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GOVERNMENT RELATIONS UPDATE

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*PA- Section, American Water Works Association
National Association of Water Companies
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Wolf Administration Unveils New Prescription Take-Back Box at Rachel Carson State Office Building

The Pennsylvania Department of Environmental Protection (DEP), the Department of Conservation and Natural Resources (DCNR), the Department of Drug and Alcohol Programs (DDAP), and the Department of General Services (DGS) joined representatives of Geisinger to unveil a newly installed prescription drug take-back box in the lobby of the Rachel Carson State Office Building. The newly installed take-back box is the second of its kind in the State Capitol Complex.

"At a time when the opioid crisis affects each of us, this small act of anonymously disposing unused medication could very well save a loved one from falling victim to the disease of substance use disorder," said DDAP Secretary Jennifer Smith. "We must come together as a commonwealth for our future Pennsylvanians and proactively make better choices. I encourage everyone to take advantage of their local take-back boxes and make a positive impact in their community."

Since the inception of Pennsylvania's drug take-back program in 2016, there has been more than 440,000 pounds of unused, unneeded, and expired prescription medication destroyed with more than 800 take-back boxes established in all 67 counties throughout the commonwealth.

"Improperly disposed prescription drugs can make their way into our rivers and streams, and it is much better to have unwanted or unneeded drugs safely disposed of through boxes like this one, rather than tossing them in the trash or flushing them down the toilet," said DEP Secretary Patrick McDonnell. "Installing this take-back box is more than just helping the environment, it is also about being a good neighbor and part of the community."

The prescription take-back box is located just inside the main entrance to the Rachel Carson State Office Building at 400 Market Street in Harrisburg, PA. The Rachel Carson State Office Building is home to DEP and DCNR, and is near the Harrisburg Transportation Center, Harrisburg University, and Strawberry Square in downtown Harrisburg.

"The administration takes the health and well-being of all Pennsylvanians very seriously," said DCNR Secretary Cindy Adams Dunn. "We're thrilled that this important resource is located in our building."

"You can never overstate the value of an effective prescription medication disposal program," DGS Secretary Curt Topper noted. "Whether it is keeping our waterways pure or keeping prescription drugs out of the hands of those who should not have them, DGS and the Capitol Police are proud to assist in this effort to expand the availability and opportunity for the proper disposal of prescription drugs."

Individuals seeking recovery resources for themselves or a loved one can call the toll-free PA Get Help Now helpline at 1-800-662-HELP (4357). A live chat option is also available online or via text message at 717-216-0905 for those seeking help who may not be comfortable speaking to a helpline operator.

To find one of Pennsylvania's drug take-back locations, click [here](#).

Find more information on the state's efforts to battle the opioid crisis [here](#).

Source: DEP Press Release, 11/5/2018

Auditor General DePasquale Slams Susquehanna River Basin Commission's \$1,001 Booze Bill, Extravagant Food Expenses, Staff Perks

Susquehanna & Delaware River Commission Audits highlight need for new agreements; accountability

On November 8, 2018, Auditor General Eugene DePasquale released separate performance audits of the Susquehanna River and Delaware River basin commissions that emphasize the need for better accountability and transparency.

"These commissions play an important role in ensuring quality drinking water is available in the five states that depend on these two rivers," DePasquale said. "I expect both panels to operate with the same degree of crystal-clear transparency that we hope to see in our tap water."

The commissions are federal-interstate compacts charged with preserving water supply and quality, managing drought and flood conditions, and preserving water-related recreational opportunities. In addition to receiving significant taxpayer support, the fees charged by the commissions ultimately impact the rates that many Pennsylvanians pay for municipal water and other services.

In particular, DePasquale pointed to an audit finding that the Susquehanna River Basin Commission (SRBC) spent over \$1,000 on alcohol for meetings.

"When it comes to publicly-funded entities, there's really only one pot of money," he said. "It's absurd to think that any public entity would consider buying alcohol to be an appropriate expenditure."

DePasquale also panned the SRBC for "extravagant" food expenses, noting of the SRBC's total \$16,259 food and gratuities expenses related to meetings, the commission could not provide itemized receipts for \$14,072 in food expenses, which included appetizers, filet mignon, salmon, and Maryland crab cakes, along with side dishes and desserts.

