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GOVERNMENT RELATIONS UPDATE

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*PA- Section, American Water Works Association
National Association of Water Companies
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Development of Phase 3 of Pennsylvania's Chesapeake Bay Watershed Implementation Plan Begins with First Steering Committee Meeting, April 3

Development of Phase 3 of Pennsylvania's Chesapeake Bay Watershed Implementation Plan begins April 3, with the first meeting of the steering committee that will coordinate a broad-based effort by work groups and committed partners in the 43 watershed counties.

“Collaboration from the ground up by local partners in government, agriculture, business, and environmental and community organizations is the key to developing a strategic, implementable realistic plan to clean our streams, rivers, and lakes in Pennsylvania,” said DEP Acting Secretary Patrick McDonnell. “Focusing on achieving healthy local waters not only brings our communities positive local environmental and economic benefits, but also greatly improves our ability to meet our federal Bay obligations. Simply put, clean water is great for PA and good for the Bay.”

The Pennsylvania Department of Environmental Protection (DEP) [Chesapeake Bay Program Office](#) will host the meeting.

Pennsylvania is mandated by the Environmental Protection Agency (EPA) to reduce nitrogen, phosphorus, and sediment levels in its Bay watershed counties by 2025. The Commonwealth fell short of its Phase 1 goal set in 2010 and Phase 2 goal set in 2012.

This year, EPA is conducting a midpoint assessment of these levels and will define what Pennsylvania needs to achieve in Phase 3 based on this assessment.

While Pennsylvania has made significant progress toward meeting the EPA targets, particularly since 2015 when the Wolf administration launched its multi-agency “Chesapeake Bay Restoration Strategy,” considerable work remains to be done.

The agenda for the steering committee meeting includes discussion of EPA expectations and the establishment of work groups that will reach out to local committed partners.

The meeting, which will be held from 1:00 to 4:00 pm in room 105 of the Rachel Carson State Office Building in Harrisburg, is open to the public.

Steering committee members include:

- Patrick McDonnell (Chair), Acting Secretary, DEP
- Representative Garth Everett (Chair), Chesapeake Bay Commission
- Karl Brown, Executive Secretary, State Conservation Commission
- Cindy Dunn, Secretary, Conservation and Natural Resources
- Carlton Haywood, Executive Director, Interstate Commission on the Potomac River Basin
- Paul Marchetti, Executive Director, Pennsylvania Infrastructure Investment Authority
- Russell Redding, Secretary, Department of Agriculture
- Davitt Woodwell, President, Pennsylvania Environmental Council
- Work group co-chairs (to be identified at this meeting)

The steering committee will meet again on May 8.

A day long listening event for public input on Pennsylvania's Chesapeake Bay Watershed pollutant reduction planning is scheduled for June 5.

Source: DEP Press Release, 3/31/2017

CBF Applauds Governor Wolf's Strong Commitment to Clean Water in PA and the Bay

The Chesapeake Bay Foundation's (CBF) Pennsylvania Executive Director Harry Campbell issued the following statement applauding Governor Tom Wolf's commitment to clean water for the Commonwealth and the Chesapeake Bay.

Governor Wolf recently told Harrisburg media that, "My commitment remains strong to the Chesapeake Bay. I went to a (Chesapeake Bay Commission) meeting and signaled my

determination to do what I can to make sure what we're doing in Pennsylvania is responsible."

The Governor acknowledged the importance of reducing pollution in the Keystone State. "We are still in the middle of the biggest part of the river ([Susquehanna](#)) that empties into the bay," Governor Wolf said. "We have a big role to play in cleaning up the bay."

Roughly 19,000 miles of Pennsylvania rivers and streams — roughly one-quarter of all of them — are harmed by pollution. Additionally, the Commonwealth provides [half of the freshwater](#) to the Chesapeake Bay. In 2010, Pennsylvania became a full partner in a cooperative state/federal partnership — the [Chesapeake Clean Water Blueprint](#) — to restore local water quality both for our benefit and for those downstream. Pennsylvania's efforts to reduce pollution would be crippled by the proposed federal budget that calls for cutting Environmental Protection Agency funding by 31 percent and elimination of the Chesapeake Bay Program, a critical federal Blueprint partner.

