
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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Water Infrastructure and Finance Innovation Act (WIFIA) ICR Public Comment Period is Open

On May 23, EPA published the Water Infrastructure and Finance Innovation Act (WIFIA) Information Collection Request and draft application materials for public comment. The collection of information is necessary in order to receive applications for credit assistance pursuant to the 2014 Water Resources Reform Development Act (WRRDA) section 5021, Water Infrastructure Finance and Innovation Act (WIFIA) of 2014.

The purpose of the WIFIA program is to provide federal credit assistance in the form of direct loans and loan guarantees to eligible clean water and drinking water projects. The public comment period will run until July 22, 2016.

Learn [More](#).

Source: Water Headlines from EPA, 6/1/2016

Webinar on Customer Assistance Programs Set for June 7

EPA is hosting a webinar on June 7, 2016, from 2:30 pm to 3:30 pm ET on customer assistance programs (CAPs). Drinking water and wastewater utilities have created these programs for those who have difficulty paying for water and sewer bills.

Register for this webinar to learn how CAPs are helping all customers receive the public health benefits of drinking water and wastewater services while also helping utilities meet their financial needs and obligations. The webinar will feature programs from San Antonio Water System (TX) and Portland Water Bureau (OR).

Register [Here](#).

Source: Water Headlines from EPA, 6/1/2016

Webinar Introducing the Updated Water and

Wastewater Competency Model Set for June 14

On June 14, 2016, from 12:00 pm to 1:30 pm EDT, DOL in collaboration with EPA, AWWA, WEF, RCAP and NRW will be hosting a webinar to discuss the updated version of the Water and Wastewater Competency Model. The Water and Wastewater Competency Model is a collaboration between U.S. Department of Labor, Employment and Training Administration (ETA), EPA, AWWA, WEF, RCAP and NRW. The model provides a clear description of the core competencies required for field staff and operators in the water and wastewater field. The model serves as a resource to inform discussions among industry leaders, educators, economic developers, and public workforce investment professionals.

From the Drinking Water Program perspective, the new model offers several benefits: assists in the creation of training programs for water professionals; helps water systems in recruitment and hiring, as well as identifying training needs for their operators; provides insights into how drinking water training programs can be enhanced; and provides a common framework of core competencies across the water treatment community.

Register [Here](#).

Source: Water Headlines from EPA, 6/1/2016

U.S., Maryland Amend Agreement with Baltimore City to Curtail Sewer Overflows and Improve Water Quality; Requires Annual Public Progress Reporting

The U.S. Environmental Protection Agency, the U. S. Department of Justice, and the Maryland Department of the Environment

today announced a proposed modification to a 2002 federal consent decree with the City of Baltimore to eliminate overflows from the sanitary sewer system known as SSOs. The proposed modification establishes additional control measures, and provides more transparency to the public, as well as a new timeline to address the SSOs.

The proposed modification calls for a two-phased approach. Phase I, which is currently taking place, requires Baltimore to address a "significant hydraulic restriction" that impacts sewage flow into the Back River wastewater treatment plant, structural improvements, and a series of pipeline upgrades. Phase I, which is designed to control most of the overflows, must be completed by January 2021.

"We anticipate that the work being performed under the initial phase of this agreement will reduce the volume of Baltimore's current wet weather overflows by about 83 percent within five years," said EPA Regional Administrator Shawn M. Garvin. "This modification presents the best path forward to eliminating sanitary sewer overflows, while also providing greater transparency."

The original consent decree required all work to be completed by January 2016, but it became clear to the parties that due to the hydraulic restriction and other factors, additional time and effort were necessary to bring the system into full compliance with Clean Water Act requirements.

Baltimore already has completed many of the actions mandated by the 2002 consent decree including eliminating combined sewers, sewershed evaluations, eliminating most SSO structures, and rehabilitating pumping stations. Baltimore also has paid approximately \$1.8 million in stipulated penalties for SSOs that occurred prior to 2016.

"This mandate for clean water and public accountability means less sewage in basements, streets, and waterways and more progress for the Chesapeake Bay," said Maryland Secretary of the Environment Ben Grumbles. "Upgrading the sewers and greening the City will improve public health and environmental quality, and that's good news for all of us."

