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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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### Governor Wolf Provides Pennsylvanians Tips for Preparing for Winter Weather

**A**s winter weather approaches, Governor Wolf urged Pennsylvanians to be prepared for cold weather and snowstorms.

"As Governor, my top priority is the safety and well-being of all Pennsylvania citizens," said Governor Wolf. "As winter weather approaches, I urge everyone to take the necessary precautions to ensure that you and your family, friends, and neighbors are fully prepared for severe cold and snow storms."

State agencies offered the following tips to help Pennsylvanians prepare for winter weather:

#### Preparing for a Winter Emergency

The Pennsylvania Emergency Management Agency (PEMA) offers many tips for Pennsylvanians on [how best to handle a winter storm](#). Being prepared for a major winter storm can save your family both money and heartache. Here are some tips on how you can prepare:

- Always keep at least three days' worth of water and non-perishable food in your home for your family, including pets. Keep in mind any special dietary needs, such as infant formula or baby food.
- Double-check your family's emergency supply kit before winter approaches and add the following supplies in preparation for winter weather: rock salt to melt ice on walkways, sand to improve traction, snow shovels and other snow removal equipment, portable or hand-cranked cell phone charger, battery-operated or hand-crank lights and radios in the event power goes out, and adequate clothing and blankets to keep you and your family warm.
- Make an [emergency plan](#) for your family, and review it with all family members.

#### Staying Healthy This Winter

The Department of Health provides resources and information to keep your loved ones healthy during potentially dangerous winter weather:

- Get a flu shot.
- Stay warm. Exposure to cold temperatures, whether indoors or outdoors, can cause serious

or life-threatening health problems such as frostbite and hypothermia.

- Check on infants and older Pennsylvanians frequently, as they are at greater risk of developing serious cold-related health problems.
- If you are going outdoors, be sure to cover all exposed skin with hats, scarves, gloves, etc.
- Prevent snow removal injuries, and if you or your loved ones have chest pain, shortness of breath, or other symptoms of a heart attack while shoveling snow, call 911 immediately.
  - When possible, push snow instead of lifting it. If you must lift, bend your legs and not your back. Also avoid twisting motions that can stress your back.
  - Follow all safety instructions when using a snow blower.
- Never use an electric generator, camp stove, or similar device indoors, near windows, or vents since they produce carbon monoxide - an odorless, colorless gas that builds up in closed spaces and is deadly.

### Traveling Safely in Winter Weather

The Pennsylvania Department of Transportation (PennDOT) recommends motorists avoid traveling during winter storms if possible, but motorists who must be on the road are urged to use caution while driving.

Motorists can check conditions on more than 40,000 roadway miles, including color-coded winter conditions on 2,900 miles, by visiting <http://www.511pa.com/>. Learn more tips from PennDOT on winter operations and safety [here](#).

When traveling in winter weather PennDOT advises:

- Slow down gradually and drive at a speed that suits the conditions.

- Turn on your headlights.
- Stay in your lane.
- Increase your following distance.
- Stay alert, keep looking as far ahead as possible and be patient.
- Reduce in-car distractions since your full attention is required.
- Use defroster and wipers.
- Keep windows and mirrors free of snow and ice.
- During whiteouts, come to a complete stop only when you can safely get as far off the road as possible or when there is a safe area to do so.
- Do not stop in the flow of traffic since this could create a chain-reaction collision.
- Do not pass a vehicle moving slowly or speed up to get away from a vehicle that is following too closely.
- Always buckle up and never drink and drive.

### Preparing Your Home for Cold Weather

The Department of Environmental protection encourages Pennsylvanians to stay safe and warm this winter by properly preparing their homes. Home winterization can help keep your home warmer, while using less energy and costing less money:

- The most cost-effective way to save energy in the home is to air seal and insulate:
  - Be sure to air seal before insulating as insulation material will not block leaks.
  - Find and seal air leaks with caulk around windows, doors, gaps around chimneys, and recessed lights in insulated ceilings.
- Consider these tips this winter to keep your home running efficiently:

- If you have a furnace, have it checked by a heating professional. This will make the unit more efficient, and provide peace of mind that it is running safely. A heating professional should check the exhaust flue and venting to prevent carbon monoxide poisoning. Be sure to replace the air filter as directed to keep the air in your home clean and the unit running well. A properly maintained furnace can result in a 10 percent reduction in fuel consumed.
- Set back the thermostat when you're not at home; each degree lowered can save up to 3 percent on heating.
- Weather-strip windows and exterior doors where you can feel air leaking.
- Use the sunlight to heat your home by opening the curtains on south-facing windows during sunny days and close all curtains at night.
- Do not heat unused spaces, other than as needed to prevent freezing of pipes. Close vents in unused rooms.