Mr. Campbell said:

"CBF applauds Governor Wolf's commitment and efforts to reduce pollution. If successful, those efforts will benefit Pennsylvanians and all those downstream to the Chesapeake Bay. Not only will our water be cleaner, our [health](#) protected, and clean water [jobs](#) created, but also our state will enjoy an annual return on investment of \$6 billion (19%) in natural benefits according to an independent economic analysis an [independent economic analysis](#).

"Governor Wolf's determination to clean up Pennsylvania's rivers and streams is important now more than ever, as the proposed federal budget seeks to eliminate federal investment in the Chesapeake Bay Program. Support from the Bay program is critical to the Commonwealth's success in reducing pollution.

"Pennsylvania is already off-track in meeting its Blueprint goals. And, the state is already strapped for cash. The proposed elimination of Bay Program funding, if realized, will put additional burdens on

the citizens of Pennsylvania. Under Governor Wolf's watch, Pennsylvania is stepping up its game to restore our rivers and streams. Because of the Commonwealth's '[rebooted](#)' clean water strategy, more farms will have the required pollution reduction plans and more forested buffers will be planted.

"CBF commends Governor Wolf's commitment to the Chesapeake Bay and will continue to work with him in order to leave a legacy of clean water for future generations of Pennsylvanians."

Governor Wolf recently signed a proclamation congratulating CBF on its 50th Anniversary. CBF established its office in Harrisburg in 1986.

Source: CBF, 3/29/2017

Susquehanna River Basin Commission and PA Dept. of Environmental Protection Announces Workshops to Assist Public Water Suppliers

The Susquehanna River Basin Commission is continuing its Public Water Supply Assistance Program by partnering with the Pennsylvania Department of Environmental Protection (PADEP) Operator Outreach Assistance Program to present a three-part instructional series on Water Loss Management. The workshops will be held at the Commission's Conference Center located at 4423 N. Front Street, Harrisburg, Pa.

Many public water suppliers in Pennsylvania deliver water to customers through aging distribution systems. Water systems withdraw, treat and supply water for which they may not be fully compensated because of metering and billing inaccuracies or leakage. To deal with aging infrastructure, public water supply systems should evaluate how and where to focus capital improvements for the greatest return on investment dollars.

To help public water suppliers maximize revenue, conserve water resources and improve operations, the Commission and PADEP are offering a series of three workshops as follows:

- April 11, 2017: In-Depth Training in Water Loss Auditing using the AWWA Free Water Audit Software;
- July 12, 2017: Controlling Water Utility Apparent Losses in Metering and Billing Operations; and
- August 16, 2017: Fundamentals of Leakage and Pressure Management for Water Utilities.

"The Commission is pleased to be able to partner with PADEP and provide this valuable training that will assist small water suppliers in completing high quality evaluations of their systems," comments Andrew Dehoff, Executive Director of the Commission. He added, "It is our belief that workshop attendees will walk away with the knowledge and tools to address water losses and improve system revenue."

The workshops are being offered free of charge and lunch is included. Each workshop will provide between 5.5 and 6 water contact hours for PA-licensed water operators. Each workshop is limited to the first 40 participants who complete registration.

For additional information or to register for the workshops, please visit <http://mdw.srbc.net/pwsap/>.

Source: SRBC Press Release, 3/23/2017

DEP to Gather Pennsylvanians Input on Environmental Justice in Statewide Listening Tour

Pennsylvania Department of Environmental Protection (DEP) Acting Secretary Patrick McDonnell is hosting nine roundtables across the state over the next two months to meet with residents and hear their perspectives on environmental justice.