The proposed modification also requires Baltimore to revise its operation and maintenance plan to include regularly scheduled inspections and cleaning of pipes greater than eight-inches in diameter, and to develop a plan to investigate the cause of sewage discharges of unknown origins from sewers. Key new provisions require public notification of sewage discharges through storm sewers and annual public forums for the City to report on the progress achieved under the consent decree.

The modifications will also require the City to be more specific in its Emergency Response Plan to provide notice to the public including location, volumes, water bodies affected and impact on water quality, and procedures for posting signs and limiting access to SSO sites.

After completing Phase I, Baltimore will assess the performance of the completed projects and monitor rainfall and flow in its collection system to develop a Phase II plan, which will be due by December 2022. The modified consent decree requires that Phase II must be completed by December 2030.

Following the completion of Phase II, Baltimore again will monitor its collection system for two additional years with a final report due in July 2033. If during the monitoring period following completion of Phase II, the agencies determine that the rehabilitation projects did not sufficiently eliminate the overflows, the agencies can require Baltimore to implement additional corrective measures.

Under the original consent decree, Baltimore was required to eliminate any remaining combined sewers in the collection system, eliminate structures for sanitary sewer overflows, conduct thorough sewershed evaluations, and propose rehabilitation measures for each of the City's eight sewersheds.

The proposed modification will be open for public comment and requires court approval since it changes the terms and schedule of the original consent decree. The public will have a 60-day period to provide comments on the consent decree modification. All comments will be considered

before the modification can be finalized by the court.

Comments can be submitted by email to pubcomment-ees.enrd@usdoj.gov or by mail to:

Assistant Attorney General
U.S. DOJ - ENRD
P.O. Box 7611
Washington, D.C. 20044-7611

The Maryland Department of the Environment (MDE) will be hosting the public information session from 7 p.m. to 8:30 p.m. on June 7 at the MDE office located at:

1800 Washington Boulevard
Baltimore, MD 21230

The proposed modification to the consent decree will be available at:
<https://www.justice.gov/enrd/consent-decrees>

Source: EPA Press Release, 6/1/2016

Sturla to unveil water fee bill to generate \$245 million for state at Capitol News Conference Monday at 10:30 a.m.

On June 1, 2016, state Rep. Mike Sturla, D-Lancaster announced that he will host a news conference to discuss his House Bill 2114 that could generate \$245 million annually from a water resource fee for major water withdrawals in Pennsylvania.

Weather permitting, the event will be held at 10:30 a.m. Monday, June 6 on the front steps of the Main Capitol Building. In the event of inclement weather, the event will be held in the Main Capitol Rotunda.

Over 5.9 billion gallons of water are reported as used every day in the Commonwealth. Under the state constitution, Pennsylvanians own this water that is currently being used free of charge.

Sturla's legislation would use this revenue to fund state water-related programs, major watersheds, and an optional \$3 billion Growing Greener bond.

Cosponsors and stakeholders that helped to craft the legislation will attend.

Source: Rep. Sturla Media Alert, 6/1/2016

Pennsylvania Revenue Department Releases May 2016 Collections

Pennsylvania collected \$1.9 billion in General Fund revenue in May, which was \$25.4 million, or 1.3 percent, less than anticipated, Secretary of Revenue Eileen McNulty reported today. Fiscal year-to-date General Fund collections total \$27.8 billion, which is \$97 million, or 0.3 percent, above estimate.

Sales tax receipts totaled \$791.2 million for May, \$9.1 million above estimate. Year-to-date sales tax collections total \$8.9 billion, which is \$15.5 million, or 0.2 percent, more than anticipated.

Personal income tax (PIT) revenue in May was \$773.1 million, \$43.9 million below estimate. This brings year-to-date PIT collections to \$11.2 billion, which is \$150.4 million, or 1.3 percent, below estimate.

May **corporation tax revenue** of \$80.5 million was \$20 million below estimate. Year-to-date corporation tax collections total \$4.6 billion, which is \$85.7 million, or 1.9 percent, above estimate.