**Source:** Governor Wolf's Press Office, 12/9/2016

## EPA finalizes UCMR 4

The EPA Administrator, Gina McCarthy, signed the fourth Unregulated Contaminant Monitoring Rule (UCMR 4) on December 8, 2016, and EPA is submitting it for publication in the Federal Register (FR). UCMR 4 requires monitoring for 30 chemical contaminants between 2018 and 2020 using analytical methods developed by EPA and consensus organizations. This monitoring provides a basis for future regulatory actions to protect public health.

A pre-publication version has been posted to the EPA website at: <https://www.epa.gov/dwucmr/fourth-unregulated-contaminant-monitoring-rule>. This page also has charts summarizing the contaminants and analytical methods.

This rule becomes effective 30 days after publication in the Federal Register.

**Source:** EPA, 12/9/2016

## EPA's National Lakes Assessment Finds Nutrient Pollution in Most Lakes

EPA released the results of a national assessment showing that nutrient pollution is widespread in the nation's lakes, with 4 in 10 lakes suffering from too much nitrogen and phosphorus. Excess nutrients can cause algae blooms, lower oxygen levels, degrade habitat for fish and other life, and lower water quality for recreation. The National Lakes Assessment also found an algal toxin - microcystin - in 39 percent of lakes but below levels of concern. Low concentrations of the herbicide atrazine were found in 30 percent of lakes.

The assessment is part of a series of National Aquatic Resource Surveys designed to provide information about the condition of water resources in the U.S. The surveys are conducted in partnership with states and tribes to provide national-scale assessments of the nation's waters.

Learn [more](#).

**Source:** Water Headlines from EPA, 12/8/2016

## EPA Reinvests in America's Water Infrastructure with New Water Finance Program

*By Joel Beauvais, Deputy Assistant Administrator for the Office of Water*

There's a lot of discussion right now about the need to reinvest in America's infrastructure, and there's no question that our aging water infrastructure needs to be at the top of the list. We're getting ready to implement an innovative new

program that could provide billions of additional dollars to support water infrastructure investment across the country.

The Water Infrastructure Finance and Innovation Act (WIFIA) of 2014 created a new federal loan and guarantee program at EPA to accelerate investment in our nation's water infrastructure. It was designed after the proven and highly successful TIFIA infrastructure loan program at the US Department of Transportation. WIFIA authorizes EPA to provide long-term, low-cost rate loans, at U.S. Treasury rates, for up to 49 percent of eligible project costs for projects that will cost at least \$20 million for large communities and \$5 million for small communities (population of 25,000 or less).

WIFIA is structured to work hand-in-hand with the State Revolving Funds - giving states and prospective borrowers the opportunity to decide which program is best to support a given project, or whether both together should do so. The President's FY17 Budget Proposal called for a \$20 million investment in this program, which - because of the innovative way in which it's structured - would be expected to support nearly \$1 billion in loans for new water projects.

Read [more](#).

Source: Water Headlines from EPA, 12/8/2016

## EPA Releases Updated Federal Interagency Report on Freshwater Resources in a Changing Climate

An updated report addressing ways to build resilience to climate change for water resources has been released by the federal Water Resources and Climate Change Workgroup. "*Looking Forward: Priorities for Managing Freshwater Resources in a Changing Climate*" updates a 2011 National Action Plan and outlines priority actions to make progress in three key areas: data and research; planning and decision support; and training and outreach. Fourteen federal agencies were involved in developing this report and are

undertaking efforts to build the nation's preparedness to extreme events.

Learn [more](#).

Source: Water Headlines from EPA, 12/8/2016

## EPA Announces Final Materials for Public Peer Review Meeting on Perchlorate

EPA is continuing to evaluate the available science to move forward with the agency's determination to regulate perchlorate. On September 30, 2016, EPA announced the availability of perchlorate peer review materials for public comment including a draft list of external peer review candidates, draft charge questions, a draft biologically-based dose-response (BBDR) model and a draft BBDR accompanying report.

