

---

# 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](http://www.ggrgov.com)

Harrisburg, PA

[eross@ggrgov.com](mailto:eross@ggrgov.com)

July 5, 2016 -- Issue 994

---

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

---

## Governor Wolf Statement on Final Passage of Budget

**O**n June 30, 2016, Governor Wolf released the following statement:

“I want to commend leaders and members in both chambers for passing a bi-partisan, compromise budget that invests more money in early childhood, K through 12 and higher education, and also provides vital resources to combat the heroin crisis. I am pleased that working together we took this important step to move the commonwealth forward. I will sign the General Appropriations bill as soon as there is a sustainable revenue package to pay for it, and I look forward to continuing to work with the legislature to achieve this.”

Source: Governor’s Press Office, 6/30/2016

## Chairman Adolph Applauds Passage of General Fund Budget

**O**n 6/30/2016, Rep. William F. Adolph, chairman of the House Appropriations Committee, issued the following statement

in regard to the passage of Senate Bill 1073, which will be the General Fund Budget for the 2016-17 Fiscal Year:

“Today the House, in a bipartisan effort, passed the General Fund budget for the 2016-17 fiscal year. The passage of this legislation represents compromise, which is something sorely missing from our political discourse. This budget held the line on spending in face of spiking mandated costs such as pensions. The budget also made key investments in education with \$665 million more for Prek-12 education and a 2.5 percent increase for our state-related schools like Temple and Penn State and a 2.5 percent increase for our state-owned universities such as West Chester University and Cheyney University.

“Senate Bill 1073 will not rely on any broad-based tax increases, such as raising the personal income tax or the sales tax. The overwhelming majority of the increase in spending is due to mandated spending increases. With our pension cost for the Public School Employees’ Retirement System rising by \$345 million and our State Employees’ Retirement System rising by \$143 million, we faced a tough fiscal challenge. However, by working together we were able to produce a fiscally sound product.

“Senate Bill 1073 will spend a total of \$31.6 billion. The budget now heads to the governor’s desk to be signed into law. It is my hope that Gov. Wolf will sign this budget promptly. After last year’s extended budget, I am glad that this year we were able to come together and get the budget done on time.”

Source: Rep. Adolph Press Release, 6/30/2016

## Senate Leaders Hail Passage of On-Time, State Spending Plan: Measure Will Increase Funds for Schools, Drug Prevention

**O**n June 29, 2016, the State Senate passed a balanced and on-time state spending plan that will boost funding for education to the highest level in state history and allocate new funds to fight the state’s opioid epidemic.

Senate leaders issued the following statement on Senate Bill 1073 which would support the core functions of government, and allocate \$245 million in new funding for basic education, special education, and Pre-K Counts without the need for new or increased income or sales taxes.

### Senate President Pro Tempore Joe Scarnati (R-25):

“Today, the Senate has passed a bi-partisan budget, which takes the next step in completing an on-time and balanced 2016-17 budget by the June 30th deadline. Senate Bill 1073 makes substantial investments in education and vital state services – helping to strengthen our Commonwealth.”

### Senate Majority Leader Jake Corman (R-34):

“Day after day, I heard from people in my communities that they could not endure another budget impasse but at the same time could not withstand a massive tax increase. Today, we showed that we were listening by approving a spending plan that funds the priorities of state government, including continuing to provide

significant money toward all levels of education, without asking for a broad-based tax increase.”

### Senate Appropriations Chair Pat Browne (R-16):

“In recognizing the financial struggles the Commonwealth continues to face, this budget provides a fiscally responsible and modest increase in spending for vital state programs and services, while protecting hard working families and job creators from onerous tax increases and burdens. This budget also recognizes the need to invest in our children and their futures by increasing funding for basic education, early intervention programs, special education and higher education.”

Source: Senate Republican Communications, 6/29/2016

## EPA Solicits Comments on Preliminary 2016 Effluent Guidelines Program Plan

**E**PA has published its Preliminary 2016 Effluent Limitations Guidelines (ELG) Program Plan, announcing findings and actions EPA is taking under the Clean Water Act for the control of industrial wastewater discharges to waters of the U.S. and publicly owned treatment works (POTWs). The Preliminary 2016 Plan does not announce the initiation of any new ELGs. The plan describes EPA's annual review of existing ELGs; EPA's continuation of a number of ELG rulemakings, studies, and investigations; and describes new investigations of industries. EPA will accept public comments on the Preliminary 2016 Plan for 30 days upon publication of the Federal Register notice. After EPA considers public comments, it will publish the Final 2016 Plan.

Learn [More](#).

Source: Water Headlines from EPA, 6/29/2016

## Senate Committee Backs Fontana Bill to Provide Lead

## Detection Test Option for Home Buyers

On June 22, 2016, the state Senate Committee on Urban Affairs and Housing unanimously approved Sen. Wayne D. Fontana's bill that would give home buyers the option of requesting that a prospective home be tested to determine what level of lead is in the water.

