
WUC

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



GOVERNMENT RELATIONS UPDATE

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

Senate Holds Budget Hearing for Department of Environmental Protection

On March 9, 2017, the Senate held its budget hearing for the Department of Environmental Protection (DEP). Acting Secretary Patrick McDonnell was questioned about DEP's proposed general operating budget, which totals \$13.5 billion, a 3.4 percent decrease. Topics included:

- Ongoing delays in issuing DEP permits.
- The possible use of outside consultants to review permits.
- Permit processing for pipelines that stretch across regions.
- Details on the \$45 million DEP, Department of Agriculture, and Department of Conservation and Natural Resources water quality plan.
- Proposed natural gas severance tax effect on community impact fee funding.
- Estimate of remaining waste tire piles after 20 years of the Waste Tire Recycling Act.
- The West Virginia NPDES permit model for mid-sized development projects.
- State borrowing to finance DEP operations.
- Regulatory obstacles delaying job-producing projects for years.
- Pennsylvania's spending of \$180 million in state and federal funds on Chesapeake Bay regulations over three years.
- The use of Pennsylvania's portion of Volkswagen settlement money on diesel emissions issues.
- The Administration's development of a plan to mandate that energy production include 10 percent solar energy by 2030.
- The EPA report on unaddressed safe drinking water violations in Pennsylvania.
- Homeowners sharing wells impacted by DEP regulations designed to cover public water systems.
- Adequacy of the Black Fly spraying program.
- Regulation of high hazard dams.
- Municipalities imposing MS4 fees on property owners for impervious surfaces.
- The Covered Device Recycling Act and TV sets being dumped on roadsides.
- Reduced funding for the Hazardous Sites Cleanup Act.
- DEP efforts to reduce recyclable glass going into landfills.
- Multiple DEP restricted accounts and special funds facing insolvency.
- Coal refuse cleanup efforts.

- The growing challenge of local stormwater management.
- Continued problems with DEP not being business-friendly.
- New methane permitting thresholds.
- Payments to Delaware River Basin Commission.
- Pennsylvania's progress in meeting Chesapeake Bay water quality requirements.
- Air quality study release date.
- Length of GP5 permit applications.
- How Pennsylvania environmental regulations became more stringent than federal requirements.

[Hearing Video](#)

Source: Senate Republican Communications, 3/9/2017

DEP: Extension of General Permit for the Beneficial Use of Biosolids by Land Application (PAG-08)

The Department of Environmental Protection extended for 12 months the availability of the current General Permit for the Beneficial Use of Biosolids by Land Application (PAG-08).

To access the General Permit and related documents, visit www.elibrary.dep.state.pa.us and select "Permit and Authorization Packages," then "Point and Non-Point Source Management," then "Biosolids," then "General Permits" then "PAG-08."

Questions should be directed to Kevin Mcleary at kmcleary@pa.gov or (717) 787-8184.

Source: PA Bulletin, [3/11/2017](#)

DEP: Extension of General Permit for the Beneficial Use of Exceptional Quality

Biosolids by Land Application (PAG-07)

The Department of Environmental Protection extended for 12 months the availability of the current General Permit for the Beneficial Use of Exceptional Quality Biosolids by Land Application (PAG-07).

To access the General Permit and related documents, visit www.elibrary.dep.state.pa.us and select "Permit and Authorization Packages," then "Point and Non-Point Source Management," then "Biosolids," then "General Permits" then "PAG-07."

Questions should be directed to Kevin Mcleary at kmcleary@pa.gov or (717) 787-8184.

Source: PA Bulletin, [3/11/2017](#)

Governor Announces Retirement of Revenue Secretary Eileen McNulty

On March 10, 2017, Governor Tom Wolf announced that after 30 years of public service Department of Revenue Secretary Eileen McNulty will retire on April 21. The Governor named C. Daniel Hassell, acting revenue secretary effective April 21. Hassell was previously revenue secretary in 2010 and currently serves as the department's deputy secretary of tax policy.

