

---

# WUC

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



## GOVERNMENT RELATIONS UPDATE

From Milliron & Goodman Government Relations, LLC.

---

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)

---

Harrisburg, PA

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

March 20, 2017 -- Issue 1030

---

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

---

### PUC Highlights Importance and Impact of Safe Drinking Water during National ‘Fix a Leak Week’

On March 16, 2017, the Pennsylvania Public Utility Commission (PUC) highlighted the importance of safe drinking water, along with the role of water efficiency and conservation efforts, in conjunction with National “Fix a Leak Week,” which is March 20-26, 2017.

As part of the annual [Fix a Leak campaign](#), families across the country are encouraged to check their fixtures for leaks and consider the community and economic impact of wasted water.

“A little leak really does make a big difference. Annually, more than 1 trillion gallons of water leaks from U.S. homes – enough water to supply every family in Pennsylvania for almost a full year,” said Commissioner Robert F. Powelson. “Common leaks include running toilets due to worn flappers, dripping faucets, and leaking showerheads – all easily correctable and fixing these leaks can save homeowners about 10 percent on their water bills.”

According to the U.S. [Environmental Protection Agency](#) (EPA), an estimated 10 percent of all homes have leaks that waste 90 gallons or more per day, and the average household leaks can account for more than 10,000 gallons of water wasted every year. Nationwide, leaks account for more than 1 trillion gallons of lost water per year – equal to the annual household water use of more than 11 million homes.

As part of Fix a Leak Week, Pennsylvanians are encouraged to identify and fix leaks around their homes. The PUC and EPA offer the following tips:

- Common types of leaks found in the home include worn toilet flappers, dripping faucets and other leaking valves.
- Fixing easily corrected household leaks can help save about 10 percent on water bills.
- Check your water meter before and after a two-hour period when no water is being used. If the meter does not read exactly the same, you probably have a leak.
- A drop of food coloring added to the toilet tank is a quick and easy way to identify possible leaks. If the color shows up in the bowl within 10 minutes without flushing, you have a leak.

Be sure to flush immediately after this experiment to avoid staining the tank.

- A leaky faucet that drips at the rate of one drip per second can waste more than 3,000 gallons per year – enough water for 180 showers.

More tips for finding leaks and saving water are available on the EPA's [WaterSense Website](#).

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](#). 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, 3/16/2017

## **Wolf Administration Reacts to Proposed EPA Cuts, Noting Immediate and Devastating Effects in Enacted**

In a letter to Environmental Protection Agency (EPA) Administrator Scott Pruitt, Pennsylvania Department of Environmental Protection (DEP) Acting Secretary Patrick McDonnell outlined what the impacts of substantial cuts to the EPA would mean for the citizens and business of Pennsylvania.

"These budget cuts do not reduce any of the responsibilities that DEP has to the people of Pennsylvania, but does decrease the resources available to fulfill those responsibilities," said

McDonnell in the letter. "These cuts, if enacted, would harm businesses seeking permits, and harm residents' clean water, air, and land."

The letter outlined impacts from proposed cuts, including reductions to safe drinking water inspections, sewage and industrial wastewater inspections, brownfield redevelopment, and eliminate funding for radon protection, a problem that plagues Pennsylvania homes.

In addition, the proposed budget would eliminate funding to restore the waterways, like the Susquehanna River, that feed into the Chesapeake Bay. Pennsylvania has recently made tremendous strides in improving local water quality through this program, as acknowledged by the EPA.

"Pennsylvania has benefited from a long partnership with the federal government to address environmental concerns, which has resulted in great improvements to the health, quality of life, and economic prosperity of Pennsylvania residents," said McDonnell. "We urge the Trump administration not to turn its back on those very federal-state partnerships that have produced these many benefits."

Click [here](#) to read the full text of the letter.

Source: Governor Wolf's Press Office, 3/16/2017

## **DEP: Federal Budget Cuts Will Have Immediate, Devastating Effect in PA**

StateImpact's Marie Cusick [reported](#) Thursday Acting DEP Secretary Patrick McDonnell sent a letter to EPA Administrator Scott Pruitt saying the cuts to funding proposed by the Trump administration will have an "immediate and devastating effect" in Pennsylvania.

"The [proposed] 30 percent cut in federal funding would significantly reduce popular, successful, bipartisan programs that protect public health and the environment, and lead to economic development," said McDonnell.

As examples, he pointed to cuts in the Safe Drinking Water, Water Quality, Brownfields, Air Quality and Radon education efforts as having a direct impact on public health, cut the number of inspections, lengthen permit review times and inhibit future economic development.

With respect to the elimination of all funding for the Chesapeake Bay Program, McDonnell said the move would “abandon farmers,” because much-needed support could no longer be offered.

