
WUC

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
National Association of Water Companies
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DEP Reignites Initiative to Improve Effectiveness, Consistency of Inspections, Compliance and Enforcement Activities

DEP recently announced it is restarting a process to improve statewide consistency in the way DEP conducts inspections of regulated entities and activities, ensures compliance with state and federal laws and regulations, and handles enforcement cases.

"The result of this process will be a general, inspection, compliance, and enforcement policy aimed at improving consistency for all our program-specific policies," said DEP Secretary John Quigley. "This foundation will help to ensure that our work across all programs is internally aligned, consistent, and in compliance with state and federal regulatory requirements."

Read [more](#).

Source: DEP News, 4/14/2016

Expedited Permitting Subject of Senate Hearing

DEP Secretary John Quigley testified before a joint hearing of the Senate Majority Policy and Senate Democratic Policy Committees on April 11 to discuss DEP's efforts to expedite the permitting process.

"We recognize the important public policy imperative of facilitating economic growth," Quigley said. "DEP's regulatory responsibilities apply equally to economic development projects, so, the challenge is to accommodate economic development and help create new opportunities in Pennsylvania communities large and small without compromising public health and the environment."

Quigley talked about the impacts of staff reductions and cuts in the agency's information technology budget. He pointed out the most significant cause for delay in environmental permitting is deficiencies in the quality and completeness of permit applications when they come in the door.

Read his full testimony [here](#).

Source: DEP News, 4/14/2016

Small Water Systems Technical Assistance Center Board Meeting Cancellation and Rescheduled Meeting

The April 28, 2016, meeting of the Small Water Systems Technical Assistance Center Board (Board) has been cancelled. Additionally, the June 1, 2016, meeting of the Board has been rescheduled for Thursday, June 23, 2016, at 9 a.m. in Susquehanna Room, Fish and Boat Commission Building, 1601 Elmerton Avenue, Harrisburg.

Questions concerning the cancellation of the April 28, 2016, meeting or the June 23, 2016, meeting may be directed to Dawn Hissner, Bureau of Safe Drinking Water, (717) 772-2189 or dhissner@pa.gov. The agenda and meeting materials will be available through the Public Participation tab on the Department of Environmental Protection's website.

Source: PA Bulletin, [4/16/2016](#)

DEP Begins Helicopter Spraying to Control Black Flies

The Department of Environmental Protection (DEP) has begun aerial spraying on more than 1,600 stream miles in 39 Pennsylvania counties to control black flies, also referred to as gnats.

The first aerial spraying took place on April 11 on the Juniata River, Schuylkill River, Delaware River, and several of their smaller tributaries. Other waterways will be treated as stream flows and weather conditions allow.

"This annual initiative reduces the nuisance of black flies so Pennsylvanians can enjoy our state's waterways," DEP Secretary John Quigley said.

This year, 47 of Pennsylvania's rivers and streams will be monitored and treated as needed. Spraying activities will be performed both by helicopter and ground crews; their frequency will depend upon weather and biological conditions. Treatments cannot occur during periods of heavy rain or when water levels are high as high water conditions lower the effectiveness of the treatment.

DEP uses Bti, a naturally occurring bacterium, to treat the larval stage of four specific human pest black fly species. This bacterium degrades quickly in the environment and does not harm the aquatic ecosystem, birds, or other insects.

DEP notifies county and local emergency management officials prior to any spraying activity. Helicopters seen flying over waterways and ground crews using backpack sprayers off bridges are conducting control operations on behalf of DEP's black fly program. Anyone concerned at the sight of a helicopter or ground personnel is encouraged to call their county emergency management office to verify that a black fly treatment is taking place in their area on that day.

For more information on Pennsylvania's Black Fly Suppression Program, click [here](#) or visit www.dep.pa.gov.

