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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
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Great Lakes Restoration Initiative Provides Funding to Target Harmful Algal Blooms in Lake Erie

On September 3, 2014, U.S. Environmental Protection Agency Administrator Gina McCarthy announced that the Great Lakes Restoration Initiative (GLRI) will provide almost \$12 million to federal and state agencies to protect public health by targeting harmful algal blooms (HABs) in western Lake Erie. The funding builds upon the GLRI's on-going efforts to reduce algal blooms and will be made available to Ohio, Michigan and Indiana state agencies and to the U.S. Geological Survey, the USDA Natural Resources Conservation Service and the National Oceanic and Atmospheric Administration.

"The importance of clean water cannot be overstated, which is why the Great Lakes Restoration Initiative is taking further action to target harmful algal blooms in western Lake Erie," said EPA Administrator Gina McCarthy. "This important funding will address the immediate need for state and federal agencies to protect public

health and build upon on-going efforts to reduce harmful algal blooms."

The new FY 2014 funding will be used to:

- Expand monitoring and forecasting to help drinking water treatment plant operators and beach managers minimize health impacts associated with HABs;
- Increase incentives for farmers in western Lake Erie watersheds to reduce phosphorus runoff that contributes to HABs; and
- Improve measurement of phosphorus loads in Lake Erie tributaries.

In early August, the City of Toledo issued a "Do Not Drink" order for almost 500,000 people in northwest Ohio and southeast Michigan when a drinking water treatment plant was adversely impacted by microcystin, a toxin produced in connection with HAB outbreaks on Lake Erie. In addition to generating toxins that pose risks to human health, HABs create low oxygen "dead zones" and harm shoreline economies.

On August 13, EPA Regional Administrator, Susan Hedman, convened a meeting of federal and state agencies to identify opportunities for collaboration to minimize HAB-related risks in the western Lake Erie Basin. GLRI funding announced

today targets immediate needs identified during that meeting. The group will continue to focus resources on this issue in FY 2015 and beyond. McCarthy, who chairs the Great Lakes Interagency Task Force, which oversees the Great Lakes Restoration Initiative, made the announcement today at the task force meeting in Washington, D.C.

The Great Lakes Restoration Initiative was launched in 2010 to accelerate efforts to protect and restore the largest system of fresh surface water in the world. GLRI resources are used to strategically target the biggest threats to the Great Lakes ecosystem and to accelerate progress toward long term goals which includes eliminating harmful algal blooms. Under the initial GLRI Action Plan, GLRI resources doubled the acreage enrolled in agricultural conservation programs in the western Lake Erie, Saginaw Bay and Green Bay watersheds where nutrient runoff contributes to harmful algal blooms. Under the new GLRI Action Plan, which covers 2015-2019, projects to reduce nutrient loads from these agricultural watersheds will continue. Watershed management and green infrastructure projects to reduce untreated runoff from urban watersheds will also continue.

Information about the GLRI: <http://www.glri.us/>

Source: EPA Press Release, 9/3/2014

DEP Reminds Citizens of Important Autumn Advisories; Owners of Swimming Pools and Home Heating Oil Tanks Should Take Caution

Autumn is less than a month away and DEP would like to remind citizens about important precautions to take as they are closing their pools and filling their home heating oil tanks. Pool wastewater, if not disposed of properly, can contaminate local waterways, while poorly maintained home heating oil tanks can leak.

When chlorinated water is drained from a swimming pool into a storm sewer, it can quickly make its way to a stream or other body of water, where aquatic life can be damaged or killed.

The discharge of swimming pool water to local waterways without a permit is a violation of the Clean Streams Law. Property owners and pool companies must obtain a permit from their local municipality before disposing of any pool wastewater. This includes pool backwash water, neutralized pool cleaning wastewater and standing water.

Pool wastewater should be discharged into the local sanitary sewer system, if possible. If sanitary sewers are not available, the wastewater should be hauled off-site for disposal at an approved treatment facility or otherwise discharged according to the department's Swimming Pool Wastewater Discharge Guidelines.

Owners of home heating oil tanks should consider inspecting indoor and outdoor home heating oil tanks for potential problems prior to refilling them. Preventing leaks will save owners energy and money, in addition to protecting owners' health.

Leaking heating oil can cause indoor air problems and potentially contaminate groundwater and private drinking water wells. A spill cleanup can cost up to \$50,000 and may not be covered by homeowner's insurance. Residents who think their oil tank may have a problem should immediately contact their oil company for help.

A quarter of all Pennsylvania homes use heating oil to stay warm in the winter.

DEP encourages homeowners to consider these tips:

- For safety reasons, always assume the tank contains at least some oil;
- Routinely inspect the exterior of the tank and all attached equipment;
- Check for signs of rusting on the tank and its structural supports;
- Examine the tank's fill line and feed line to the furnace for leaks;

- Never tip over or empty a tank onto the ground;
- Enlist a professional to perform maintenance or alterations to a heating oil tank system; and
- Recognize that wet spots or odors near the tank may signal a problem.