"It really begs the question: what's going through your head when you decide to use public funds for such ridiculous meals? Did anyone even consider brown-bagging their lunch, as so many hardworking Pennsylvanians do every day?"

DePasquale also noted auditors reviewing SRBC spending found \$14,048 in questionable costs associated with rewards and perks for employees, including:

- Monetary and gift card rewards of \$8,031;
- A staff holiday party expense of \$3,074;
- A staff picnic costing \$1,585;
- A \$100 gift card purchase for a wedding gift;
- Bereavement donations totaling \$800; and
- Flower purchases totaling \$458 for Administrative Professionals Day.

“This goes back to my one-pot argument when it comes to spending by agencies that receive public funds,” DePasquale said. “These panels are not private businesses; they are governmental bodies that must be accountable for every last penny that they spend.”

The audit of the Delaware River Basin Commission (DRBC) showed it was unable to provide itemized receipts for \$472 in payments to restaurants.

The audits also recommend that both commissions overhaul their longstanding and out-of-date agreements with the Pennsylvania Department of Environmental Protection (DEP). The SRBC’s Memorandum of Understanding with DEP is nearly 20 years old; the DRBC’s Administrative Agreement with DEP is more than 40 years old.

“Not only do the commissions need wholly updated agreements, they also need additional written operational guidance in coordinating with DEP to preserve our water supply and quality,” he said.

Both audits show that most signatory parties to the commissions, including Pennsylvania, are not making agreed-upon financial contributions, with the federal government making no payments in nearly a decade. There was one exception: the state of Delaware has met its financial obligations to the DRBC.

In the 2016-17 fiscal year, Pennsylvania’s support for the SRBC totaled \$473,000, an underpayment of \$318,250. Pennsylvania’s funding for the DRBC totaled \$434,000, which is \$459,000 less than the agreed-to amount.

The SRBC’s membership includes Pennsylvania, Maryland, New York, and the federal government. The DRBC’s members include Pennsylvania, New York, New Jersey, Delaware, and the federal government.

The audits, authorized by the 2017 state budget (Act 44 of 2017), covered July 1, 2016 to June 30, 2017. The audit reports for both commissions are available [online](#).

- Susquehanna River Basin Commission audit [report](#).
- Delaware River Basin Commission audit [report](#).

Source: Auditor General Press Release, 11/8/2018

Pa. Auditor General Releases Performance Audit of DRBC

The Pennsylvania Department of the Auditor General recently released its Performance Audit Report of the Delaware River Basin Commission (DRBC), which was mandated by legislation passed by the Pa. General Assembly in 2017.

"The DRBC thanks Auditor General Eugene A. DePasquale and his staff for their professionalism and attention to detail as they completed their charge," said DRBC Executive Director Steve Tambini. "The DRBC generally agrees with the report's findings and recommendations, which reinforce what we already knew: that the expenses of the commission and its officers are reasonable; that while the commission's work is complementary to that of the Pa. Department of Environmental Protection (PADEP), further opportunities to work collaboratively and efficiently should be explored; and that not all commission members are paying their agreed upon contributions to support DRBC's budget."

The period for the Performance Audit was the Fiscal Year 2017, or July 1, 2016 through June 30, 2017, and it was completed during the summer of 2018. The Performance Audit looked at six objectives, including the commission's fixed and variable costs; the costs of salaries, benefits, and expense reimbursements to commission officers and employees; contributions by the commonwealth in comparison to those by other members to support the commission's operating expenses; and how to improve efficiency and reduce costs.

"Through the commission, the four basin states and the federal government together advance vital water management objectives for the Delaware River Basin that none of them could achieve on

their own. We are always seeking ways to be more efficient and effective, and we look forward to working with the commonwealth and our other state and federal partners to implement the majority of the report's recommendations," continued Tambini.