On December 5, 2016, EPA announced the final peer reviewers and details regarding the peer review meeting scheduled for January 10 and 11, 2017, in Arlington, Virginia. EPA invites the public to register to attend the meeting as observers, either in-person or via teleconference.

Learn [more](#).

Source: Water Headlines from EPA, 12/8/2016

## EPA Releases Notice of Intent for Bath and Shower Diverters to Meet WaterSense Criteria

EPA is releasing a Notice of Intent that describes the efficiency and performance criteria needed for bath and shower diverters to earn the WaterSense label, as well as the technical issues that need to be better defined and resolved before a draft specification is developed.

Bath and shower diverters are used to divert the flow of water either toward the bathtub spout or toward the showerhead. However, some diverters do not successfully stop all of the water flowing from the tub spout. Bath and shower diverters can also develop leaks over time that waste significant amounts of water and energy with. In fact, old, leaky diverters can waste an average of 1,500 gallons and as much as 4,200 gallons of water per year.

Learn [more](#).

**Source:** Water Headlines from EPA, 12/8/2016

## Statement on DEP Appeal to PA Supreme Court

The following statement can be attributed to Department of Environmental Protection (DEP) Acting Secretary Patrick McDonnell:

"Today DEP has filed an appeal of the Commonwealth Court decision to enjoin sections of the Chapter 78A unconventional drilling regulations to the Pennsylvania Supreme Court. By the decision issued on November 8, the Commonwealth Court temporarily stayed limited provisions contained in the new regulations. These regulations establish basic protections for areas that could be impacted by unconventional drilling - places like schools, playgrounds, and other public resources. That ruling resulted in a narrow temporary stay, which DEP is now appealing.

"These commonsense regulations were the result of five years of public participation, including dozens of meetings with natural gas industry leaders and trade groups, as well as nearly 25,000 Pennsylvanians who made their voices heard by providing public comments."

**Source:** DEP Press Release, 12/6/2016

## UPDATE: State DEP to further investigate PFC

## contamination on Easton Road, Bucks County

The Pennsylvania Department of Environmental Protection (DEP) is continuing to investigate possible perfluorinated compound (PFC) contamination in public water supplies and private wells in parts of Doylestown, Plumstead, and Buckingham townships in Bucks County. The investigation will cover an area within one mile of the Cross Keys shopping area.

Perfluorooctanoic Acid (PFOA) and Perfluorooctane Sulfonate (PFOS) are part of a larger group of chemicals referred to as perfluorinated chemicals (PFCs). PFCs are not found naturally in the environment. PFOA and PFOS have been the most extensively produced and studied of these chemicals. They have been used to make cookware, carpets, clothing, fabrics for furniture, paper packaging for food, and other materials that are resistant to water, grease, or stains. They are also used in firefighting foams and in a number of industrial processes.

After one public supply well near the Cross Keys area of Doylestown was found to contain combined concentrations of PFOA and PFOS that exceeded the Health Advisory level (HA) of 70 parts per trillion (ppt) for combined concentrations of PFOA and PFOS established by the United States Environmental Protection Agency (EPA), and another public supply well was found to contain combined concentrations slightly below the HA, DEP immediately took steps to begin a thorough investigation of the surrounding area.

To date, wells at approximately 280 private properties have been sampled in the Easton Road area. Property owners in the area were contacted to schedule sampling, as DEP worked with a technical assistance contractor to test wells in the identified locations for PFOA and PFOS.

Of the wells sampled at the properties, 3 exceeded EPA's health advisory level; these residents were immediately provided bottled water for drinking purposes.

Based on initial results, a second sampling event has been scheduled for early December to include private wells in an expanded area of investigation. In accordance with guidance from EPA, a third sampling event will take place in the winter months to re-sample properties that have tested above 40 ppt. No responsible party has been identified as the source of contamination at this time.

Once all sampling is deemed complete, DEP will assess long term treatment options following standard protocol under the program's regulations.