NOTE: Below is a list of the waterways to be sprayed for black flies, by county:

Adams

- Conewago Creek

Armstrong

- Allegheny River
- Kiskiminetas River
- Mahoning Creek
- Redbank Creek

Beaver

- Connoquenessing Creek

Berks

- Manatawny Creek
- Schuylkill River
- Tulpehocken Creek

Bradford

- Chemung River
- North Branch Susquehanna River

Bucks

- Delaware River
- Tohickon Creek

Butler

- Slippery Rock Creek

Chester

- Brandywine Creek
- Octoraro Creek
- Schuylkill River
- French Creek

Clarion

- Allegheny River
- Clarion River
- Redbank Creek

Clearfield

- Chest Creek
- West Branch Susquehanna River

Clinton

- West Branch Susquehanna River
- Bald Eagle Creek

Columbia

- Fishing Creek
- North Branch Susquehanna River

Cumberland

- Conodoguinet Creek
- Susquehanna River
- Yellow Breeches Creek

Dauphin

- Juniata River
- Mahantango Creek
- Susquehanna River
- Swatara Creek

Elk

- Clarion River

Fayette

- Youghiogheny River

Forest

- Allegheny River
- Clarion River
- Tionesta Creek

Huntingdon

- Aughwick Creek
- Frankstown Branch Juniata River
- Juniata River

Indiana

- Conemaugh River
- Kiskiminetas River

Juniata

- Juniata River
- Susquehanna River
- Tuscarora Creek

Lawrence

- Connoquenessing Creek
- Neshannock Creek
- Slippery Rock Creek

Lehigh

- Lehigh River

Luzerne

- North Branch Susquehanna River

Lycoming

- Loyalsock Creek
- Pine Creek
- West Branch Susquehanna River

Mifflin

- Juniata River

Montgomery

- Manatawny Creek
- Perkiomen Creek

Northampton

- Delaware River
- Lehigh River

Northumberland

- North Branch Susquehanna River
- West Branch Susquehanna River
- Main Stem Susquehanna River
- Mahantango Creek

Perry

- Juniata River
- Sherman Creek
- Susquehanna River

Schuylkill

- Schuylkill River

Snyder

- Middle Creek
- Penns Creek
- Susquehanna River

Union

- Penns Creek
- West Branch Susquehanna River

Venango

- Allegheny River
- French Creek
- Oil Creek
- Sandy Creek
- Sugar Creek

Warren

- Allegheny River
- Brokenstraw Creek
- Conewango Creek

Westmoreland

- Conemaugh River
- Kiskiminetas River
- Loyalhanna Creek
- Youghiogheny River

Wyoming

- North Branch Susquehanna River
- Tunkhannock Creek

York

- Conewago Creek
- Susquehanna River
- Yellow Breeches Creek

Source: DEP Press Release, 4/13/2016

Chairman Adolph Applauds Passage of Fiscal Code

Rep. William F. Adolph (R-Delaware), chairman of the House Appropriations Committee, issued the following statement in regard to the passage of [House Bill 1589](#), which would be the Fiscal Code for the 2015-16 Fiscal Year:

“Today the House took the final steps in completing the budget for the 2015-16 Fiscal Year. In a large bipartisan vote, the House passed House Bill 1589 by a vote of 149 to 45. Now this legislation will head to the governor’s desk where it should be signed into law. This legislation is important because the Fiscal Code is necessary to drive out much of the funding contained in the budget that became law on March 28. This legislation will help drive out money to our hospitals, nonprofits, health organizations, and most importantly, our school districts.

“House Bill 1589 will use the fair and equitable formula that was devised and approved unanimously by the bipartisan Basic Education Funding Commission. This legislation will also create a fair system for distributing money from the Ready-to-Learn Block Grant. The distribution of school funds in this legislation will benefit 428 out of 500 schools districts as compared to Gov. Tom Wolf’s proposed distribution.

“The passage of this legislation will also give our school districts their construction reimbursement funds. Through a bond program, we will be able to not only meet the current year’s state obligations to our school’s construction projects, but we will also ensure that our obligations to current construction projects will be met in future years. The large bipartisan vote should hopefully encourage the governor to sign this legislation into law.”

Source: Rep. Adolph Press Release, 4/13/2016

Godshall Bill to Address Deteriorating Water and Wastewater Infrastructure Becomes Law

Legislation sponsored by Rep. Robert Godshall (R-Montgomery) to fix deteriorating water and wastewater systems while protecting ratepayers was signed into law on April 14, 2016 by Gov. Tom Wolf.

“Currently, there are community-owned and private water and wastewater utilities whose system infrastructure is in dire need of repair or replacement, but system owners cannot afford to make the needed upgrades without sharp rate increases for customers,” said Godshall, who is chairman of the House Consumer Affairs Committee.