The Fontana bill ([Senate Bill 20](#)) is part of a five-bill package aimed at protecting Pennsylvania children and families from the growing threat of lead poisoning caused by worsening levels of lead exposure from old pipes and lead-based paints.

"I am pleased by the bipartisan support for my bill that would help home-buyers make a more informed decision when they are buying a home," Fontana said. "With the growing concern about lead exposure, this measure provides buyers with a better sense of potential risks with the property."

The Brookline lawmaker said he was alarmed to learn that 18 Pennsylvania cities tested higher than Flint, Michigan for elevated blood levels. He said the state's aging infrastructure compounds the problem. Fontana added that lead in water can be a safety concern, especially for families with young children or where a mother is pregnant.

A realtor himself, Fontana noted that lead testing typically runs from \$20 to \$50. He said it's a reasonable expense to assure that a home's drinking water is safe. He added that if a home does test positive for high levels of lead, there are in-home treatment systems available to remedy the situation.

Following today's committee vote, Senate Bill 20 now goes to the full Senate for consideration.

Source: Senator Fontana Press Release, 6/22/2016

## Department of Health Reports First Human Case of West Nile Virus in Pennsylvania in 2016;

## Pennsylvanians Reminded to Take Steps to Avoid Infection

Pennsylvania's first probable human case of West Nile Virus (WNV) infection in 2016 has been detected in an Indiana County woman. The Departments of Health and Environmental Protection strongly recommend that all residents minimize their exposure to mosquitoes.

"Detecting the first human case serves as a great reminder for Pennsylvanians to take the proper precautions when they are outside or near areas where mosquitoes are prevalent," Secretary of Health Karen Murphy said. "There are some simple steps you can take to protect yourself and your loved ones from mosquito-related diseases."

Although mosquitoes can bite at any time of the day or night, the mosquitoes that transmit WNV are most active at dawn and dusk. When outdoors, people can avoid mosquito bites by properly and consistently using DEET-containing insect repellants and covering exposed skin with lightweight clothing. To keep mosquitoes from entering a home, make sure window and door screens are in place and are in good condition.

The Department of Environmental Protection (DEP) conducts regular surveillance and control to manage mosquito populations around the state. So far, DEP has detected WNV-infected mosquitoes in 10 counties.

"DEP monitors the mosquito population across Pennsylvania," said Acting Secretary Patrick McDonnell. "Today's announcement serves as a reminder that all Pennsylvanians should take precautions to protect against mosquitoes. Using a personal insect repellent or staying indoors during dawn and dusk will help prevent exposure to mosquitoes."

The mosquitoes that transmit WNV breed in areas with standing and stagnant water. These areas can include urban catch basins, clogged gutters, discarded tires, poorly maintained swimming pools, flower pots and other types of plastic containers.

Simple steps to eliminate standing water around the home include:

- Remove tin cans, plastic containers, ceramic pots, discarded tires or any object that could collect standing water. Drill holes in the bottom of recycling containers left outdoors.
- Have roof gutters cleaned every year, particularly if the leaves from nearby trees have a tendency to clog the drains.
- Turn over plastic wading pools and wheelbarrows when not in use.
- Do not let water stagnate in birdbaths.
- Aerate ornamental pools, or stock them with fish.
- Clean and chlorinate swimming pools, and remove standing water from pool covers.
- Use landscaping to eliminate standing water that collects on your property.
- Treat standing water that cannot be eliminated with Bti products which are sold at outdoor supply, home improvement and other stores. Bti is a natural product that kills mosquito larvae, but is safe for people, pets, aquatic life and plants.

DEP will continue to survey affected communities to monitor mosquito activity and WNV. DEP biologists have initiated a survey of the mosquito population to determine the risk for further human illness. If necessary, adult mosquito populations will be reduced. These efforts will continue through October.

For a fact sheet on WNV, including symptoms, please click on the Department of Health's [West Nile Virus Fact Sheet](#).

For more information, including current WNV test results for mosquitoes, birds and horses, visit [www.westnile.state.pa.us](http://www.westnile.state.pa.us) and click on [Surveillance Maps and Tables](#), or call 1-877-PA HEALTH.

Source: DEP Press Release, 7/1/2016

## Clean Water and Drinking Water State Revolving Fund Programs; Federal Fiscal

## Year 2016 Intended Use Plans; Public Meeting

The Pennsylvania Infrastructure Investment Authority and the Department of Environmental Protection have prepared the Federal Fiscal Year 2016 Intended Use Plans (IUP). These IUPs include a list of drinking water, wastewater treatment, nonpoint source and pollution abatement projects to be considered for a design and engineering or construction loan or grant from funds the Commonwealth expects to receive from the Federal FY 2016 Drinking Water State Revolving Fund (DWSRF) and Clean Water State Revolving Fund programs.