"As a former Revenue Secretary, I know firsthand how challenging and demanding a task the job can be," Governor Wolf said. "Eileen has handled her job with distinction and took a tremendous amount of pride in the work. She will be missed, but I have great confidence in Dan's ability to lead this important department."

"Serving in the Wolf administration and working for the people of Pennsylvania is an honor," said Secretary McNulty. "Leaving will be difficult, but I am extremely proud of the progress the department has made over the past two years."

Under Secretary McNulty's leadership, the Department of Revenue made numerous improvements to customer service and tax administration for individuals and businesses. To combat the rise in tax identity theft, a unit launched last year to help identity theft victims prevent and respond to refund tax fraud, saving the Commonwealth \$6.4 million in 2016.

At the request of the business community, several services have been streamlined and enhanced. The department created a one-stop shop for businesses to update tax account information and, for the first time, businesses can access their statement of account online. In less than nine months, nearly 15,000 statements have been generated for businesses and tax professionals. The Office of Administration awarded the project the Pennsylvania Excellence in Technology Award.

Further, The Pennsylvania Lottery - a division of the Department of Revenue - continues to set records for sales, profits and funding for seniors programs. Last year, the PA Lottery topped \$4 billion in sales and for the fifth consecutive fiscal year generated more than \$1 billion in revenue to benefit older Pennsylvanians."

"With the tax filing season ending on April 18 and the tax amnesty period beginning, this will be the perfect time to make the transition," said McNulty. "I have tremendous respect for Dan and full confidence in his ability to lead the department forward."

Hassell is an expert in tax policy with more than three decades of experience with the Department of Revenue and the Pennsylvania Senate. In December 2009, Governor Ed Rendell nominated Hassell as Secretary of Revenue, after which he was confirmed on April 14, 2010 and served in that capacity until January 2011.

"Working with Eileen throughout the years has always been rewarding," said Hassell. "We will miss her unwavering commitment to excellence and the fair and equitable collection of taxes that fund the services Pennsylvanians need, but we wish her well as she begins an exciting new chapter in life."

Source: Governor's Press Office, 3/10/2017

Volunteers Needed for Statewide Cleanup, Beautification Effort

The Pennsylvania Department of Transportation (PennDOT) and the Department of Environmental Protection (DEP) are seeking volunteers for this year's Great American Cleanup of Pennsylvania that began March 1 and runs through May 31.

The cleanup is sponsored each year by PennDOT, DEP, Keep Pennsylvania Beautiful and other partners. Groups participating in PennDOT's Adopt-A-Highway (AAH) program, which involves volunteers cleaning roadsides year round, are also encouraged to participate in the cleanup.

Commenting on the Great American Cleanup of PA, PennDOT Secretary Leslie S. Richards said, "PennDOT is proud to join DEP and our other partners in organized efforts to keep Pennsylvania beautiful. Many thanks to the thousands of volunteers who are committed to this very worthwhile endeavor."

PennDOT has created a comprehensive webpage that includes all volunteer opportunities available, from the Great American Cleanup of Pa and Adopt-A-Highway to Safety Training, Litter Brigades and more. Find it at <http://www.penndot.gov> at the "Roadside Beautification" banner.

"Through their individual and collaborative actions, volunteers are significantly helping to eliminate and prevent pollution to our lands and waters," DEP Acting Secretary Patrick McDonnell said. "And by adopting local roads and parks, they really do help beautify our green spaces."

Also as part of this year's cleanup, the PA Route 6 Alliance encourages residents near the Route 6 Heritage Corridor to register at <http://www.paroute6.com/roundup>.

During last year's Great American Cleanup, 5,290,560 pounds of litter were collected from Pennsylvania's roads, trails, and shorelines by 158,821 volunteers. PennDOT's AAH program

contributed 8,046 volunteers who cleaned up nearly 23 percent of the collected litter on 10,258 miles of cleaned-up roadway.

Through PennDOT's AAH program, volunteers collect litter on a 2-mile section of state highway at least two times a year. The program currently has over 4,750 participating groups, more than 83,260 volunteers, and 10,305 miles of adopted state-maintained roadways.

