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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
Water Works Operators' Association of Pennsylvania*

EPA Acting Administrator Announces First-Ever Comprehensive Nationwide PFAS Action Plan

Historic plan outlines concrete steps the agency is taking to address PFAS and to protect public health

At an event in Philadelphia on February 14, 2019, U.S. Environmental Protection Agency (EPA) Acting Administrator Andrew Wheeler announced EPA's Per- and Polyfluoroalkyl Substances (PFAS) Action Plan. This historic PFAS Action Plan responds to extensive public interest and input the agency has received over the past year and represents the first time EPA has built a multi-media, multi-program, national communication and research plan to address an emerging environmental challenge like PFAS. EPA's Action Plan identifies both short-term solutions for addressing these chemicals and long-term strategies that will help provide the tools and technologies states, tribes, and local communities need to provide clean and safe drinking water to their residents and to address PFAS at the source—even before it gets into the water.

"The PFAS Action Plan is the most comprehensive cross-agency plan to address an emerging chemical of concern ever undertaken by EPA," said EPA Acting Administrator Andrew Wheeler. "For the first time in Agency history, we utilized all of our program offices to construct an all-encompassing plan to help states and local communities address PFAS and protect our nation's drinking water. We are moving forward with several important actions, including the maximum contaminant level process, that will help affected communities better monitor, detect, and address PFAS."

The Action Plan describes long- and short-term actions that the EPA is taking including:

Drinking water: EPA is moving forward with the maximum contaminant level (MCL) process outlined in the Safe Drinking Water Act for PFOA and PFOS - two of the most well-known and prevalent PFAS chemicals. By the end of this year, EPA will propose a regulatory determination, which is the next step in the Safe Drinking Water Act process for establishing an MCL.

Clean up: EPA has already begun the regulatory development process for listing PFOA and PFOS as hazardous substances and will issue interim groundwater cleanup recommendations for sites contaminated with PFOA and PFOS. This important

work will provide additional tools to help states and communities address existing contamination and enhance the ability to hold responsible parties accountable.

Enforcement: EPA will use available enforcement tools to address PFAS exposure in the environment and assist states in enforcement activities.

Monitoring: EPA will propose to include PFAS in nationwide drinking water monitoring under the next Unregulated Contaminant Monitoring Program. The agency will also consider PFAS chemicals for listing in the Toxics Release Inventory to help the agency identify where these chemicals are being released.

Research: EPA will develop new analytical methods so that more PFAS chemicals can be detected in drinking water, in soil, and in groundwater. These efforts will improve our ability to monitor and assess potential risks. EPA's research efforts also include developing new technologies and treatment options to remove PFAS from drinking water at contaminated sites.

Risk Communications: EPA will work across the agency-and the federal government-to develop a PFAS risk communication toolbox that includes materials that states, tribes, and local partners can use to effectively communicate with the public.

Together, these efforts will help EPA and its partners identify and better understand PFAS contaminants generally, clean up current PFAS contamination, prevent future contamination, and effectively communicate risk with the public. To implement the Action Plan, EPA will continue to work in close coordination with multiple entities, including other federal agencies, states, tribes, local governments, water utilities, industry, and the public.

For more visit: <https://www.epa.gov/pfas>

Background

In May 2018, EPA convened a two-day National Leadership Summit on PFAS in Washington, D.C. that brought together more than 200 federal, state,

and local leaders from across the country to discuss steps to address PFAS. Following the Summit, the agency hosted a series of visits during the summer of 2018 in communities directly impacted by PFAS. EPA interacted with more than 1,000 people during community engagement events in Exeter, New Hampshire, Horsham, Pennsylvania, Colorado Springs, Colorado, Fayetteville, North Carolina, and Leavenworth, Kansas as well as through a roundtable in Kalamazoo, Michigan and events with tribal representatives in Spokane, Washington. The Action Plan was developed based on feedback from these events in addition to information received from approximately 120,000 comments submitted to the public docket.

The press conference can be viewed at: <http://www.epa.gov/live>

NOTE: According to a 2/15/2019 StateImpact article, "Pennsylvania will begin the process to set an MCL for PFOS and PFOA," DEP spokesman Neil Shader wrote in an email.