"The Office of Environmental Justice fulfills a critical role within DEP - ensuring that all Pennsylvanians, especially those who have historically been disenfranchised, are fully involved in the decisions that affect their environment," said McDonnell. "Environmental justice embodies the principles that communities should not be disproportionately exposed to adverse environmental impacts. With these listening sessions, I want to hear how we can improve on our responsibility."

The tour will focus on engaging residents and leaders in DEP's decision-making process, and involving residents in communities that may not fit the traditional definition of an environmental justice area -- which is based on minority population and income levels in census tracts.

"We want to move beyond just the census tract boundaries and make sure we're really considering the needs of people and the role of public participation," said Carl Jones, director of DEP's Office of Environmental Justice. "We want to ensure that communities and regulated entities are connected and communicating."

DEP will solicit feedback from the listening sessions about improving how public feedback is received, and ensuring that communities are sufficiently engaged with the decision-making process and companies involved.

"DEP has three goals for the Office of Environmental Justice: minimizing adverse environmental impacts, empowering communities, and fostering economic opportunities," said Jones. "We want to hear from Pennsylvanians about how we can meet those goals."

The listening sessions will take place throughout April and May. Additional details are available at <http://www.dep.pa.gov/PublicParticipation/OfficeofEnvironmentalJustice/Pages/default.aspx>

- Greene County - April 12
- Pittsburgh - April 13
- Williamsport - April 20
- Erie - April 27
- Harrisburg - May 2
- Allentown - May 11

- Lancaster - May 15
- City of Chester (Delaware County) - May 23
- Philadelphia - May 25

Source: DEP Press Release, 3/28/2017

Speaker Turzai Appoints Wentling to Joint Legislative Conservation Committee

Pennsylvania House of Representatives Speaker Mike Turzai (R-Allegheny) appointed Rep. Parke Wentling (R-Crawford/Erie/Lawrence/Mercer) to the Joint Legislative Air and Water Pollution Control and Conservation Committee for the 2017-18 session of the General Assembly.

"Nearly 50 years ago, former Gov. Raymond Shafer, who was from Crawford County, signed an act that formed the committee," Wentling said. "Since then, the committee has worked to protect our natural resources in a responsible, bipartisan manner. I am honored to be carrying on this important tradition."

Wentling has worked to protect natural resources, such as heading an initiative to build osprey nesting boxes, which is helping to restore the osprey population in Mercer County. Ospreys are known to construct nests on power lines, which often cause power outages to thousands of residents.

The project - a partnership between First Energy, Friends of Goddard State Park and the Audubon Society - has now grown to include a five-state area. This win-win initiative will help the osprey population thrive while also scaling back power outages caused by the birds.

The committee is tasked with making recommendations to the General Assembly with regard to the stewardship of Pennsylvania's diverse land, water and air resources. It is governed by an eighteen-member board, comprised of nine legislative members from each party - half from the Senate and half from the House of Representatives.

"We are excited to welcome Rep. Wentling to the committee," committee Executive Director Tony Guerrieri said. "His passion for conservation issues will certainly be an asset to our endeavors this legislative session and into the future."

The committee seeks to determine the challenges facing Pennsylvania's natural resources, as well as collaborative solutions; bringing together conservation, industry and government leaders. In recent years, the committee has focused on forestry, electronic waste recycling, state parks, land sewer and water infrastructure, prescribed fires and Pennsylvania's heritage areas program.

For more information about the committee, go to <http://www.jcc.legis.state.pa.us/>.

Source: Rep. Parke Wentling Press Release, 3/30/2017

Senate Bill Would Require Approval of Regulations by the General Assembly, Governor

Sen. John DiSanto (R-Dauphin) Tuesday announced he has introduced legislation-- [Senate Bill 561](#) -- to prohibit regulations with an economic impact of \$1 million or more from being imposed without approval by the General Assembly and Governor.

Under the measure, no regulation with an economic impact or cost to the Commonwealth, to its political subdivisions, and to the private sector exceeding \$1 million could be imposed without approval of the General Assembly and Governor.

