



GOVERNMENT RELATIONS UPDATE

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*PA- Section, American Water Works Association
National Association of Water Companies
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State Senate Passes Bill to Provide More Options to Struggling Customers Facing Utility Shut-offs

The state Senate unanimously approved consumer protection legislation that would give customers who have special needs more protections from utility shut-offs, according to Senator Tommy Tomlinson (R-Bucks).

Tomlinson, who chairs the Consumer Protection and Professional Licensure Committee said [House Bill 939](#) would give families facing financial hardship more time, options and flexibility to make payments before their utilities are turned off.

The legislation would:

- ban Friday terminations so customers would not have to wait through the weekend to resolve billing issues;
- protect people who have serious medical conditions from shut-offs;

- protect victims of domestic violence from having their power terminated;
- shield tenants from termination when their landlord was the one responsible for utility payments;
- prevent utility companies from terminating an impoverished family's (below 250 percent of federal poverty limit) power during winter months (**Editor's NOTE:** This is existing law -- § 1406 (e)); and
- eliminate mandatory cash deposits for customer assistance program (CAP)-eligible people.

Source: Senate Republican Communications, 10/10/2014

Boscola Praises Consumer Protections in Utility Reform Bill

Calling it a balanced proposal that gives struggling families more protection and flexibility to avoid utility shut-offs, Sen. Lisa M. Boscola praised the Senate for its unanimous approval of utility reform legislation.

"I am pleased with components in this bill (House Bill 939) that prevent people from being treated unfairly or harshly," Boscola said. "While this doesn't give anyone a pass on paying their bill, it does give some people more options, time and flexibility to make their payments."

The Northampton County lawmaker said she worked closely with Sen. Tommy Tomlinson (R-Bucks) to amend several of the consumer protection provisions into the bill, such as a prohibition on Friday terminations. She said they also insisted that the program sunset in 10 years, which would require the legislature to revisit the law and possibly make additional improvements in the years to come.

Under the amended House Bill 939, which would re-authorizes Chapter 14 in the Public Utility Code, Boscola underscored numerous consumer protections.

The bill would:

- ban Friday terminations. Boscola said that "no one should have to wait out an entire weekend before they have an opportunity to fully resolve their issue with a utility company;
- protect people who have serious medical conditions from shut-offs;
- protect victims of domestic violence from having their power terminated;
- shield tenants from termination when their landlord was the one responsible for utility payments.
- prevent utility companies from terminating an impoverished family's (below 250 percent of federal poverty limit) power during winter months (**Editor's NOTE:** This is existing law -- § 1406 (e)); and
- eliminate mandatory cash deposits for customer assistance program (CAP)-eligible people.

While applauding the consumer protection provisions, Boscola emphasized that the legislation

does not give anyone a pass on paying their utility bill. "All of us need to pay our bills," Boscola said in her Senate floor remarks yesterday. "And we should understand that we all pay more when some of us are given a pass."

Boscola serves as Democratic chair of the state Senate Committee on Consumer Protection and Professional Licensure. House Bill 939 now returns to the House of Representatives for a concurrence vote.

Source: Senate Democratic Caucus, 10/9/2014

Senate Puts Anti-Stream Buffer Bill in Position for a Final Vote, Not Over Yet

The Senate Wednesday put [House Bill 1565](#) (Hahn-R-Northampton), that environmental groups say weakens DEP requirements for stream buffers in Special Protection Watersheds, in position for a final vote next week, the final two days of session.

An amendment offered Monday in Committee by Sen. John Yudichak (D-Luzerne), Minority Chair of the Senate Environmental Resources and Energy Committee, changed the provisions of the bill to give applicants the option to install practices other than a stream buffer, but only if they can prove other practices are "substantively equivalent to" a stream buffer.

The amendment also changes the provision allowing the installation of a buffer in other areas, but "as close as feasible to the area of disturbance" to limit the replacement buffer to areas within the same watershed. Click [Here](#) for the amendment language. Click [Here](#) for a summary.

If the bill is passed by the Senate in its current form, it must return to the House for a concurrence vote before the General Assembly adjourns.

"CBF is disappointed that House Bill 1565 has passed out of committee, and urges the full senate to reject this bill," said Harry Campbell, PA Director of the Chesapeake Bay Foundation. "The bill will

open up Pennsylvania's most pristine waterways to increased pollution threats from development.