Source: EPA Press Release, 2/14/2019

Senator Collett Reacts to EPA PFAS Plan Announcement

On February 14, 2019, the acting administrator of the Environmental Protection Agency (EPA), Andrew Wheeler, announced the EPA's intended nationwide PFAS action plan. Addressing the urgent PFAS crisis is Senator Maria Collett's (D-12) top priority.

Senator Collett wishes to share her thoughts regarding the EPA's plans for dealing with the PFAS crisis proposals:

"I was very disappointed I was unable to personally attend this press conference, which, frustratingly, was announced less than 24 hours ago."

"I have repeatedly said that I will support whoever gets this done. Whether it's at the federal or state level, whether it's the executive or

legislative branch, I will support them. And that's been the sentiment of every other official with whom I've had the opportunity to speak - including among others Governor Wolf, Congressman Fitzpatrick, Congresswoman Dean, Representatives Murt, Stephens, Polinchock, Schroeder, and Sanchez."

"It is good to see the EPA finally acknowledging the urgency and pervasiveness of this crisis and making addressing PFAS contamination a top priority. I commend them for moving towards a national MCL standard, classifying PFAS under the Superfund Cleanup Program, and expanding research efforts into the health effects of these dangerous chemicals."

"Given the uncertainty of the federal timeline, and given my district's strong cry for action with respect to this urgent environmental and public health crisis, I will continue to move forward with my legislation which will, at a minimum, list PFAS chemicals as hazardous substances under the HSCA and commit the Commonwealth to a Maximum Containment Level. I am happy to continue to work with my federal and state partners to address this issue."

Keeping a major campaign promise to protect our communities from the dangers associated with contamination from per- and polyfluoroalkyl substances (PFAS), **Senator Maria Collett has already introduced two bill memos for co-sponsorship on the PFAS issues discussed today:**

(1) "Pennsylvania PFAS Classification and Cleanup," which amends Pennsylvania's Hazardous Sites Cleanup Act (HSCA) to include PFAS, including perfluorooctanoic acid (PFOA), perfluorooctane sulfonate (PFOS), perfluorononanoic acid (PFNA), and perfluorohexane sulfonic acid (PFHxS); and

(2) "Updating Environmental Standards for Drinking Water," which lowers the acceptable level of PFAS in our drinking water to **10 parts per trillion**.

Source: Senator Collett Press Release, 2/14/2019

Sewage Advisory Committee 2019 Meeting Dates

The Sewage Advisory Committee will meet at 10:30 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA on **March 13, 2019**, and **September 11, 2019**.

The agenda and meeting materials will be available through the Public Participation Center on the Department of Environmental Protection's (Department) web site at <https://www.dep.pa.gov> (select "Public Participation," then "Advisory Committees," then "Water Advisory Committees," then "Sewage Advisory Committee"). Questions can be directed to Janice Vollero, Bureau of Clean Water, 400 Market Street, Harrisburg, PA, at jvollero@pa.gov or (717) 772-5157.

Source: Pennsylvania Bulletin, 2/16/2019
<https://www.pabulletin.com/secure/data/vol49/49-7/218.html>

New report highlights how toxic “accidents waiting to happen” threaten U.S. waterways

Study details threats to clean water from five types of facilities, even as the Trump administration seeks to roll back protections

Facilities storing billions of gallons of toxic waste threaten America's rivers and millions of people who live near them, according to a new report from the PennEnvironment Research & Policy Center, PennPIRG Education Fund and the Frontier Group. Entitled **Accidents Waiting to Happen: Toxic Threats to Our Rivers, Lakes, and Streams**, <http://pennenvironment.org/feature/ame/accidents-waiting-happen>, the study documents toxic pollution threats from five types of facilities and offers answers on how to prevent them.

The report pinpoints the dangers posed to waterways from toxic chemical storage, oil trains and pipelines, factory farm manure lagoons, coal ash ponds and fracking waste pits. While some of these pollute rivers, lakes and streams on an ongoing basis, the risks of one-off catastrophic spills are even greater as climate change-fueled hurricanes and flooding cause overflows, breaches and accidents, the study explains.

