
WUC

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



GOVERNMENT RELATIONS UPDATE

From Milliron & Goodman Government Relations, LLC.

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*PA- Section, American Water Works Association
National Association of Water Companies
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PUC Seeks Comments on Corporate Federal Income Tax Rate Changes and the Effects on Commission- Regulated Public Utilities, Ratepayers

The Pennsylvania Public Utility Commission issued a secretarial letter on February 12, 2018, to establish a docket and begin a proceeding in which the commission will seek to determine the effects of the Tax Cuts and Jobs Act. Responses to the data requests and **comments are due on, or before, March 9, 2018.**

The secretarial letter and data requests can be found on the commission's web site at www.puc.pa.gov under docket number M-2018-2641242.

Source: Pennsylvania Bulletin, [2/24/2018](#)

Haggerty bill would require drug take-back boxes at pharmacies

State Rep. Kevin Haggerty has introduced legislation that would require retail community pharmacies to install and maintain a drug collection receptacle on-site, which would help to curb the accessibility of unused opioids across Pennsylvania.

In 2014, the federal Drug Enforcement Administration established regulations allowing authorized pharmacies to collect controlled substances by voluntarily administering mail-back programs and maintaining drug collection receptacles.

"While this was a step in the right direction, far too few pharmacies have taken it upon themselves to fully utilize this option by installing and maintaining drug collection receptacles," Haggerty said.

"Medications that are no longer being used can make their way into the hands of young people when stored in accessible areas around the home, such as medicine cabinets. [House Bill 2073](#) would address this by broadening the availability of drug collection receptacles statewide, therefore making it easier for people to dispose of unwanted and unused medications."

Haggerty said similar legislation requiring retail pharmacies to install and maintain a drug collection

receptacle has been introduced in New Jersey, New Mexico and New York.

"It is sensible that Pennsylvania require retail community pharmacies that dispense medications to also accept these medications for disposal. The opioid crisis is devastating families and communities across our state and this is an easy step that we can take, along with others, to help put an end to the suffering being experienced by so many people," Haggerty said.

Source: Rep. Haggerty Press Release, 2/21/2018

Availability of Revised Instructions and Form for Chapter 105 Water Obstruction and Encroachment General Permit Registrations

The Department of Environmental Protection will require the use of the new general permit registration form for Chapter 105 water obstruction and encroachment permits, and will go into effect on March 26, 2018. This information is intended to clarify the application process for a water obstruction and encroachment general permit registration.

The Department will be hosting a webinar on these new forms on March 6, 2018. Interested persons may register [here](#).

Questions regarding the new general permit registration process should be directed to Sidney Freyermuth, Chief, Water Obstruction and Encroachments, Bureau of Waterways Engineering and Wetlands at (717) 772-5977 or sfreyermut@pa.gov.

Source: Pennsylvania Bulletin, [2/24/2018](#)

Wolf Administration Releases Guidelines for

Maintaining Streams in Your Community Booklet and Posters to Assist Flood Recovery Efforts

The Pennsylvania Department of Environmental Protection (DEP) has released a new resource for understanding what landowners can do to work in or adjacent to streams impacted by flooding. The full-color booklet, *Guidelines for Maintaining Streams in Your Community*, is an easy-to-use resource for understanding the DEP regulations that apply when working in Pennsylvania streams.

"With 86,000 miles of streams and rivers in Pennsylvania, DEP receives many inquiries about stream work from municipalities, landowners, businesses, and communities affected by flooding, or by those simply wishing to perform stream restoration to protect property and infrastructure and prevent future flood impacts," said DEP Secretary Patrick McDonnell. "Our new booklet and accompanying poster, with 'Red/Yellow/Green Light' guidance, takes the guesswork out of the most common actions."

DEP regulates activities in watercourses to protect public health, safety and the environment. Activities that change, expand or diminish the course, current or cross-section of a watercourse are regulated.