"Pennsylvania has a commitment to clean up our waterways, and streamside forested buffers are one of the most cost-effective, common-sense solutions to reducing pollution, managing floods, and maintaining iconic and economically important fish, like the brook trout.

"A [report](#) released today (Monday) by CBF assessed natural values of forests, including forest riparian buffers, in Pennsylvania's portion of the Chesapeake Bay watershed at being over \$31 billion annually if the Clean Water Blueprint is implemented. Pennsylvania's Blueprint plan relies heavily on protecting and restoring forested buffers.

"It simply does not make sense to allow developers to cut down existing trees, especially along Pennsylvania's last remaining pristine streams. Thousands of farmers and hundreds of developers, local governments, and businesses throughout the state have already planted and preserved buffers. These investments have all been made with the goal of managing polluted runoff, reducing flooding, and enhancing property values in the Keystone State."

House Bill 1565 has been opposed by the Chesapeake Bay Foundation-PA, PA Environmental Council, Western Pennsylvania Conservancy, the PA Chapter of The Nature Conservancy, the Fish and Boat Commission, PA Chapter National Association of Water Companies, Clean Water Action, PA Council of Trout Unlimited, PA Federation of Sportsmen's Clubs, PA League of Women Voters, PA Land Trust Association, PA Landscape and Nursery Association and former DEP Secretary David E. Hess.

Source: PA Environmental Digest, 10/13/2014

Report Identifies Increased Economic Benefits of Regional Clean Water Restoration Plan; Reducing

Pollution increases nature's benefits in Pennsylvania by \$6.2 billion

A first-ever analysis released on October 6, 2014 by the Chesapeake Bay Foundation (CBF) finds that the economic benefits provided by nature in the Chesapeake Bay watershed will total \$130 billion annually when the Chesapeake Clean Water Blueprint, the regional plan to restore the Bay, is fully implemented. In Pennsylvania those benefits will approach \$40 billion a year.

"We all know that reducing pollution makes great sense for our health and our environment, and today we can confirm what we have long thought. It makes good economic sense as well," said William C. Baker, CBF President.

"The benefits nature provides to us will increase in value by more than \$22 billion, a 21 percent increase, as a result of fully implementing the Blueprint. And we reap those added benefits every year."

The Bay, its rivers, forests, farms, and wetlands provide multiple benefits to the region, and a restored Bay watershed will provide cleaner water, cleaner air, hurricane and flood protection, recreational opportunities, and fresh, healthy food and seafood. These benefits extend to everyone in the Bay's 64,000-square-mile drainage basin, from headwater streams to the Atlantic Ocean.

The peer-reviewed report, produced by economist Spencer Phillips and CBF Senior Scientist Dr. Beth McGee, compared the value of those benefits in 2009, the year before the Chesapeake Clean Water Blueprint began being implemented, to the benefits that can be expected as a result of fully implementing the Blueprint.

The report estimates the value of natural benefits from the pre-Blueprint Bay watershed, even in its polluted and degraded condition, at \$107 billion. Once the Blueprint is fully implemented, that amount grows by 21 percent to \$129.7 billion a year. Equally telling, if the region relaxes efforts

and does little more to clean up the Bay than what has been done to date, pollution will worsen and the value of Bay benefits will decline by almost \$6 billion.

"The conclusion is clear: The region's environmental and economic health will improve when we fully implement the Blueprint," said Co-author Spencer Phillips. "The cleanup plan was designed with the understanding that all people and communities in the watershed can contribute to making our waterways cleaner, and that everyone will benefit when pollution is reduced. Our analysis confirms this."

Implementing the Blueprint will have a significant, positive benefit for Pennsylvania's economy. Once the Blueprint is fully implemented, and the benefits fully realized, the value of the natural services provided would increase by \$6.2 billion annually, from \$32.6 to \$38.8 billion.

"This report clearly validates that there is a real and measurable return on the investment Pennsylvanians have made in clean water for their local rivers and streams, and the Bay," said Harry Campbell, CBF's Pennsylvania Executive Director. "With this report, Pennsylvanians can be assured that cleaning up our waterways will have direct and tangible benefits to the citizens of the Commonwealth."

