning, medical response and evacuation procedures, particularly related to schools, as reflected in the [Middletown Coalition for Community Safety](#) written comments.

A number of members of the panel detailed how, if an explosion happened with the natural gas liquids pipeline, it would quickly overwhelm the ability of local emergency and health services to respond.

Members of the panel included:

- **Bibianna Dussling**, Veteran Naval Aviator, Safety and Emergency Preparedness Officer.
- **Susan Birkhoff**, MSN, RN, PHRN, Pediatric Critical Care Nurse at Children’s Hospital of Philadelphia.

- **Eric Friedman**, Aviation Safety Inspector at the Federal Aviation Administration.
- **Seth Kovnat**, Chief Structural Engineer at Piasecki Aircraft Corporation.
- **James M. Wigo, Sr.**, Superintendent of Schools, Rose Tree Media School District.
- **Todd Stager**, Engineer, Pennoni Associates.

At the end of the hearing, Rep. Barrar said the House and Senate Committees are going to be rewriting the state’s Emergency Management Code (Title 35) next session and thanked the panelists for the comments. He also said there would be more hearings in the future.

Click [here](#) for copies of available written testimony. A video of the hearing is posted on the same page.

Sen. Randy Vulakovich (R-Allegheny) serves as Majority Chair of the Senate Committee and can be contacted by sending email to: [rvulakovich@pasen.gov](mailto:rvulakovich@pasen.gov). Sen. Jay Costa (D-Allegheny) serves as Minority Chair and can be contacted by sending email to: [costa@pasenate.com](mailto:costa@pasenate.com).

Rep. Stephen Barrar (R-Delaware) serves as Majority Chair of the House Committee and can be contacted by sending email to: [sbarrar@pahousegop.com](mailto:sbarrar@pahousegop.com). Rep. Chris Sainato (D-Lawrence) serves as Minority Chair and can be contacted by sending email to: [csainato@pahouse.net](mailto:csainato@pahouse.net).

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