The guide is a first step in determining what regulatory requirements may apply before beginning a project. It contains a helpful "green, yellow, and red light" list of potential stream activities to indicate whether permits are likely to be required. The booklet contains additional sections on myths and rules of thumb, and was reviewed by local government officials who typically are the first stop for landowners seeking guidance.

Just a few of the "green light" actions that can be done without DEP notification include removing non-native material, such as litter and construction debris from the stream, banks, and riparian areas; or removing woody debris with the use of hand-held

equipment. A typical "yellow light" action, which could require DEP notification and/or an emergency permit, is rebuilding a road or bridge across a stream, or removing gravel bars using heavy equipment. A "red light" action, which definitely requires review and a permit, includes dredging, damming, or redirecting the flow of a stream.

Stream work that is not properly designed and permitted can inadvertently cause conditions to worsen in the next flood event, also impacting downstream neighbors. The booklet is intended to help guide stream work to be done in an environmentally sensitive manner, and in a way that reduces the likelihood of future problems.

The PDF booklet can be downloaded from the DEP website by clicking [here](#).

The posters, which include the cautions and regional contact information, and are suitable for downloading, can be found [here](#). Additional fact sheets, with details on regulations, emergency authorizations, and assistance, can be found [here](#).

"When in doubt, the first step should always be to contact your regional DEP office," said McDonnell. You can find your DEP Regional Office [here](#).

For more information, contact Megan Lehman, Community Relations Coordinator, DEP North-central Regional Office, at 570-327-3659 or meglehman@pa.gov.

Source: DEP Press Release, 2/23/2018

Proposed Rulemaking – Administration of the Storage Tank and Spill Prevention Program

The Environmental Quality Board proposes to amend Chapter 245, which relates to the administration of the Storage Tank and Spill Prevention Program. This proposal will strengthen the requirements for operation and maintenance of underground storage tank (UST) equipment. The

proposal was adopted by the Board at its meeting on October 17, 2017.

For further information contact Kris A. Shiffer, Chief, Division of Storage Tanks, PO Box 8762, Rachel Carson State Office Building, Harrisburg, (717) 7725809; or Keith J. Salador, Assistant Counsel, Bureau of Regulatory Counsel, PO Box 8464, Rachel Carson State Office Building, Harrisburg, (717) 783-8075.

Source: Pennsylvania Bulletin, [2/24/2018](#)

Davis: Legislation would ensure families have access to water

State Rep. Austin Davis, D-Allegheny, has introduced [H.B. 2099](#), which would establish the Low-Income Water and Wastewater Assistance Program. The program would provide critical assistance to working families struggling to pay their water and wastewater bills.

"Water is one of our most fundamental human needs, and it is essential for the health of our citizens," Davis said. "Low-income residents working hard to provide for their families should not be forced to contend with safety and sanitation problems if their services are discontinued because of unpaid water or wastewater bills."

The program would operate in a manner similar to the existing Low-Income Home Energy Assistance Program that provides assistance to low-income residents for home heating.

Under Davis' proposal, households with an annual income that is below 100 percent of the federal poverty line would qualify for assistance payments ranging from \$100 to \$500. Households would be limited to one payment per program year. The legislation would also establish the Low-Income Water and Wastewater Assistance Fund, which would supply funding for the program.

Davis, who was sworn in as a member of the General Assembly in early February, noted that the

bill marks the first piece of legislation he has introduced as a state representative.

“When I took the oath of office, I vowed that I would do everything in my power to help make life better for all Pennsylvanians,” Davis said. “I believe this legislation, which would help ensure that families have access to a life-sustaining resource, is a step in the right direction.”

A sponsor summary can be found [here](#).

