
WUC

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



GOVERNMENT RELATIONS UPDATE

From Gmerek Government Relations, Inc.

212 Locust Street ♦ Suite 300 ♦ Harrisburg, PA 17101 ♦ Phone: 717-234-8525 ♦ Cell: 717-574-3963 ♦ Fax:
717-234-8812 ♦ Erik A. Ross, Senior Lobbyist ♦ www.ggrgov.com

Harrisburg, PA

eross@ggrgov.com

August 17, 2015 -- Issue 953

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

DEP Offers Funding for Projects to Improve Local Water Quality by Reducing Stormwater Runoff; Grants will fund urban stormwater best management practices in Chesapeake Bay Watershed

The Department of Environmental Protection (DEP) has opened a grant program to control urban stormwater and improve local water quality. Municipalities, including cities, boroughs, or incorporated towns within the Chesapeake Bay Watershed are eligible to apply.

"Urban stormwater runoff has a big role in local water quality, it's so important to manage that stormwater properly to prevent pollution from reaching our waterways," said DEP Secretary John Quigley. "These grants will serve as a valuable tool to enable local governments to improve their urban stormwater management and ultimately, their water quality and that of their neighbors downstream."

The grants will fund construction of urban stormwater best management practices (BMPs) to reduce the discharge of nutrients and sediments delivered to local waterways, and ultimately, the Chesapeake Bay. Eligible projects include but are not limited to:

- Rain gardens/bioretenion
- Permeable pavement
- Urban stream restoration
- Urban tree planting
- Green roofs
- Wetlands and wet ponds

Projects must be complete within two years of grant award. Grants will be selected on a competitive basis.

The money for these grants is provided by the U. S. Environmental Protection Agency. There is \$2,300,000 available for the grant program. The maximum funding amount per applicant is \$200,000.

Projects cannot be associated with new development or for new detention basins. Projects must be within urbanized areas according to the latest Decennial Census in which National Pollutant Discharge Elimination System (NPDES) permit coverage is required for the discharge of stormwater

from municipal separate storm sewer systems, or for discharges from combined sewer overflows through combined sewer systems.

Click [here](#) to apply, or contact Leif Rowles at lerowles@pa.gov or 717-783-2290. Grant applications are due no later than October 9.

NOTE: Pennsylvania's Chesapeake Bay Watershed includes the following counties:

- Adams
- Bedford
- Blair
- Bradford
- Cambria
- Cameron
- Centre
- Clearfield
- Clinton
- Columbia
- Cumberland
- Elk
- Franklin
- Fulton
- Huntingdon
- Juniata
- Lackawanna
- Lancaster
- Lebanon
- Luzerne
- Lycoming
- Mifflin
- Montour
- Northumberland
- Perry
- Potter
- Schuylkill
- Snyder
- Sullivan
- Susquehanna
- Tioga
- Union
- Wyoming
- York

Source: DEP Press Release, 8/10/2015

DEP Releases Latest Revisions of Oil and Gas Rulemaking

The Department of Environmental Protection (DEP) announced the draft final revisions to the "Environmental Protection Performance Standards at Oil and Gas Well Sites" rulemaking (Chapters 78 and 78a). This revision continues DEP's commitment to modernizing and strengthening the environmental controls employed by both the conventional and unconventional industries to assure the protection of public health, safety, and the environment.

"Responsible energy development in Pennsylvania is key to the commonwealth's future," said DEP Secretary John Quigley. "We are committed to protecting our natural resources, and these rules strengthen safeguards for our water and environment."

"These rules are the culmination of one of the largest public participation efforts the department has ever seen, with nearly 30,000 comments and 12 public hearings during two public comment periods," said Quigley.

The amendments to the oil and gas regulations began in 2011 to address surface activities at well sites, and center on five core areas. The amendments:

- Improve protection of water resources
- Add public resources considerations
- Protect public health and safety
- Address landowner concerns
- Enhance transparency and improve data management

"We asked the people of Pennsylvania for their concerns about developing oil and gas resources in the commonwealth, and they answered," said Quigley. "These amendments reflect a balance between meeting the needs of the industry and the needs of public health and the environment; all while enabling drilling to proceed."

After the latest round of public comment, two significant changes were made. DEP decided not to include the provisions for noise mitigation and centralized storage tanks for wastewater in the final regulations. Because of the complex nature of noise mitigation, it was determined that a separate process is more appropriate to address those concerns. In terms of centralized storage tanks, the department decided to remove this provision because these facilities will continue to be regulated under the residual waste regulations.

In addition, changes were made in this latest draft to address comments received and add clarity.

The amendments will be discussed at the upcoming meetings of the Conventional Oil and Gas Advisory Committee (COGAC) and, Oil and Gas Technical Advisory Board (TAB) in late August and early September, respectively. DEP will be working with these advisory committees to ensure the amendments are technically sound.