Gloves, trash bags, and safety vests are provided by PennDOT, DEP, and the GLAD Products Company, a national sponsor of Keep America Beautiful's Great American Cleanup. In addition, during "Pick it Up PA Days" from April 18 to May 8, registered events have access to reduced or free disposal at participating landfills sponsored by PA DEP and the Pennsylvania Waste Industries Association.

Source: Reviewed PennDOT Press Release, 3/9/2017

House Bill Would Eliminate Churches, Schools, Camps from Safe Drinking Water Act Putting Federal Primacy at Risk

Rep. David Zimmerman (R-Lancaster) Wednesday introduced [House Bill 776](#) that would no longer require thousands of church-owned facilities-- churches, schools, camps and businesses-- with their own water supplies from being required to meet state Safe Drinking Water Act requirements.

Presently facilities like this are regulated by DEP as non-community or transient water supplies in order to keep students, members and the public that use these facilities from being exposed to contaminated drinking water.

Eliminating these facilities from the state program would also put Pennsylvania at risk of losing primacy for administering the federal Safe Drinking Water Act.

If Pennsylvania loses primacy, the \$100 million in federal funds the Commonwealth receives each year to fund drinking water system improvements and \$5.5 million in support to pay for inspectors and permit reviewers for the program would be lost.

This legislation was House Bill 2249 last session which never got out of the House Environmental Resources and Energy Committee.

Source: PA Environmental Digest, 3/13/2017

Citizens Advisory Council to Hear Update on DEP's Safe Drinking Water Program

DEP's Citizens Advisory Council meets on March 21 to hear an update on the agency's Safe Drinking Water Program which was the subject of a [warning letter](#) from the U.S. Environmental Protection Agency saying DEP had insufficient resources to meet minimum federal requirements.

Also on the agenda is a presentation by Matt Royer of Penn State's Agriculture and Environment Center providing an overview of the Chesapeake Bay - PA In The Balance Conference Report on farmers meeting the Bay cleanup obligations.

Acting Secretary Patrick McDonnell is also scheduled to give the Council an update on agency activities.

A copy of DEP's Monthly Report to Council is available [online](#).

DEP's report on the Oil and Gas Program year-to-February 24 shows 1,648 inspections of conventional oil and gas drilling operations found 297 violations and resulted in 38 enforcement actions. There were 2,563 inspections of unconventional (Marcellus Shale) operations that found 87 violations and resulted in 13 enforcement actions.

The meeting will be held in Room 105 of the Rachel Carson Building in Harrisburg starting at

10:00. Click [here](#) to register to join the meeting via Webex.

For more information, visit DEP's Citizens Advisory Council webpage or contact Katie Hetherington Cunfer, Citizens Advisory Council, P. O. Box 8459, Harrisburg, PA 17105-8459, 717-705-2693, khethering@pa.gov.

Source: PA Environmental Digest, 3/13/2017

PA Township News: Municipalities Face Sept. 16 Deadline For MS4 Stormwater Plans

The March issue of PA Township News contains an 11-page special article on what is expected of municipalities in meeting MS4 stormwater pollution reduction requirements.

The deadline for submitting general permit applications to DEP is September 16, but with the required public participation requirements, the deadline for actually completing a local plan is August 3.

The requirement is for municipalities with a water quality impaired stream anywhere in the state and in the Chesapeake Bay Watershed in particular (nearly half of Pennsylvania) to develop a plan to reduce sediment discharge, or the reason a stream is impaired, by 10 percent over the next 5 years.

The MS4 stormwater pollution reduction permit regulation is a federal Clean Water Act requirement. The program also helps Pennsylvania meet its obligations under the Chesapeake Bay Program.

The same PA Township News also includes an article on how Stormwater Fees Can Help To Pay For The Latest MS4 Mandates under two recent state laws.

The PA Township News is a monthly magazine published by the [PA State Association of Township Supervisors](#). For more information and to purchase

single copies, visit the [PA Township News webpage](#).

Source: PA Environmental Digest, 3/13/2017

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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.