The bill requires the Independent Fiscal Office to verify any cost estimates prior to submitting the regulation for review by the Independent Regulatory Review Commission. In 2015, that would have meant [74 regulations](#), according to the IRRC.

The IRRC reviewed [32 final regulations](#) in 2015 which the General Assembly would be required to approve under this legislation.

The bill makes no mention of any review of the potential benefits a regulation may generate.

"This legislation is needed to strengthen political accountability for regulatory policy and protect our economy from undue burdens on business and job creation," Sen. DiSanto said.

Currently, the regulatory review process requires the General Assembly to pass a concurrent resolution disapproving a regulation. However, the Governor must sign the disapproval resolution to bar his own agencies from enacting the regulation, the senator noted.

"Reversing this process and requiring concurrent resolutions of approval will reinforce the constitution's balance of powers. While the General Assembly delegates legal authority to executive agencies, it is essential that the General Assembly have the final say on legislative intent for economically significant regulations," he said.

"I was sent to Harrisburg to protect taxpayers and employers from the growing burden of state government and to encourage entrepreneurialism and job growth," Sen. DiSanto said. "These measures are just two of the steps necessary to restore government that serves the people, instead of the other way around."

The bill was referred to the Senate Rules and Executive Nominations Committee since the bill amends the Regulatory Review Act.

A [sponsor summary](#) is available.

Source: PA Environmental Digest, 4/3/2017

DEP's Existing Online What Permit Do I Need? Tool Much Better Than Proposed bill

Rep. Jason Ortitay (R-Allegheny) introduced [House Bill 1003](#) requiring DEP to list all its permits in the PA Bulletin and online as a way to “streamline” DEP permitting (sponsor summary).

“DEP has promulgated a wide variety of permits that applicants must apply for and be granted before initiating projects. However, there is NO single compendium of any and all permits available under the DEP,” said Rep. Ortitay in his co-sponsor memo. “We contend that there should be a single location in The Pennsylvania Bulletin that outlines each and every permit available under DEP and that the information should also contain the timelines set to secure these permits and the statutory and regulatory authority for each of these permits.

“This information should also be set forth in a navigable, easy to use DEP website,” explained Rep. Ortitay. “We direct DEP to compile, organize and list all of these permits, along with relevant timelines and proper statutory and regulatory authority.”

Actually, DEP already has a much better approach to this issue than simply listing its permits because it answers the right question-- “What Environmental Permits Do I Need For My Project?” without the additional cost of printing hundreds of pages in the PA Bulletin as Rep. Ortitay proposed.

DEP’s existing online [Permit Application Consultation Tool](#) leads potential permit applicants through a series of questions to answer the question- What Environmental Permits Do I Need For My Project?

In fact, this language from DEP’s online tool looks very much like the language in the bill introduced by Rep. Ortitay:

“After starting the tool, the user will be presented with a series of questions about their project. Based on those responses, the tool will generate a report that provides further information on permits, authorizations, or notifications that may be necessary. The report will also provide references that can be consulted for further information about the applicability of identified

requirements, as well as links to application forms and relevant instructions.”

The DEP tool, however, goes one step further, “Once the results have been reviewed, the department encourages the user to schedule a pre-application conference. To assist in this process, the tool will automatically be forwarded the report to the appropriate Assistant Regional Director (ARD) or District Mining Office (DMO).”

Perhaps a better approach might be to give DEP more funding to make its existing tool better rather than make the PA Bulletin hundreds of pages longer.

For more information, visit DEP’s [Permit Application Consultation Tool](#) webpage.

Source: PA Environmental Digest, 4/3/2017

New Company Helps Water Authorities Identify and Pinpoint Leaks in Underground Infrastructure

Every day, U.S. water distribution systems lose approximately six billion gallons of clean, treated drinking water, much of that due to undetected leaks in aging, underground infrastructure. In total, U.S. water authorities lose more than two trillion gallons of water annually that they pump and treat but which never reach an end user. **1**

A new company is helping water utilities find and pinpoint leaks in their distribution networks within a foot of the source, without having to dig large trenches or disrupt service to customers.