COGAC will discuss Chapter 78 (conventional) on August 27, 2015, at 10 A.M. in Room 105 of the Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101. This meeting will also be conducted via webinar. Click [here](#) to register for the morning session and click [here](#) to register for the afternoon session.

TAB will discuss Chapter 78a (unconventional) and Chapter 78 (conventional) on September 2, 2015, at 10 A.M. in Room 105 of the Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101. This meeting will also be conducted via webinar. Click [here](#) to register for the morning session and click [here](#) to register for the afternoon session.

For more information, or to view the rulemaking, click [here](#) or visit www.dep.state.pa.us and click the "Oil and Gas Rulemaking" button.

Source: DEP Press Release, 8/12/2015

Case Studies on Implementing Low-Cost Modifications to Improve

Nutrient Reduction at Wastewater Treatment Plants

Nutrient pollution is one of America's costliest and most challenging environmental problems. However, many of the nation's wastewater plants were not designed for nutrient removal and major retrofits may be a significant hurdle. This report showcases communities where lower cost plant modifications can reduce nitrogen discharge levels (ranging from about 20% to 70%), under specific circumstances. We found that in most cases, the activities' effects were positive, allowing for better energy efficiency, lower operational costs and improved process performance. Read the report [here](#).

EPA is interested in learning of additional communities' successes and intends to update this document to help more of the nation's wastewater treatment plants make progress towards additional nutrient reductions. Interested parties are invited to comment and recommend additional case studies by December 15, 2015 to POTWOptiNP@epa.gov.

Source: EPA Water Headlines, 8/13/2015

Survey of Great Lakes' Estuaries and Shorelines Underway

The National Coastal Condition Assessment (NCCA) is one of four surveys conducted by EPA in partnership with states and other federal agencies. During the summer of 2015, crews are collecting water, sediment and fish tissue samples from more than 1000 randomly sites in estuaries and along the Great Lake shoreline. This information will be used by EPA and its partners to develop a report on the status and trends of the nation's coastal waters. EPA is finishing up a report from the NCCA 2010 as well as reports on lakes, rivers/streams and wetlands as part of the National Aquatic Resource Surveys.

Recently, Wisconsin Public Radio highlighted this partnership in a discussion with Wisconsin DNR. <http://www.wpr.org/state-will-collect-data-help-gauge-health-great-lakes-part-federal-effort>

Source: EPA Water Headlines, 8/13/2015

Updated Data Now Available in EPA's Nitrogen and Phosphorus Pollution Data Access Tool (NPDAT)

EPA has added updated data in the NPDAT, a tool intended to help states develop effective nitrogen and phosphorus source reduction strategies. The data layer "Facilities Likely to Discharge Nitrogen/Phosphorus (N/P) to Water" now provides information on N/P discharges from 2014 facility monitoring reports (previously 2013 information was the most current information available through the EPA's data access tool) and corresponding nitrogen and phosphorus limits from EPA's Discharge Monitoring Report (DMR) Pollutant Loading Tool. Second, the "Waters Listed for N/P Impairments" and "Waters with N/P Total Maximum Daily Loads (TMDLs)" data layers now reflect data pulled from the Assessment TMDL Tracking and Implementation System (ATTAINS) as of May 2015 (previously the layers reflected 2014 ATTAINS data). Third, the "Drinking Water Sources" HUC12 Density data layer provides information on surface and ground water sources as of (quarter 4) 2014 (previously the layer reflected 2010 data).

NPDAT and the updated data layers are available at: www.epa.gov/nutrientpollution/npdat .

Source: EPA Water Headlines, 8/13/2015

EPA Launches New CWSRF Website

Over its lifetime, EPA's Clean Water State Revolving Fund has provided more than \$105 billion of financing for water infrastructure projects. This state-federal

partnership program has provided almost 35,000 loans for communities of all kinds nationwide. Now the CWSRF has a new website covering all facets of the program. For example, the site includes information on types of projects eligible for funding, types of financial assistance offered, and data on the program's environmental benefits and lifetime accomplishments. Parties seeking funding can use the site to link to their state CWSRF program. Visit the site at <http://www2.epa.gov/cwsrf> .

Source: EPA Water Headlines, 8/13/2015

DEP: Public Notice of Draft NPDES General Permit for Stormwater Discharges from Small Municipal Separate Storm Systems (PAG-13); Extension of Public Comment Period

The Department of Environmental Protection's (DEP) announced it is extending the public comment period for the draft National Pollutant Discharge Elimination System (NPDES) General Permit for Stormwater Discharges from Small Municipal Separate Storm Sewer Systems (PAG-13) through August 31, 2015. Questions regarding the draft PAG-13 General Permit should be directed to Bureau of Point and Non-Point Source Management, (717) 787-8184, RA-EPPAMS4@pa.gov .

Source: PA Bulletin, [8/15/2015](http://www.pabulletin.com)

#####

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.