McDonnell also expressed his disappointment at recent statements by Pruitt calling into question the scientific consensus on climate change.

“It is beyond disappointing that the nation’s top environmental official would call into question the overwhelming scientific consensus and undermine progress of this critical subject.

“Pennsylvania has already experienced a long-term warming of nearly two degrees over the past century, and this trend is expected to accelerate. By 2050, Pennsylvania is predicted to be an average of 5.4 degrees F warmer than it was in 2000.

“In the face of this reality, foot dragging and hand wringing is not an option, we need decisive action.”

DEP relies of federal funds for 30 percent of its budget.

These potential federal funding cuts come on top of a 40 percent cut in state General Fund support for DEP over the last 14 years and a now 25 percent cut in its staff.

The cuts proposed in the Trump budget would cripple DEP’s key environmental programs, especially since they are occurring on top of the state cuts.

DEP has had no choice but to raise permit review fees to make up for lost state revenue in the past. It may not have any choice but to further increase fees on local governments and businesses to make up for this new loss of federal revenue if these programs are to survive.

## Text of Letter

The text of the McDonnell’s letter to EPA follows:

Dear Administrator Pruitt:

I am writing to express my concern about the impacts of substantial cuts to the Environmental Protection (EPA) on the citizens and business of Pennsylvania.

**Slashing the EPA budget**-- including a potential 30 percent reduction in the funding we use to carry out responsibilities under federal environmental laws-- would have an immediate and devastating effect on my state’s ability to ensure that Pennsylvania’s air is safe to breathe, our water is safe to drink, and our economy prospers.

Put simply, cuts to the Environmental Protection Agency signal the Trump administration’s disregard for its responsibility to protect the health and safety of American citizens.

The Pennsylvania Department of Environmental Protection (DEP) relies on federal funding to administer a variety of mandated programs which protect the safety of coal miners, address lead contamination, prevent air pollution which contributes to respiratory diseases, and redevelop contaminated industrial sites.

Over the last decade, DEP has worked to further its mission, even as constrained state and federal budgets have allowed for fewer inspections and created significant permitting backlogs.

A 30 percent cut in federal funding would significantly reduce popular, successful, bipartisan programs that project public health and the environment, and lead to economic development. Cutting these programs will:

- **Risk Safe Water.** In the Safe Drinking Water program, these cuts would mean at least 30 percent fewer inspections at the Commonwealth’s 8,500 public water systems, hampering our ability to detect contaminants like lead, water-borne pathogens, and putting

Pennsylvania's 10.7 million water customers at risk.

- **Diminish Local Water Quality.** The proposed cuts to the federally funded portion of the Clean Water Bureau budget would mean cutting at least 850 inspections from the 6,144 inspections that ensure that sewage plants, industrial wastewater discharges, and construction sites are not threatening the water quality of Pennsylvanians downstream. Reductions in federal funds will also lengthen permit issuance timelines, hampering important economic development projects in Pennsylvania.
- **Abandon Farmers.** Pennsylvania's Chesapeake Bay program-- which you recently acknowledged as a model of federal/state partnerships, and is starting to show real results in curbing pollution to the Bay-- would see funding completely eliminated. This program would no longer be able to provide much-needed support to Pennsylvania small farmers and local governments to improve their local water quality.
- **Stifle Job Creation.** Pennsylvania's Brownfields program cleans up contaminated properties for redevelopment, promoting economic development and preserving green space. Since 1995, almost 5,000 brownfields have been cleaned up, leading to almost 100,000 jobs created or retained. A 30 percent cut to this program could inhibit brownfields from being returned to productive use for new and expanding business and industry in Pennsylvania.
- **Allow Harmful Pollutants to Poison.** A 30 percent or more cut to the Bureau of Air Quality would limit air monitoring for harmful pollutants such as volatile organic compounds, mercury, and particulate matter, and have a negative impact on the timeline for review of air quality permits which companies need in order to start operations or expand.
- **Expose Children to Radon Gas.** Proposed cuts included the complete elimination of funding to help protect residents from radon, the second leading cause of lung cancer in the

United States. Pennsylvania has one of the most serious radon problems in the country and the proposed cuts would result in the elimination of public education efforts and distribution of free radon test kits for new parents.

- **Suppress Environmental Justice.** Proposed budget cuts would eliminate the EPA's Office of Environmental Justice, which exists to ensure that Americans, regardless of race, color, national origin, or income, have meaningful involvement in the development, implementation, and enforcement of environmental laws and policies. Closing this program shows a startling disrespect for minority and economically disadvantaged Americans.