When fuel is delivered, make certain that the home address is clearly visible and the tank's fill line clearly marked. If a resident cannot be home when fuel oil is delivered, mark the fill pipe with a red flag or marker and inform the oil company of the location. Ensure that any disconnected fill pipes that remain above the ground are permanently sealed and cannot be opened.

For more information, or to view the Swimming Pool Wastewater Guidelines, visit www.dep.state.pa.us keyword: pool wastewater.

For more information about filling a home heating oil tank, visit www.dep.state.pa.us keyword: Storage Tanks, or call DEP's Division of Storage Tanks at 717-772-5599.

Source: DEP Press release, 9/3/2014

DEP Continues Intensive Sampling Effort on the Susquehanna River

DEP staff demonstrated the sampling methodologies used in the ongoing study of the Susquehanna River. This is the third year of the study in which DEP staff are collecting and analyzing data about the river to understand what's impacting the smallmouth bass population in portions of the river.

DEP staff test for more than 200 different compounds that include PCBs, hormones, waste water compounds, pesticides and emerging contaminants. Many of the emerging contaminants being examined are so new that laboratory tests have only recently been developed to test for them in water and sediment. In addition, staff deploys continuous in-stream data monitors and sample benthic macro-invertebrates, fish, mollusks and algae.

Major sampling sites included the Susquehanna at Marietta, Harrisburg and Sunbury, and the Juniata at Lewistown Narrows and Newport. There were control sites on the Delaware at Trenton, the Allegheny at Franklin and the Youghiogheny at Sutersville to establish a baseline for water quality.

Samples collected during the summer's aggressive sampling effort will be examined during the fall and winter months. Results will be published in spring 2015. After nearly three years of study, the samples collected by DEP staff have not revealed a single definitive cause for the issues affecting the small mouth bass population making it unlikely that there is any one cause or contaminate behind the abnormalities observed in recent years.

DEP regularly posts updates about the study on the department's website [here](#).

In addition, a video about the study is available on DEP's [YouTube channel](#).

Source: DEP News, 9/4/2014

DEP Launches New Electronic Informal File Review Request Form

DEP recently launched its new electronic informal file review request form that provides a guide to DEP Regional Offices to promote a department-wide uniform standard process for receiving, processing and coordinating Informal File Reviews. The new form will assist department staff, preserve resources and remove ambiguity from the Informal File Review Process.

DEP makes a wealth of information available through its website including information about program areas, applicable laws and regulations, as well as, DEP policies and reports. Through the website's eFACTS system, a variety of information about regulated facilities is available. If the information required is not available on the DEP website, you can request public information by scheduling an informal file review or requesting specific documentation under the Pennsylvania Right to Know Law (RTKL). DEP recommends

doing an informal review first; it is the easiest and quickest way for the public to access DEP records.

Records available under an informal file review include notifications, inspection reports, notices of violations, enforcement orders, applications, permit review letters, sample results, remediation plans, approvals, denials, pollution prevention plans and external correspondence. Internal email correspondence and records considered privileged (attorney-client, attorney work product or other privilege) or records otherwise considered confidential are not available under an informal file review.

Informal file reviews are scheduled between 8 a.m. and 4 p.m., Monday through Friday. Appointments are scheduled in half-day and full-day sessions. Hours can vary depending on office location.

Visit [here](#) to schedule an informal file review.

Source: DEP News, 9/4/2014

DEP Completes 2014 Lead Ban Surveillance Program

DEP's Bureau of Safe Drinking Water, Operations and Monitoring Division conducts a Lead Ban Surveillance Program each year to promote compliance with the Pennsylvania Plumbing System Lead Ban and Notification Act. The act prohibits the sale or use of 50/50 or 85/15 tin-lead acid core or solid wire solders or any leaded solder that does not contain a warning statement on the label. The Lead Ban Act also restricts the sale and use of all other leaded solders to non-plumbing use only.

Lead is a toxic metal that can have serious health effects even at low doses. The regulation of lead in drinking water is intended to prevent lead containing materials from being used in the construction or modification of plumbing systems and to ensure the water delivered to consumers is noncorrosive to plumbing systems.

Each summer, DEP interns conduct surveillance activities and educate the plumbing supply industry

about the requirements of the Lead Ban Act. Surveillance activities include visiting hardware stores, home centers, and other retail facilities that sell solder to gather data used to determine whether banned solder is sold and whether restricted solder is properly labeled and is not sold in the plumbing section.