According to the state's most recent assessment, nearly one-quarter of the state's waterways are polluted – largely by agricultural and urban/suburban polluted runoff. In order to ensure clean, healthy water for future generations and meet our commitments, the state should focus its efforts in three key areas:

- Through education, outreach, and technical assistance, the Department of Environmental Protection (DEP) should accelerate efforts, programs, and funding to ensure that farmers are meeting Pennsylvania's water quality protection laws;
- Accelerate the planting of streamside forested buffers which are the most cost-effective pollution reduction practice available;

- Assist local municipal officials with efforts to decrease polluted runoff from our urban and suburban areas.

The report also identified impressive annual gains in other Bay states from fully implementing the Blueprint. Virginia would see an increase of \$8.3 billion, Maryland \$4.5 billion, New York \$1.9 billion, West Virginia \$1.3 billion, and Delaware \$205 million.

CBF's study addressed only benefits, not costs. While there are no recent estimates of the total costs of implementation, a 2004 estimate put costs in the range of roughly \$6 billion per year.

Considering federal, state and local investments in clean water in the 10 years since that time, we estimate the current number is closer to \$5 billion annually. And once capital investments are made, the long-term annual operations and maintenance costs will be much lower.

The result--the Blueprint will return benefits to the region each year at a rate of more than four times the cost of the clean-up plan.

The complete report can be found [here](#).

WHAT OTHERS ARE SAYING ABOUT CBF'S REPORT:

"Forests, represent nearly two-thirds of the land cover in the watershed, and are critically important for sustaining and improving water quality locally and in the Bay. By calling attention to the role forests play; this report creates an argument for drawing communities into expanding conversations for retaining working forest landscapes.

"It is vital to the success of this effort to understand that forests have economic, social, and, now, documented ecological values. To retain and expand forests in the watershed, communities have to come together to support private forest landowners as they strive to retain and steward these landscapes."

Dr. James C. Finley, Ibberson Professor of Forest Resources and Director Center for Private Forests at Penn State University

"The Chesapeake Bay Foundation reminds us that for all our technological sophistication, nature remains the ultimate source of all economic value. No industry and commerce is possible without clean air and water, fertile topsoil, and the natural recycling of wastes from the millions of people and animals living in our watershed. Healthy forests and waters are crucial to abundant life, and protecting them is the most cost-effective investment we can make."

*Thomas Hylton, Pulitzer Prize-winning journalist and author of *Save Our Land, Save Our Towns**

"We envision the Susquehanna River as a world-class destination for outdoor learning, adventure and inspiration. If we treasure, protect and enhance the river's water quality and natural landscapes, we will reap the economic benefits of river-based tourism for generations to come. This report validates the value of these natural systems to our region's economic well-being – it makes the case that clean water and conserved natural lands mean prosperity."

Mark N. Platts, President, Susquehanna Gateway Heritage Area

"Municipalities that support healthy community designs and principles help to minimize safety issues and health disparities within their communities while also creating more attractive spaces for people to live, work and play, and ultimately also contribute to a stronger local economy."

"Research shows that communities designed for walkability and bikability have healthier residents, and create vital and liveable environments for everyone. The Lighten up Lancaster County Coalition, in partnership with Lancaster General Health, have set a goal to increase the number of communities that support healthy community design, promote physical activity, and result in healthier environments."

Beth K. Schwartz, MSN RN, Healthy Weight Management Coordinator for Lancaster General Health Wellness Center

Source: CBF Press Release, 10/6/2014

2,400 Urban Students to Get Unique Water Education Experience; Officials Gather in Camden to Celebrate First Area Stop for 'Canoemobile'

As many as 2,400 urban students will paddle the Delaware River and other area waterways, test the quality of the waters and learn about key water issues over the next two weeks as the national "Canoemobile" program rolls into Delaware Basin cities.

U.S. EPA Regional Administrator Shawn M. Garvin and officials from federal, state and county agencies gathered in Camden's Wiggins Park Marina today to mark the start of the program for urban students in Camden, Philadelphia, Chester, Wilmington and Reading that runs through October 19.

The Canoemobile – one in a fleet of special vans that each travel the country with six hand-made 24-foot Voyageur canoes – brings environmental education and outdoor learning experiences to underserved, urban youth.