Inheritance tax revenue for the month was \$82.7 million, \$6.8 million above estimate, bringing the year-to-date total to \$852.3 million, which is \$26.8 million, or 3.2 percent, above estimate.

Realty transfer tax revenue was \$37.8 million for May, \$1 million below estimate, bringing the fiscal-year total to \$427.1 million, which is \$600,000, or 0.1 percent, more than anticipated.

Other General Fund tax revenue, including cigarette, malt beverage, liquor and table games taxes, totaled \$139.5 million for the month, \$19.1 million above estimate and bringing the year-to-date total to \$1.2 billion, which is \$15.8 million, or 1.3 percent, above estimate.

Non-tax revenue totaled \$39.7 million for the month, \$4.5 million above estimate, bringing the year-to-date total to \$614 million, which is \$103.1 million, or 20.2 percent, above estimate.

In addition to the General Fund collections, the **Motor License Fund** received \$253.9 million for the month, \$4.2 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 \$2.4 billion, which is \$33.8 million, or 1.4 percent, below estimate.

Source: Pennsylvania Department of Revenue, 6/1/2016

West Nile Virus-Carrying Mosquito Sample Detected

The Pennsylvania Departments of Environmental Protection (DEP) and Health are reporting the confirmation of the first 2016 detections of West Nile Virus from a Turkey Vulture found in Orrstown Borough, Franklin County, on May 17 and a Red-tailed Hawk found in Worth Township, Centre County, on May 2.

"DEP vigilantly monitors the mosquito population across Pennsylvania with a comprehensive surveillance and control network. When West Nile Virus is identified, DEP staff works quickly to prevent the spread of the virus," said Acting DEP Secretary Patrick McDonnell. "Today's announcement serves as a reminder that all Pennsylvanians should take precautions to protect against mosquitoes."

In 2004, Pennsylvania began its integrated pest management program and has since improved identification and control of mosquito populations. The program routinely surveys counties based on historical West Nile Virus presence. DEP treats

impacted areas using effective and safe control substances when necessary.

Certain mosquito species carry the virus, which may cause humans to contract West Nile fever or West Nile encephalitis, an infection that can result in inflammation of the brain. Last year, West Nile Virus was detected in 56 counties and resulted in 14 human cases, including one fatality.

Although most people do not become ill when infected with West Nile Virus, all are at risk. Older adults and those with compromised immune systems are at the highest risk of becoming ill and developing severe complications.

The best defense against West Nile Virus is to prevent mosquitoes from breeding. Mosquitoes lay their eggs in stagnant water around homes, weeds, tall grass, shrubbery, and discarded tires.

Homeowners should take precautionary measures including:

- Dispose of cans, buckets, plastic containers, ceramic pots or similar containers that hold water.
- Properly dispose of discarded tires that can collect water. Stagnant water is where most mosquitoes breed.
- Drill holes in the bottom of outdoor recycling containers.
- Have clogged roof gutters cleaned every year, particularly if the leaves from surrounding trees have a tendency to plug drains.
- Turn over plastic wading pools when not in use.
- Turn over wheelbarrows and don't let water stagnate in birdbaths.
- Aerate ornamental pools or stock them with fish.
- Clean and chlorinate swimming pools not in use and remove any water that may collect on pool covers.

If a resident has stagnant pools of water on their property, they can buy BTI products at lawn and garden, outdoor supply, home improvement and other stores. This naturally occurring bacterium kills mosquito larva but is safe for people, pets, aquatic life and plants.

Additionally, these simple precautions can prevent mosquito bites, particularly for people who are most at risk:

- Make sure screens fit tightly over doors and windows to keep mosquitoes out of homes.
- Consider wearing long-sleeved shirts, long pants and socks when outdoors, particularly when mosquitoes are most active at dawn and dusk, or in areas known for having large numbers of mosquitoes.
- When possible, reduce outdoor exposure at dawn and dusk during peak mosquito periods, usually April through October.
- Use insect repellants according to the manufacturer's instructions. An effective repellant will contain DEET, picaridin or lemon eucalyptus oil. Consult with a pediatrician or family physician for questions about the use of repellant on children, as repellant is not recommended for children under the age of two months.