A full summary of sampling results, as well as more information on PFCs in Pennsylvania, is available on DEP's website: [www.dep.pa.gov/pfcs](http://www.dep.pa.gov/pfcs)

Source: DEP Press Release, 12/6/2016

## **PUC Marks 20th Anniversary of Electric Competition in PA**

*New Survey Shows High Levels of Customer Awareness and Satisfaction with Electric Choice, Touts 14 Consecutive Months of Growth, Announces Upgrades to Electric Shopping Website PAPowerSwitch*

On December 8, 2016, the Pennsylvania Public Utility Commission (PUC) commemorated the 20th Anniversary of The Electricity Generation Customer Choice and Competition Act of 1996, which for the first time gave the Commonwealth's residential and business customers the ability to choose who supplies their electric generation. The PUC made a number of announcements related to electric shopping in Pennsylvania.

"For two decades, Pennsylvania has stood on the national forefront of electric competition, putting the power of choice in the hands of consumers and giving them greater control of their electric bills," said PUC Chairman Gladys M. Brown. "As a result of this historic legislation, millions of electricity customers have made choices and saved money, purchased renewable products and explored innovative new offers and plans."

Current and past state leaders, legislative and agency staff, consumer advocates and industry leaders joined current and former PUC Commissioners to mark the electric choice milestone following the Commission's regularly scheduled public meeting. Highlighting the ceremony were messages from both current Gov. Tom Wolf, who proclaimed electric competition as an example of "Government That Works," and former Gov. Tom Ridge, who signed the bill into law on Dec. 3, 1996.

During her remarks Chairman Brown unveiled the results of a recent Commission survey showing that almost all respondents (94 percent) are aware that they have the ability to shop for their own electric provider, and of those who know they have the ability to switch electric providers, four out of 10 consumers state that they have switched electric providers.

Other key findings of the survey include:

- Over three-quarters of consumers who have switched electric providers state that the process of switching was very/extremely easy.
- The largest motivating factor behind switching electric providers is to lower monthly electricity bills, with the 45 to 64 age group being more likely to say that reduced costs are primary factors, more so than the 18 to 44 and 65-plus age groups.
- Over half of the respondents who have not switched electric providers say this is due to them being happy with their current electric provider, with the 65-plus age group more likely to say that is a major factor, as compared to the 18 to 44 and 45 to 64 age groups.
- [PAPowerSwitch.com](http://PAPowerSwitch.com), the PUC's neutral source for power shopping information, is a trusted resource to which respondents turn for information about electric providers, and it will be an educational and helpful resource in the future when making electric provider decisions.

Of the consumers who visit [PAPowerSwitch.com](http://PAPowerSwitch.com):

- Ninety percent somewhat/strongly agree that the website provides helpful information.
- Eighty-seven percent are very/extremely satisfied.
- Seventy percent say that the website is very/extremely easy to navigate.

The PUC also announced upgrades to PAPowerSwitch to make the site fully responsive no matter what kind or size of device they use, with updated cleaner and easier navigation; a more attention-grabbing way for visitors to learn more about individual offers on the shopping pages; consolidated pages; and enhanced security. Over the last two years, nearly 1.9 million visitors have shopped for electric supply offers using PAPowerSwitch.

Chairman Brown pointed to the Commonwealth's competitive electric market experiencing 14 consecutive months of sustained growth since early last fall. [As of the end of November](#), nearly 2.1 million Pennsylvania electricity customers (or 36.9 percent) currently receive their electric generation from a competitive supplier. The November 2016 figure reflects a 3.5 percent increase in the total number of shoppers from September 2015, when the statewide monthly shopping number last dropped.

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, 12/8/2016

## Smallmouth Bass Populations Showing Signs of Improvement, But Caution Still Advised

Following nearly a decade of poor recruitment due to disease affecting young-of-the-year, the smallmouth bass populations in the Susquehanna and lower Juniata rivers are showing signs of improvement, according to information released today by the Pennsylvania Fish and Boat Commission (PFBC).

Surveys conducted from 2013-2016 reveal increasing numbers of adult smallmouth bass compared to severely reduced numbers collected from 2005-2012. Decreased prevalence of disease in young-of-the-year smallmouth bass, along with the implementation of mandatory catch-and-release regulations enacted in 2011, have resulted in better recruitment of young bass to the adult populations.