An initiative of the Delaware River Urban Waters Federal Partnership, the program in this area is funded through a \$59,333 Urban Waters Small Grant from the U.S. Environmental Protection Agency, coordinated by the National Park Service's Rivers, Trails and Conservation Assistance program, hosted by local city agencies and parks departments, and implemented by Wilderness Inquiry and a number of community-based organizations. The goal of the Urban Waters Partnership is to connect residents and communities with their local water resources so that they work hard to protect them.

"This program will help to enrich lives and enhance environmental stewardship in our urban students, many of whom are getting their first experience on the water," said EPA Regional Administrator Shawn M. Garvin. "These students will then bring back what they've learned to their families, friends and communities."

"The Park Service is a proud supporter of the Canoemobile project," shared Brian Strack, Associate Regional Director for the National Park Service Northeast Region. "We firmly believe that when young people have fun in the outdoors through activities like this, it will help engage the next generation of stewards for our local, state and national parks."

"Canoemobile is a wonderful example of Federal agencies working with each other and with local stakeholders to provide an enriching experience for urban youth to explore the outdoors", says Sarah Low, Philadelphia Field Station Coordinator from the USDA Forest Service. "Canoeing on the river is an opportunity for youth to see their city from a new perspective, a greener and more natural perspective. Working together we can make our cities healthier, more resilient places to live and recreate."

Nearly 70 4th-8th grade students from Camden Forward School and 30 from Pennsauken Technical High School participated in the event along the Delaware today. They paddled in the large canoes around Wiggins Park Marina and the Delaware as a floating classroom, and rotated through a series of stations on land to learn about the ecology, cultural history and water quality of the river. Each canoe holds up to nine students and chaperones under the leadership of an environmental educator.

The land-based programming was coordinated by the National Park Service through the Camden Collaborative Initiative Environmental Education Working Group. It includes:

- Camden Children's Garden – Race for the Sun (relay race where students learn what plants need to grow)
- Former Parks Service ranger, Revolutionary War history on the Delaware River
- Center for Aquatic Sciences at Adventure Aquarium – water quality testing of Delaware River samples for nitrate, pH, turbidity and temperature
- Camden Environmental Education Working Group – materials for teachers

For a full schedule of Canoemobile activities visit:

<http://www.wildernessinquiry.org/programs/canoemobile/canoemobile-schedule/>

For more information on the Canoemobile, visit www.wildernessinquiry.org/programs/canoemobile

For more information on recent EPA Urban Waters Small Grant awards, visit
<http://www2.epa.gov/urbanwaters/urban-waters-small-grants>

Source: EPA Press Release, 10/7/2014

EPA Increases Access to Chemical Information; Agency seeks input on improvements

The U.S. Environmental Protection Agency (EPA) has posted additional data and added new functions to ChemView, EPA's publicly-accessible, one-stop online tool to find information for chemicals regulated under the Toxic Substances Control Act (TSCA).

"In the absence of TSCA reform, EPA is moving ahead to improve access to chemical health and safety information, and increase the dialogue to help the public choose safer ingredients used in everyday products," said James Jones, Assistant Administrator for the Office of Chemical Safety and Pollution Prevention. "The additional data along with a customer satisfaction survey will make chemical information more readily available for decision-makers and consumers."

The enhanced data functions include: improving the display and content for the Chemical Data Reporting information, adding a new link that displays the pollution prevention information generated as part of the Toxics Release Inventory program, and launching an administrative tool that will save EPA resources by streamlining the loading of future information.

The updated database now includes the following new information: 244 consent orders, an additional 1,205 Significant New Use Rules

(SNURs) for new and existing chemicals, 16 additional chemicals with test rule data, and updates to the Safer Chemicals Ingredient List. This is the first time EPA has posted consent orders and new chemical SNURs to ChemView. With these additions, ChemView now contains information on almost 10,000 chemicals.

EPA is also encouraging people to complete a ten minute customer satisfaction survey to help guide future improvements to ChemView. This survey asks about how people use ChemView, the usefulness of the tool, how it can be optimized to help advance chemical safety, and suggestions for additional content and functionality. EPA will use the information from the survey to continuously improve ChemView.

ChemView was launched in 2013 to increase the availability of information on chemicals as part of a commitment to strengthen the existing chemicals program and improve access to and usefulness of chemical data and information. The tool displays key health and safety information and uses data in a format that allows quick understanding, with links to more detailed information. Searches can be conducted by chemical name or Chemical Abstracts Service number, use, hazard effect, or regulatory action and has the flexibility to create tailored views of the information on individual chemicals.