For more information about West Nile Virus and the state's surveillance and control program, visit www.westnile.state.pa.us.

Source: DEP Press Release, 6/3/2016

PUC, Governor and EIS Council Host 'Black Sky' Exercise to Prepare for Large-Scale Outage Event

On June 3, 2016, the Pennsylvania Public Utility Commission (PUC) and the Office of the Governor today hosted a "Black Sky" tabletop exercise, bringing together key stakeholders in government, utilities and nonprofit organizations to discuss state-level response to large-scale, hazardous events.

Gov. Tom Wolf attended the event and addressed the more than 130 participants, representing state and federal government agencies; neighboring state utility commissions; military and law enforcement agencies; utility companies;

emergency-response organizations; and nonprofit organizations.

“Many organizations test emergency plans, but rarely do they prepare for a multi-faceted incident quite like a Black Sky event,” said Governor Wolf in his opening remarks. “Such an event would have an extraordinary impact on our society, causing power and service outages that could last days, weeks, even months.

“By being here today, all of you are preparing to minimize the impact of such an event and recover as quickly as possible. You are all doing your part to protect the citizens of Pennsylvania.”

PUC Chairman Gladys M. Brown said, “I assure you – we are all where we need to be right now. By the time you leave here today, you will better understand how crucial it is that we all collaborate in our preparation for a ‘Black Sky’ event. We cannot underscore enough the importance of coordinated preparation – this event today may, in fact, be unprecedented.”

A Black Sky event is defined as an extraordinary, hazardous event producing power outages of a large, regional scale that last significantly longer than typical weather or operational outages. Such a scenario could impact electricity, natural gas, water, wastewater treatment, telecommunications and transportation service. It could be caused by a cybersecurity attack on the electric grid, severe weather or even the detonation of a nuclear or high-energy explosive device.

Today’s exercise, developed and led by the Electric Infrastructure Security (EIS) Council, entailed a full-day training in Hearing Room 1 of the Commonwealth Keystone Building in Harrisburg. Due to the sensitive and confidential nature of the material covered, the event was closed to media and the public.

Jonathon Monken of the EIS Council led participants through the interactive event, joined by colleagues Avi Schnurr, John Twitchell and Kelly Cullinane, as well as Dr. Pina Templeton of the Templeton Foundation. Monken and the EIS Council plan to mimic today’s event across other states.

“Exercises like today’s are the key to reducing the impact of future disasters on people and property, and Pennsylvania is a national leader in proactively addressing these critical challenges before they occur,” said Monken. “Most importantly, it takes the collective work of government, private sector and not-for-profit organizations to recover from Black Sky hazards – and all those sectors are represented here today.”

The Pennsylvania Public Utility Commission balances the needs of consumers and utilities; ensures safe and reliable utility service at reasonable rates; protects the public interest; educates consumers to make independent and informed utility choices; furthers economic development; and fosters new technologies and competitive markets in an environmentally sound manner.

For recent news releases and video of select Commission proceedings or more information about the PUC, visit our website at www.puc.pa.gov. Follow the PUC on Twitter – @PA_PUC for all things utility. “Like” Pennsylvania Public Utility Commission on Facebook for easy access to information on utility issues.

Source: PUC Press Release, 6/3/2016

Availability of NPDES General Permit for Stormwater Discharges from Small Municipal Separate Storm Sewer Systems (PAG-13)

The Department of Environmental Protection announced the availability of a reissued National Pollution Discharge Elimination System (NPDES) PAG-13 General Permit for Stormwater Discharges from Small Municipal Separate Storm Sewer Systems (MS4). The reissued PAG-13 General Permit will become effective at 12 a.m. on March 16, 2018. Additional information and a summary of changes may be found in the Pennsylvania Bulletin.

Source: PA Bulletin, [6/4/2016](#)

IRRC Issues Comments on Disinfection Requirements Rule

The Independent Regulatory Review Commission issued comments on the following proposed regulation:

- Environmental Quality Board 7-520:
Disinfection Requirements Rule

Source: PA Bulletin, [6/4/2016](#)

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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.