These budget cuts do not reduce any of the responsibilities that DEP has to the people of Pennsylvania, but does decrease the resources available to fulfill those responsibilities. These cuts, if enacted, would harm businesses seeking permits, and harm residents' clean water, air, and land.

In addition, I would like to address your recent comments regarding climate change.

It is beyond disappointing that the nation's top environmental official would call into question the overwhelming scientific consensus and undermine progress of this critical subject.

The changing climate is the most significant environmental and social threat facing the world, and emissions from the United States are a significant cause.

Pennsylvania has already experienced a long-term warming of nearly two degrees over the past century, and this trend is expected to accelerate. By 2050, Pennsylvania is predicted to be an average of 5.4 degrees F warmer than it was in 2000.

In the face of this reality, foot dragging and hand wringing is not an option, we need decisive action.

I urge you to take seriously your responsibility to provide leadership in the effort to reduce

greenhouse gas emissions-- not to spread doubt and falsehoods about the existence of the problem.

Pennsylvania has benefited from a long partnership with the federal government to address environmental concerns, which has resulted in great improvements to the health, quality of life, and economic prosperity of Pennsylvania residents.

Over its nearly 50-year history, the agency you seem intent on hobbling helped save the bald eagle from extinction by regulating pesticides, reduced corrosive and toxic acid rain, helped protect the ozone layer, and curtailed tailpipe emissions which contribute to smog.

In recent weeks, you've spoken of solutions that come from federal-state relationships. We urge the Trump administration not to turn its back on those very federal-state partnerships that have produced these many benefits.

We hope to continue to work with EPA to protect Pennsylvania's public health and support economic prosperity.

Thank you for your consideration of our joint responsibilities.

Respectfully,

Patrick McDonnell  
Acting Secretary  
Pennsylvania Department of Environmental  
Protection

A copy of the letter is available online  
<https://www.scribd.com/document/342106134/McDonnell-Letter-to-EPA> .

Source: PA Environmental Digest, 3/20/2017

## **CBF Issues Statement on Elimination of Funding for the Chesapeake Bay Program**

**C**hesapeake Bay Foundation President William C. Baker issued the following statement concerning President Trump's proposed budget, which eliminates funding for the Chesapeake Bay Program.

Since the first Bay Agreement in 1983, EPA has been the lead federal partner with the states in the work to reduce pollution to the Chesapeake Bay.

In the last eight years, the states and EPA accelerated their efforts to achieve specific, science-based pollution reduction targets by 2025.

All six states and the District of Columbia agreed, and developed their own plans to achieve the necessary pollution reductions. In addition each jurisdiction developed two-year milestones to help track progress. The result has been an accelerated recovery with water clarity and underwater grasses increasing, and the dead zone decreasing.

After the first Chesapeake Bay Agreement was signed in 1983, Ronald Reagan said in his 1984 State of the Union Address: "Though this is a time of budget constraints, I have requested for EPA one of the largest percentage budget increases of any agency. We will begin the long, necessary effort to clean up a productive recreational area and a special national resource-the Chesapeake Bay."

On Feb. 28, President Trump spoke to Congress and said: My administration wants to work with members in both parties to promote clean air and clean water. [Emphasis added].

"This just makes no sense. We are in disbelief. The EPA's role in this clean up is nothing less than fundamental. It's not just important, it is critical.

"Eliminating the EPA Bay Program will slam the door on the Bay's nascent recovery, a recovery which is still very fragile.

"Thanks to an unprecedented partnership among elected officials, citizens and communities across our region, we are decades into a Chesapeake Bay cleanup plan that is restoring our waters and enjoys strong bipartisan support. Eliminating funding for EPA's Bay Program derails these efforts and directly undermines all that has been accomplished.

For all of us who care about a restored Bay, healthy crabs and oysters, and healthy local economies, the Trump Administration's budget is a clarion call to stand up and fight to save the Bay.

"There is the very real chance that if this budget were implemented, the Bay will revert to a national disgrace with deteriorating water quality, unhealthy fish and shell fish, and water borne diseases that pose a real threat to human health. Compare that to its current trajectory - a Bay teeming with healthy fish oysters and crabs; a Bay safe for children to swim in; a national model of a federal/state partnership heralded worldwide.

"Clean water is not a luxury; it is a right that no American should have to fight to achieve.

"By implementing the Chesapeake Clean Water Blueprint, the benefits nature provides to us will increase in value by more than \$22 billion. And we reap those added benefits every year.

"At the Chesapeake Bay Foundation, we will fight with every fiber in our bodies to see that Congress rejects this Bay budget and maintains a program that has achieved so much and is poised to save one of the world's greatest natural resources."

**Source:** CBF Press Release, 3/16/2017

**# # # # # # #**

***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.***