“In our heedless rush to produce more and more stuff, we’ve structured our economy in ways that produce enormous amounts of toxic waste,” said John Rumpler, senior director of Environment America’s clean water program and co-author of the report. “Stored or transported near our waterways, these toxic hazards are accidents waiting to happen.”

The report offers numerous case studies that indicate how much damage these hazards can produce. For example, in 2014, a chemical storage facility leaked into West Virginia’s Elk River, contaminating the drinking water of hundreds of thousands of people. Last fall, in North Carolina, Hurricane Florence caused both coal ash ponds and hog waste lagoons to overflow. And oil pipelines (and trains) have polluted rivers from Montana to Michigan.

“As extreme weather events become more frequent and more severe, these sites will become even more dangerous,” observed U.S. Rep. Paul Tonko of New York, who now chairs the House subcommittee on the environment and climate change. “In the long run, our only responsible answer is to prevent these toxic sites from being created in the first place.”

“With the combination of man-made and natural disasters -- from the Flint water crisis to Hurricane Florence -- you’d think we’d do everything we can to ensure Americans have safe drinking water,” said Kara Cook-Schultz, U.S. PIRG’s toxics program director. “Each of these accidents waiting to happen is a potential ticking time bomb for public health.”

At a time when the Trump administration is stripping Clean Water Act protections from thousands of **streams and wetlands** <https://www.epa.gov/wotus/rule/step-two-revise>

and weakening modest safeguards around **coal ash ponds** <https://www.epa.gov/newsreleases/epa-finalizes-first-amendments-coal-ash-disposal-regulations-providing-flexibilities> and **fracking waste** <https://www.blm.gov/press-release/blm-rescinds-rule-hydraulic-fracturing> on public lands, the report recommends a number of policy changes in the opposite direction. They include keeping risky facilities away from waterways, setting and enforcing strict standards for existing toxic facilities, and rejecting any efforts to weaken existing federal clean water protections.

"Damaging spills seem to have become a fact of life after flooding or big storms," said Gideon Weissman of Frontier Group, report co-author. "That's because there are toxic facilities situated on rivers and lakes all across the country. This isn't a scattered threat; it's a systemic problem that puts our waterways at risk."

Source: PEC Press Release, 2/7/2019 <https://pennenvironment.org/news/pae/new-report-highlights-how-toxic-accidents-waiting-happen-threaten-us-waterways>

DEP’s Citizens Advisory Council Urges Gov. Wolf to Rebalance DEP’s Legal Mandates and Fiscal Resources

In a special report to Gov. Wolf called Vision 2022, DEP’s Citizens Advisory Council urged the Governor to make rebalancing DEP’s legal mandates and its fiscal resources a priority in his second term.

"The budgetary picture is much the same today as it was four years ago. DEP remains strained for funding and lacks the resources to pursue effective environmental planning activities.

“While ... fee increases will help cover the costs of implementing current programs, increased resources are needed to address coming environmental challenges.

“The current agency executives and staff have worked hard at improving the efficiency of the agency, including several e-permitting and other digital initiatives...but it is important to recognize that the legal mandates and fiscal resources of DEP remain unbalanced.

"The administration should prioritize restoring that balance over the next four years.”

In 2017, the Citizens Advisory Council wrote to Senate and House Appropriations Committee Chairs expressing serious concerns about funding levels at the Department of Environmental Protection saying, in part, “consistent cuts to DEP over the last 2 decades has reached an unsustainable level.”

Among the other issues the Council recommended Gov. Wolf address are:

Consensus Building: The report recommended DEP should increase its efforts to bring people together from all political perspectives and sectors of the Commonwealth to debate, critically analyze and offer solutions to common understandings of specific environmental issues.

“We all have a stake in sound environmental policy and effective, common sense regulatory programs that both protect the common good and provide a predictable pathway for economic investment and prosperity.”

Pointing to successful consensus building efforts in developing the **Phase III Chesapeake Bay Watershed Implementation Plan** <https://www.dep.pa.gov/Business/Water/Pennsylvania%E2%80%99s%20Chesapeake%20Bay%20Program%20Office/WIP3/Pages/WIP-Steering-Committee-Actions.aspx> and the Act 101 Recycling Program Work Group of the **Solid Waste Advisory Committee** <https://www.dep.pa.gov/PublicParticipation/AdvisoryCommittees/WasteAdvisory/Pages/2018.aspx> , the CAC said it will work on drafting a document to help the Administration implement the use of these techniques in other areas.