When the DRBC was created in 1961, it was the first time that the federal government and a group of states joined together as equal partners in a river basin planning, development, and regulatory agency. Signed into law by President Kennedy and the governors of Delaware, New Jersey, Pennsylvania, and New York, the Delaware River Basin Compact created a regional body with the force of law to manage a river system without regard to political boundaries. In addition to the four basin state governors, the commander of the U.S. Army Corps of Engineers' North Atlantic Division is the fifth member of the commission, representing the federal government.

The [Performance Audit Report](#) (pdf 1.7 MB) and further information on DRBC programs are available on DRBC's [website](#). To learn more about the commission, please visit our website or follow [DRBC on Twitter](#).

Source: DRBC Press Release, 11/8/2018

State Legislators Call for Resignation, Reform Due to 'Gross Misuse of Taxpayer Dollars'

State Reps. Kristin Phillips-Hill (R-York) and Dan Moul (R-Adams) reacted to results of Auditor General Eugene DePasquale's audit of the Susquehanna River Basin Commission (SRBC) by calling for the resignation of Andrew Dehoff, the commission's executive director, and closer scrutiny of the commission's activities.

"Our insistence on having the SRBC independently audited paid off Thursday in a manner that should make every Pennsylvania taxpayer as angry as it makes us," said Phillips-Hill. "Auditor General DePasquale's findings detail a culture that promotes the gross misuse of taxpayer

dollars; a mindset that starts at the top, which is why we are asking Executive Director Dehoff to resign."

The audit found the SRBC charged taxpayers more than \$1,000 for alcohol served at some of its meetings. It also revealed more than \$14,000 in unvouchered meal expenses and more than \$14,000 in employee perks and rewards that were purchased with public funds.

"It takes an incredible amount of arrogance for public officials to use taxpayers as their default expense account, which is what the SRBC is guilty of doing," Moul added. "When we return to session next week, I'll be asking our legislative colleagues to support the effort to remove Executive Director Dehoff from his position."

Moul said he will also pursue legislation that would increase openness and transparency on the commission.

"Without direct oversight, the SRBC has been allowed to grow into 'a kingdom unto itself' and has taken full advantage of that opportunity," Moul said. "Their status as unelected officials prevents taxpayers from having a seat at the table in their decision making, even though the commission has access to taxpayer dollars. That needs to change." Phillips-Hill, who was recently elected to represent the majority of York County in the state Senate, says increasing transparency in the SRBC will be her first order of business after taking office Dec. 1.

"Three years ago, Shrewsbury Borough council President 'Buck' Buchanan alerted me to the SRBC's demand that the borough install a more than \$121,000 well-monitoring system," she added. "The town, which consists of less than 4,000 residents, was subsequently forced to hike water rates three times over seven years and place on hold long-term waterline replacement projects to pay for the system.

"The SRBC has been on my radar -- and the radar of many of my colleagues -- since that time, and they will remain under the legislative microscope when I become a member of the Senate."

The SRBC was created in 1970 when the Susquehanna River Basin Compact was drafted and signed into law. The compact, as adopted by the Congress of the United States, and the legislatures of New York, Pennsylvania and Maryland, provides the mechanism to guide the conservation, development and administration of the water resources of the river basin.

Source: Rep. Kristin Phillips-Hill Press Release, 11/9/2018

PUC's Regulation Governing the Consumer Advisory Council; Advanced Notice of Proposed Rulemaking

The Pennsylvania Public Utility Commission provided advance notice of proposed rulemaking for comments regarding the Consumer Advisory Council (CAC). The commission is looking for comment on the following:

- Whether to repeal Chapter 91 and concomitantly reestablish the council via commission order
- What improvements are needed for CAC operational efficiency
- Information sharing between commission staff and the council
- The council's ability to file comments in proceedings before the commission
- The diversity of council membership
- CAC members interactions with the media or at public forums
- Clarification to the General Assembly and the Governor's Office regarding the appointments and biennial terms of the council
- Ministerial changes to the Council including examining the frequency of meetings and evaluating the Council's composition

Additionally, the commission also proposes to update and revise the CAC's underlying authority and reporting structure to align administratively with current commission practices. More information on the council can be viewed on the Pennsylvania Bulletin.

Source: Pennsylvania Bulletin, [11/10/2018](#)

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