[FlowNetworx](#), offers leak detection, leak pinpointing and water-pressure control technologies and expertise to help utilities stem revenue loss, lower operating costs and improve their environmental stewardship. The company is an **affiliate of LB Water Service, Inc.**, a leading distributor of waterworks infrastructure products in the Mid-Atlantic region. FlowNextworx specializes

in water-loss management, data collection and hosting, and wastewater metering and monitoring.

"What county, municipal and private water authorities don't know about the hidden leaks in their distribution systems is hurting them," said Shawn Pulford, president and chief executive officer of FlowNetworx. "Lost water is costing utilities a lot of money. It's affecting their ability to comply with increasing environmental regulations, it's affecting the efficiency of their operations, and it's harming their bottom lines. We can help them address all of those issues."

By finding and fixing leaks soon after they occur, water authorities can reduce their demands on rivers, streams, and aquifers, helping to slow what studies have shown to be a gradual lowering of the nation's water table over the last two decades. A 2015 analysis by USA Today and The Desert Sun based on U.S. Geological Survey data of more than 32,000 wells nationwide over a 20-year period showed that water levels declined in 64 percent of the wells in the database. The findings also showed that, even in parts of the country where rainfall and snowmelt have helped to offset pumping from aquifers, there have been significant declines, including in traditionally "wet" states such as New Jersey, New York, Maryland and Florida. **2**

"When a utility is losing 20 or 30 percent of the water it's processing - a statistic that, until recently, was considered to be acceptable in the waterworks industry, that utility is pumping, treating and transporting a lot of excess water just to be able to keep up with customer demand," said John Brutz, general manager for FlowNetworx. "Over time, that can lead not only to huge operational inefficiencies but also significant environmental impacts."

First with LB Water and now with FlowNetworx, Brutz and his "leak team" have worked with multiple counties, municipalities and private water authorities to help the water providers identify the problem areas in their distribution systems. According to Brutz, utilities are aware that they're losing water, but many have little idea as to exactly how much, or from where, until information gleaned from leak-detection and pinpointing technologies shows them.

"One Pennsylvania municipality we're working with was shocked to discover it was losing 82 percent of the water it processed," said Brutz.

Nearly all of the technology FlowNetworx offers is manufactured by Milford, Ohio-based Fluid Conservation Systems, the North American leader in water leak detection, water network monitoring, and energy management solutions. Products include data loggers and correlators, ground microphones and water pressure modulation equipment as well as the company's modular communications platform, OmniColl, and cloud-based hosting software, DataGate. With OmniColl and DataGate, counties, municipalities and building management companies can monitor thousands of data points, including water flow, pressure and leakage; temperature; humidity; carbon dioxide levels; electricity and natural gas levels; and other building or city management variables as often as every 15 minutes from any Internet-enabled device.

FlowNetworx is the only authorized provider of Fluid Conservation Systems' technologies in 18 states and the District of Columbia. Initially, FlowNetworx will focus its efforts primarily in states where its personnel originally began offering water loss management solutions under the LB Water brand, including Pennsylvania, Maryland, Delaware, Virginia, West Virginia, Washington, D.C., Ohio, New York, and New Jersey. The company also offers wastewater metering and monitoring technologies and water-flow measuring equipment for district metered areas in these territories.

FlowNetworx officials plan to phase-in most of the company's offerings in its other contracted markets, including Florida, North Carolina, South Carolina, Kentucky, Rhode Island, Connecticut, Massachusetts, New Hampshire, Vermont and Maine.

1. American Society for Civil Engineers, 2017 Infrastructure Report Card, March 2017.
2. James, Ian and Reilly, Steve. "Pumped beyond limits, many U.S. aquifers in decline." The Desert Sun 10 December 2015.

Source: FlowNetworx, 3/29/2017

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