A public meeting has been scheduled for July 19, 2016, at 1:30 p.m. in the Rachel Carson State Office Building, Harrisburg. This meeting is scheduled for the purpose of receiving comments from the public regarding the Federal FY 2016 IUPs.

Interested persons are invited to express their views on the narrative portion of the IUPs, the DWSRF set-aside work plan or the priority rating or ranking of projects on the IUPs. It is not necessary to appear at the public meeting to present comments on the narrative portion of the IUPs, the set-aside work plan or the PPLs.

Interested persons may also submit written comments to the department through August 2, 2016. Commentators are encouraged to submit electronic comments using the Department's eComment site at [www.ahs.dep.pa.gov/eComment](http://www.ahs.dep.pa.gov/eComment).

Written comments can be submitted by e-mail to [ecomment@pa.gov](mailto:ecomment@pa.gov) or by mail to the Policy Office, Department of Environmental Protection, Rachel Carson State Office Building, PO Box 2063, Harrisburg, PA 17105-2063. Use "Clean Water and Drinking Water State Revolving Funds" as the subject line in written communication. A copy of the IUPs, ranking frameworks, the PPLs and the DWSRF set-aside work plan may be obtained by visiting the Department's [website](#). The link to these documents is on the right hand side of the page under "State Revolving Fund Intended Use Plan" or may be obtained by contacting Crystal Blair,

Division of Technical and Financial Assistance at (717) 772-4011.

Source: PA Bulletin, [7/2/2016](#)

## Rep. Hanna Introduces Bill to Increase Waste Disposal Fees to Support Growing Greener

Rep. Michael Hanna (D-Centre) has introduced [House Bill 2223](#) which would increase the existing per ton municipal waste disposal fee and expand it to include construction and demolition waste and residual waste disposed of in a commercial landfill to support the Environmental Stewardship Fund and the Growing Greener Programs.

The proposal would increase the basic waste disposal fee from \$4.00 to \$5.75 per ton. The existing 25 cent/ton disposal fee would also be expanded to include construction and demolition and residual waste.

The bill does not increase the \$2.00/ton recycling fee, but it would now cover construction and demolition and residual waste under the proposal.

The fee increases and expansions are estimated to generate about \$35 million a year to be deposited in the Environmental Stewardship Fund. “This revenue would be deposited into the Environmental Stewardship Fund and would be distributed in the same manner as the current fees,” said Rep. Hanna. “The new fees would allow us to bolster the same agencies and programs that the current fees support, including conservation and environmental protection projects, the creation of greenways, trails, community parks, and wildlife habitat preservation.

“Without new revenue, Environmental Stewardship Fund programs could be reduced due to declining revenues in the Oil and Gas Lease Fund, which provides annual funding to the Environmental Stewardship Fund and the

Hazardous Sites Cleanup Fund,” explained Rep. Hanna.

Gov. Wolf proposed an increase in the municipal waste disposal fee in his original [FY 2016-17 budget proposal](#) in February whose revenue would have been deposited in DCNR’s Oil and Gas Fund. There has been no discussion of the Governor’s proposal since February.

A [sponsor summary](#) is available.

Source: PA Environmental Digest, 7/4/2016

## Senate Approves Fontana Bill to Help Communities Rectify Sewer Lateral Problems

On June 30, 2016, the state Senate today unanimously approved legislation sponsored by Sen. Wayne D. Fontana (D-Allegheny) that would give municipal governments the option of establishing policies and helping residents repair damaged sewer laterals.

“This bill gives local governments the flexibility to set policies for managing these laterals – and the option of assisting citizens with repairs,” Fontana said. “I am pleased by today’s overwhelming bipartisan support.”

Sewer laterals connect one’s home to a municipality’s main sewer line. Residents are required to maintain these laterals, which average about 42 feet in length. Fontana said a homeowner’s cost for repairing a damaged sewer lateral can often run from \$5,000 to \$35,000. He said many citizens cannot afford or put off repairing damaged laterals.

The Brookline lawmaker added that the City of Pittsburgh has over 1,200 miles of this lateral sewer pipe. He said that damaged laterals can cause sinkholes, drastic increases of excess water flowing into treatment centers, and can lead to health and safety problems.

Fontana said an Allegheny County Sanitary Authority study estimated that 40 percent of the excess sewer water it receives on dry days is the result of unwanted infiltration and inflow from damaged sewer laterals. He said the percent skyrockets to a whopping 80 percent during rainstorms.

“As a result, said this drastically increases the amount of water that authorities must convey and treat – inflating everyone’s sewer bills,” Fontana said.

Following today’s Senate approval, the Fontana bill ([Senate Bill 289](#)) now goes to the House of Representatives for consideration.

**Source:** Senator Fontana Press Release, 6/30/2016

**#####**

***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.***