By increasing health and safety information and identifying safer chemical ingredients, manufacturers and retailers will have the information to better differentiate their products by using safer ingredients.

To complete the survey, or to view and search ChemView, visit:
<http://www.epa.gov/oppt/existingchemicals/chemview/index.html>

Source: EPA Press Release, 10/7/2014

Senators Scarnati and Pileggi Comment on the Passing of Senator Mike Waugh

On October 8, 2014, Senate President Pro Tempore Joe Scarnati (R-25) and Senate Majority Leader Dominic Pileggi (R-9) issued the following statement regarding the passing of former Senator Mike Waugh:

"Mike Waugh was a good man and a good friend. As a member of the General Assembly - first in the House, then in the Senate - he quickly became a statewide leader on agricultural issues. Mike earned universal respect from his colleagues with the quiet, determined way he approached issues.

"He loved York County and worked tirelessly to advance issues important to his constituents. We are all better people for having known and worked with Mike. We will miss him terribly and extend our deepest sympathies to his family and friends."

Source: Senator Scarnati Press Release, 10/8/2014

Public Comment Period Extended to November 14 for Clean Water Proposal

EPA and the U.S. Army Corps of Engineers have always maintained that having the latest peer-reviewed science is an essential part of determining jurisdiction of the Clean Water Act. The Scientific Advisory Board (SAB) will soon complete its peer review of the report on the connectivity of streams and wetlands.

To provide the public with the opportunity to comment on the SAB review and in response to requests for additional time to comment on the proposed Waters of the U.S. rule, the agencies are extending the public comment period to Friday, November 14, 2014.

Read more [here](#).

Source: Water Headlines from EPA, 10/8/2014

DEP Submits Comments on EPA's Waters of the U.S. Rule

On October 8, 2014, the Department of Environmental Protection submitted comments to the U.S. Environmental Protection Agency on its proposed clarification of the Waters of the United States <http://www2.epa.gov/uswaters> rule which determines when water quality permits are needed. In its letter, DEP said, "The rule as drafted creates more confusion than it clarifies, and is already subject to differing interpretations of EPA and U.S. Army Corps of Engineers staff. This confusion will delay permitting and could undermine strong state programs."

DEP recommended the proposed rule be withdrawn and substantially revised.

DEP said EPA failed to recognize Pennsylvania's Clean Streams Law already broadly protects all the waters of the Commonwealth without the confusion of the EPA rule.

Former DEP Secretary Chris Abruzzo told the Citizens Advisory Council in May the changes in the Waters of the United States definition will not have much impact on Pennsylvania programs because the state's water quality programs already exceed minimum federal requirements.

A copy of the comments is available online <https://drive.google.com/file/d/0B4Y3VQLxjkxOZHBNZkVSNXJyQ0U/view?pli=1>.

Source: PA Environmental Digest, 10/13/2014

EPA Releases Tool for Water Utilities on Flood Resilience

EPA has released "Flood Resilience: A Basic Guide for Water and Wastewater Utilities." Drinking water and wastewater utilities are particularly vulnerable to flooding, which can damage pumps, disconnect chemical tanks, break distribution lines, and disrupt power supply.

Targeted to small and medium utilities, the Guide outlines a simple, four-step assessment process to help any water utility know their flooding threat and identify practical mitigation options to protect critical assets. With a user-friendly layout, the Guide provides worksheets, instructional videos, and flood maps to help utilities through the process.

Learn [more](#).

Source: Water Headlines from EPA, 10/8/2014

Commemoration of the 40th Anniversary of the Safe Drinking Water Act

The U.S. Environmental Protection Agency is celebrating the 40th anniversary of the Safe Drinking Water Act (SDWA)! Safe drinking water is essential for healthy communities and is central to virtually every aspect of our local and national economies. We are commemorating this important milestone through a communication campaign aimed at bringing awareness to the importance of drinking water services throughout our nation. We are inviting you to be a part of this effort and share in the celebration of our collective accomplishments over the past 40 years.