“House Bill 1326 enables these utilities to be acquired by larger companies that are regulated by the Pennsylvania Public Utility Commission (PUC) and are capable of making the needed improvements and avoiding rate shock for consumers. Municipal utilities are not regulated by the PUC.

“Our present methods of valuating utility property discouraged these acquisitions because the purchasing utility might not be able to recover its investment. However, my bill establishes a process by which the fair market value can be determined for rate-making purposes. It offers accountability and predictability for utility customers.”

Under this new law, the PUC will be responsible for approving all public utility acquisitions, appraisals and post-acquisition rates and, in doing so, would establish a fair market value. The purchasing utility would make the needed improvements, ensuring a safe, reliable water or wastewater system for its customers.

Utility rates for consumers cannot change before the purchasing utility goes before the PUC for a rate adjustment. It is the PUC’s responsibility to ensure fairness for consumers, which may involve a phase-

in of rates if necessary infrastructure improvements are extensive.

“Many communities across this Commonwealth have aging water and wastewater systems,” said Godshall. “This new law will help to ensure the integrity of those systems and a fair price to consumers.”

Source: Rep. Godshall Press Release, 4/14/2016

Lt. Governor Stack, State Senators Back Two-Year State Budget Cycle

A Group of Democratic and Republican state Senators joined Lt. Governor Mike Stack to express support for adopting a two-year state budget cycle to replace the current annual process. At a press conference in the state Capitol, they announced the introduction of a constitutional amendment, sponsored by Republican Ryan Aument of Lancaster County, aimed at implementing that change.

Stack said a biennial budget presents certain advantages. Among those are:

- Greater stability and more accurate planning for state government agencies;
- Greater predictability and stability for those who rely significantly on state funding, such as school districts, human service agencies, and others;
- Less taxpayer-funded time spent on annual rounds of budget hearings, negotiating sessions, financial analysis and budget-related press conferences and lobbying efforts;
- More time and energy to focus on other issues.
- Reducing the level of partisan contentiousness in state government, which is fueled by budget battles more than any other single cause.

Until March, Pennsylvania went nearly nine months without a complete state budget for the 2015-16 fiscal year, which began on July 1.

“The current 12-month cycle, even when there is no impasse, consumes far too much time and

attention by the Legislature and others in state government. It crowds out work we should be doing to address other important issues on behalf of the people of Pennsylvania, and it is unnecessary,” Stack said.

Aument has introduced Senate Bill 1171, which would establish a two-year cycle. Republican Mike Folmer of Lebanon, and Democrats Andy Dinniman of Chester and John Yudichak of Luzerne, also joined Stack and Aument in supporting the proposal. Several other Senators from both parties who could not attend the press conference also support the measure.

“I came to the Senate to solve problems, not create them, and it is our duty to work together to make things better, not worse,” Aument said. “It is for this reason that I am proud to stand with my colleagues, both Republicans and Democrats alike, to say together that we understand there is a problem and we are willing to work together to fix it.”

"A two-year budget would instill greater foresight, planning and accountability into the process at the state level while giving local entities that utilize state dollars more time to efficiently and realistically formulate and budget their expenditures", said Senator Lisa Boscola, a Democrat representing Northampton/Lehigh.

“A two-year budget cycle that coincides with a two-year legislative session will promote fiscal stability through long-range planning and a comprehensive budget document that sets the stage for predictable, reliable investments in PA,” said Yudichak.

Stack, who spent 14 years as a state senator before assuming his current office, pointed out that the Governor’s Budget Office and the Independent Fiscal Office already make multi-year revenue projections for the future. He believes the Legislature and the governor could negotiate appropriations and revenues for two-year periods, and revise them as needed during the ensuing 24 months. That already takes place through occasional supplemental appropriations in a 12-month cycle.

“It might require us to make several slight adjustments during the two-year period, but that is much better than the near-constant arguing over the budget that occupies most of the calendar year now,” Stack said.

Stack wrote an opinion column, published in the Pittsburgh Post-Gazette on November 19, supporting a switch to a two-year state budget. A link to the article is [here](#).

Source: Lt. Governor Stack Press Release, 4/13/2016

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