However, bacterial infections causing sores and lesions continue to be observed in young-of-the-year smallmouth bass, prompting a renewed call by PFBC Executive Director John Arway to list the river as impaired. Other abnormal effects such as melanistic black spots and intersex conditions in adult bass, along with unprecedented nuisance algae blooms continue to plague the smallmouth fishery.

"Although we are cautiously optimistic about the population numbers we have observed over the last four years, our sampling is still finding young-of-the-year smallmouth bass displaying clinical signs of disease," Arway said. "We continue to urge the U.S. Environmental Protection Agency (EPA) to list the river as impaired in its final review of the 2016 Integrated Water Quality Monitoring and Assessment Report submitted by the Department of Environmental Protection (DEP)."

The DEP submits an updated report every two years to EPA Region 3 for approval. Adding the Susquehanna to the list as a "high priority" impaired water would trigger a two-year timeline requiring DEP to develop a comprehensive plan to identify the causes and sources of pollution and put a plan

together to clean up the river consistent with the goals of the federal Clean Water Act.

DEP recommended against listing the river as impaired in the 2012, 2014 and 2016 reports. EPA is expected to review the 2016 report and issue a ruling by early next year, either accepting the report or requiring changes. Recently, EPA Region 3 exercised its authority and added 28 stream and river segments to West Virginia's impaired waters list.

Last year, DEP and the PFBC released findings from a multi-year study (CADDIS) indicating that the most likely causes for the population decline of smallmouth bass in the Susquehanna River are endocrine-disrupting compounds and herbicides; and pathogens and parasites.

Arway says the next step should be to focus on identifying the sources of the endocrine-disrupting compounds and herbicides, which would be required with an impairment designation.

"The Susquehanna River's smallmouth bass fishery once attracted anglers from all over the world," he said. "I am confident that the results from last year's study, along with a continued commitment by DEP to identify the causes and reduce the sources of pollution, will provide for the eventual recovery and return of that once world class recreational fishery."

"The impairment designation is critical to this effort," he added. "Our concerns continue to be driven by the need to conserve and protect our aquatic resources so they may be enjoyed by present and future generations as guaranteed by our state constitution."

Click [here](#) to see the Susquehanna River survey results.

**Source:** PA Fish & Boat Commission Press Release, 12/8/2016

## Harrisburg Unveils Draft Green Infrastructure Plan to

## Cleanup Water Pollution Dec. 15

**C**apital Region Water will unveil its draft [Community Greening Plan](#), an approach to reducing water pollution stormwater runoff and combined sewer overflows through developing green infrastructure, at a public meeting on December 15 in Harrisburg.

After a year of listening to hundreds of city residents, businesses, and community organizations Capital Region Water developed the plan that focuses on identifying areas of opportunity for green infrastructure and assessing the feasibility of implementation in Harrisburg.

A green infrastructure system uses natural filtration to reduce runoff thereby reducing flooding and pollution caused by runoff and sewer overflows and creating multiple community, economic and environmental benefits with a single investment.

A public meeting will be held on the plan December 15 at the Lincoln School, 1601 State Street in Harrisburg from 6:00 to 8:00 p.m. If you need an additional incentive, there will be free food offered.

As with other water utilities serving older, industrialized cities, Capital Region Water has entered into a partial consent decree with the U.S. Department of Justice to address water quality issues related to discharges from the combined sewer and municipal separate storm sewer systems that it manages.

The partial consent decree requires Capital Region Water to develop a plan to reduce runoff pollution entering the Susquehanna River and Paxton Creek, employ operation and controls for the system, and implement early action projects to ensure that the city becomes compliant with the federal Clean Water Act and the state Clean Streams Law.

While the main purpose of green infrastructure is to manage stormwater, the transformative nature cannot be ignored. Not only are the region's waterways poised to benefit from a green

stormwater infrastructure master plan, but so are the residents, businesses, and visitors of Harrisburg.

Click [here](#) to watch a short video about this new approach.

For more information and to provide comments, visit the Capital Region Water's Community Greening Plan [webpage](#).

Find out more about using green infrastructure to solve water quality problems by examples in [Philadelphia](#), [Lancaster](#), [Pittsburgh](#) and [Lycoming](#), [Monroe](#) and [York](#) counties. And through the experience of the [Western PA Conservancy](#), [LandStudies](#) and the [Chesapeake Bay Foundation-PA](#).

**Source:** PA Environmental Digest, 12/12/2016

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