This year, 354 stores were surveyed. Of these, 252 stores sell solder. Most of the 252 stores were selling lead-free solder and 52 percent sell only lead-free solder. Only 14 percent of the stores selling solder were in violation of the Lead Ban Act: 6 percent were selling banned solder and 7 percent were selling restricted solder in the plumbing section (the extra 1 percent is due to two stores that were selling both banned solder and restricted solder in the plumbing section; these stores were counted in both groups).

To view the full report, [click here](#) or for additional information, contact Sabrina Haydt at 717-772 2190 or email shaydt@pa.gov.

Source: DEP News, 9/4/2014

Revenue Department Releases August 2014 Collections

Pennsylvania collected \$1.8 billion in General Fund revenue in August, which was \$17.8 million, or 1 percent, less than anticipated, Secretary of Revenue Daniel Meuser reported today. Fiscal year-to-date General Fund collections total \$4 billion, which is \$10.7 million, or 0.3 percent, below estimate.

Sales tax receipts totaled \$789.8 million for August, \$5 million above estimate. Year-to-date sales tax collections total \$1.7 billion, which is \$5 million, or 0.3 percent, more than anticipated.

Personal income tax (PIT) revenue in August was \$711.2 million, \$2 million below estimate. This brings year-to-date PIT collections to \$1.5 billion, which is \$2 million, or 0.1 percent, below estimate.

August corporation tax revenue of \$45.8 million was \$7.6 million below estimate. Year-to-date corporation tax collections total \$126.6 million, which is \$6.9 million, or 5.2 percent, below estimate.

Inheritance tax revenue for the month was \$66.3 million, \$300,000 below estimate, bringing the year-to-date total to \$142.3 million, which is \$300,000, or 0.2 percent, below estimate.

Realty transfer tax revenue was \$36 million for August, \$6.7 million below estimate, bringing the fiscal-year total to \$77.5 million, which is \$6.6 million, or 7.9 percent, less than anticipated.

Other General Fund tax revenue, including cigarette, malt beverage, liquor and table games taxes, totaled \$126.3 million for the month, \$900,000 below estimate and bringing the year-to-date total to \$224.9 million, which is \$800,000, or 0.4 percent, below estimate.

Non-tax revenue totaled \$15.8 million for the month, \$5.4 million below estimate, bringing the year-to-date total to \$267.4 million, which is \$1 million, or 0.4 percent, above estimate.

In addition to the General Fund collections, the Motor License Fund received \$178.4 million for the month, \$28.1 million above estimate. Fiscal year-to-date collections for the fund - which include the commonly known gas and diesel taxes, as well as other license, fine and fee revenues - total \$422.1 million, which is \$28.3 million, or 7.2 percent, above estimate.

For more information, visit www.revenue.state.pa.us.

Source: Governor's Press Office, 9/2/2014

Water Resources Advisory Committee Meeting Change

The Water Resources Advisory Committee (Committee) meeting scheduled for September 17, 2014, is rescheduled to

September 26, 2014. The meeting will begin at 9:30 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101.

Questions concerning the rescheduled meeting of the Committee should be directed to Sean Gimbel at (717) 783-4693 or sgimbel@pa.gov. The agenda and materials for the meeting will be available through the Public Participation Center on the Department of Environmental Protection's (Department) web site at www.dep.state.pa.us (DEP Keywords: "Public Participation").

Source: [PA Bulletin, 9/6/2014](#)

EQB Meeting Cancellation

The September 16, 2014, meeting of the Environmental Quality Board (Board) is cancelled. The next regularly scheduled meeting of the Board will occur on Tuesday, October 21, 2014, at 9 a.m., in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17105. The agenda and meeting materials for the October 21, 2014, meeting will be available on the Department of Environmental Protection's web site at www.dep.state.pa.us (Select "Public Participation Center," then "The Environmental Quality Board" then "EQB Meeting Schedule 2014").

Questions concerning the Board's next scheduled meeting may be directed to Laura Edinger at (717) 783-8727 or ledinger@pa.gov.

Source: PA Bulletin, 9/6/2014

SRBC OKs 16 Project Applications, Released Proposed Rules on Drilling Water Use

The Susquehanna River Basin Commission Thursday held its quarterly business meeting in Corning, N.Y. Among its actions, SRBC:

- Authorized publication of proposed rulemaking to amend its regulations to clarify the water uses involved in hydrocarbon development that are subject to consumptive use regulations, as implemented by the Approval By Rule program; a public hearing and comment period will be scheduled to solicit input from interested members of the public;
- Rescinded certain unneeded Commission policies;
- Accepted settlement offers for compliance matters from Carrizo (Marcellus), LLC; JKT Golf LLC; and Southwestern Energy Production Company; and
- Approved 16 applications, including 3 consumptive water use, 1 into-basin diversion and 1 out-of-basin diversion, and tabled 13 applications.

A list of projects approved and tabled is available [online](#).

Source: PA Environmental Digest, 9/8/2014

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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.