Website: Information on anniversary activities and achievements will come from a variety of sources. We have launched a website with information on the [SDWA 40th Anniversary](#) as the primary portal of this information. This website features the history and milestones of the Act, K-12 educational resources, and links to drinking water blogs. Be sure to read my personal [blog](#) on SDWA's 40th Birthday.

Social Media: We will be using social media on a regular basis to highlight our drinking water accomplishments over the past 40 years and share stories of ongoing challenges. Please follow us on [Twitter](#) or [Facebook](#) and be sure to use [#safe2drink](#) to link your posts back to this effort.

Events: We have also planned local events to honor this important anniversary. The first event, "Toast to Tap" was held on October 2, 2014 in

Washington, DC. This event was co-hosted with national drinking water organizations and regional water utilities to educate the public on the importance of water to our local economy by 1) highlighting the link between clean, safe water and everyday products and 2) raising awareness about the regulatory framework that protects drinking water quality. A second event in December, 2014 in Washington, DC will be geared toward leading drinking water experts that have dedicated their careers to protecting public health through safe drinking water. Please consider attending an event or inviting an EPA Office of Water official to participate in events, conferences, and workshops you may be planning related to SDWA's 40th Anniversary.

Be sure to check our website and social media accounts often as new information will be posted regularly. Thank you for your continued service to the American people through your many contributions in research, provision, and protection of safe drinking water. We are proud to have you as partners. Feel free to contact Roy Simon (roy.simon@epa.gov or 202-564-3868) for opportunities to be a part of this campaign.

Thanks for all you do to protect safe drinking water!

Source: EPA, 10/9/2014

EPA Provides Technical Assistance to Five Communities for Integrated Planning of Stormwater and Wastewater Projects

The U.S. Environmental Protection Agency is providing \$335,000 in technical assistance to five communities to help them develop components of integrated plans for wastewater and stormwater management.

"EPA is committed to helping communities meet their requirements and goals for water projects that benefit public health, the environment, and the local economy," said EPA Administrator Gina McCarthy.

"Integrated planning provides the important flexibility that cities and towns need to address water challenges in an efficient and effective manner."

Integrated planning lets communities sequence projects so they can start those with the highest priority first. EPA technical assistance will help recipients meet Clean Water Act requirements for water management in a cost-effective and environmentally beneficial way. EPA, states and municipalities have historically focused on meeting each Clean Water Act requirement separately, an approach that may have constrained communities from addressing the most serious water issues first.

In June 2012, EPA issued a framework promoting an integrated planning approach after working closely with state authorities, local governments, water utilities, and environmental groups.

In May 2014, 28 communities responded to EPA's request for letters of interest in technical assistance. EPA made its decision after evaluating the letters' consideration of several factors, including human health and water quality challenges, innovative approaches, community and national impacts, and commitment to integrated planning.

The selected communities are

- Burlington, Vt.: The City of Burlington proposed to evaluate its financial capability to fund an integrated stormwater and wastewater program; develop criteria for prioritizing community wastewater and stormwater needs based on social, economic and environmental factors; develop a list of example projects that rank highly based on these criteria; and evaluate innovative methods of pollutant reduction.
- Durham, N.H.: The Town of Durham and the University of New Hampshire proposed to evaluate opportunities to consolidate wastewater and stormwater resources, develop a wastewater and stormwater funding strategy, and develop a toolkit for tracking pollutant load contributions and reductions from wastewater and stormwater.

- Santa Maria, Calif.: The City of Santa Maria proposed to develop an asset management approach to prioritize investments, identify innovative approaches such as green infrastructure, and identify environmental and public health benefits.
- Springfield, Mo.: The City of Springfield, Greene County and City Utilities of Springfield proposed to develop a decision analysis tool to prioritize investments. The tool will identify, characterize and evaluate key pollutants and sources of water pollution.
- Onondaga County, N.Y.: The Onondaga County Department of Water Environment Protection proposed to outline a process to engage stakeholders and identify, evaluate, and select stormwater and wastewater projects.

These five projects will provide examples of how communities can develop integrated plans to address components of Clean Water Act permits. The projects will also provide useful information and transferable tools for other communities interested in integrated planning.

More information is available at
<http://water.epa.gov/polwaste/npdes/stormwater/Integrated-Municipal-Stormwater-and-Wastewater-Plans.cfm> .

Source: EPA Press Release, 10/10/2014

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