Source: Rep. Austin Davis Press Release, 2/20/2018

Group of House Republicans Propose to Reinvent State Government for the 21st Century

With a focus on creating better government, more economic prosperity and stronger communities, state Reps. Seth Grove (R-York), Stephen Bloom (R-Cumberland), Matthew Dowling (R-Fayette/Somerset), Jonathan Fritz (R-Susquehanna/Wayne), Frank Ryan (R-Lebanon), Justin Walsh (R-Westmoreland) and House Majority Whip Bryan Cutler (R-Lancaster) unveiled legislation on February 21, 2018 to do what’s best for Pennsylvania by bringing sweeping changes to streamline and improve state government.

“This package of bills moves to modernize our agencies in a continuance of House Republicans’ efforts to restructure government,” Cutler said. “The end result of these mergers would be an easier-to-navigate government that truly works for the people.”

Included in the legislative package is a bill by Grove to merge the Budget Office, the Department of General Services, the Office of Administration and the Governor’s Office of Policy and Planning into one agency called the **Office of Management and Budget (OMB)**.

“This new agency would oversee every aspect of the Commonwealth’s governance, including budget

preparation, manage state expenditures along with handling all procurement, human relations and information technology,” Grove said. “By improving the coordinating between these core function of government the state can improve delivery of government services to the people of Pennsylvania.”

Under a separate bill by Ryan, the Department of Labor and Industry would be merged with functions from the Department of Community and Economic Development and Department of State to create the new **Department of Business, Tourism and Workforce Development (DBTWD)**.

“The DBTWD would have a singular mission of private sector job growth to tell the world that Pennsylvania is open for business,” Ryan said. “The new one-stop shop would allow Pennsylvania to better compete in a global economy.”

Dowling’s bill would create the **Department of Local Government and Community Affairs (DLGCA)**, which would be comprised of powers and authorities from the Department of Economic and Community Development (DCED) and the Department of State.

“It is time for the state to provide local governments with a state agency which focuses on assisting them to build stronger communities. This new department would oversee and assist counties with managing elections and while helping local governments apply for eligible grant and tax credit programs transferred from DCED,” Dowling said.

Legislation authored by Bloom would unify the Department of Health with the Department of Human Services to create the realigned **Department of Health and Human Services**.

“These two, currently separate departments offer services that often overlap,” Bloom said. “Combining these departments into just one would create a no-wrong-door approach for Pennsylvanians who would continue to receive high quality services under the umbrella of a single department, but in a more efficient and cost-effective manner for taxpayers.”

Walsh's bill would consolidate the Commonwealth's workforce development system into one easier to navigate system instead of the system being fragmented and spread across numerous state agencies.

"My bill would consolidate workforce development programs within the Department of Labor and Industry, the Department of Community and Economic Development, and the Department of Human Services," Walsh said. "This proposal would give DCED, the agency that is tasked with keeping current employers in Pennsylvania and bringing new opportunities into the state, the much-needed tools to help connect employers who have job openings with workers qualified to fill them."

Lastly, Fritz's bill would **remove numerous obsolete state boards or commissions** that were never repealed. The agencies are:

- Interstate Rail Passenger Advisory Council
- Pennsylvania Public Television Network Commission
- Canine Health Board
- Community Service Advisory Board
- Industrial Resource Center Strategic Advisory Board
- Small Business Advocacy Council
- Adult Basic and Literacy Education Interagency Coordinating Council (ABLE ICC)
- Advisory Committee on Probation
- Energy Development Authority
- Health Careers Leadership Council
- Joint Committee to Review Cost of Living
- Legislative Representative for Collective Bargaining
- Lobbying Disclosure Regulations Committee
- Pennsylvania Quality Leadership Awards Council
- Tobacco Use Prevention and Cessation Advisory Committee
- Voting Standards Development Board

"Many of these boards and commissions are merely names on paper and have been obsolete for quite some time," Fritz said. "With spring just around the corner, now is a perfect time for the General Assembly to do some spring cleaning

while, more importantly, quite literally reducing the size of government."

Source: House Republican Communications, 2/21/2018

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