Professional Development: Noting 28 percent of DEP staff will be eligible to retire over the next 4

years, the report said it was vital to provide training, mentoring and investment in professional development for younger technical and administrative staff to ensure programs operate consistently during the transition.

Climate Change: The Council said it was encouraged by the recent actions taken by the Governor on climate change, including Gov. Wolf’s **Executive Order** <http://www.paenvironmentdigest.com/newsletter/default.asp?NewsletterArticleID=45506> establishing greenhouse gas emission reduction targets and the “robust” list of recommendations in the latest updated to DEP’s **Climate Change Action Plan** <http://www.paenvironmentdigest.com/newsletter/default.asp?NewsletterArticleID=45186> [to be finalized in the very near future]. The Council noted there is a real opportunity to employ consensus-building techniques to begin the process of implementing the recommendations in the Climate Action Plan.

State Resources Needed to Replace Pull Back of Federal Government: Given the current federal administrative goal to minimize federal regulation of streams and wetlands, DEP is likely to be faced with increased responsibility for aquatic resource identification and assessment.

The existing shortage of technical staff capabilities in the [DEP] regional offices will be exacerbated and require additional financial support as the U.S. Army Corps Of Engineers withdraws from making jurisdictional Determinations if aquatic resources in the Commonwealth are to be protected.

State-Federal Issues-Chesapeake Bay, PFAS other Water Obligations: The Council noted the challenges Pennsylvania faces in meeting its Chesapeake Bay Watershed cleanup obligations, **warnings the Safe Drinking Water has received from the federal government on adequacy of its resources**, recent proposals to reduce federal support for programs DEP administers for the federal government and on **emerging issues like PFAS contamination**.

The Council encourages the Administration to assure open and candid community both inside DEP

in raising potential federal compliance issues and in discussing possible alternative approaches that make sense for Pennsylvania and EPA.

It also recommended the Wolf Administration work with other states to develop and share solutions in order to “strengthen our hand in negotiations with EPA and other the federal partners.”

Environmental Remediation and Offsets: The Council pointed to the opportunities presented by environmental protection programs that require the mitigation and replacement of wetlands and other water-related functions and their potential to address the development of wetland, stream restoration and mine drainage treatment and reclamation projects that can help the Commonwealth met its general water quality restoration obligations.

The Council discussed the opportunities private, third-party mitigation banks, in-lieu of mitigation fee programs and permittee responsible mitigation programs provide for not only effective restoration, but for simplifying permit processing.

The Council said, “Development of robust private mitigation markets can help address the funding challenges that Pennsylvania (and all states) face with improving water quality and natural environments.”

Preparing for an Evolving Energy Future: “Since the first Marcellus Shale Lateral Well came online in 2007, Pennsylvania’s energy capabilities have changed the energy markets in a drastic way for all Pennsylvanians. Coupled with an increase in ‘alternative’ fuels such as solar and wind power generation, the Commonwealth is now experiencing the cleanest air quality since the height of our industry revolution.

“The move away from mainly coal and nuclear to natural gas has resulted in the most economical fuel source Pennsylvanians have ever experienced, down from the 2008 high of \$13/MMBTU to less than \$3/MMBTW, a decrease of 77 percent, enabling vast savings for households, manufacturers and consumers.

“As the second most productive state in natural gas extraction, it would be foolish to ignore the economics and vast availability of natural gas and even more foolish not to encourage the up scaling of wind and solar sources of energy.

“However, with climate change at the forefront worldwide, the demand for renewables will continue to rise.

“The nuclear industry is also feeling the impacts of natural gas and may see further declines in the total shares of Pennsylvania fuel sources in the future. The nuclear industry, however, is working hard to ensure that they are not phased out quickly, as was the experience of coal-fired electrical plants.

“All told, Pennsylvania, with its complex electrical grid, will continue to need all sources of energy as more homes and businesses demand additional power. It is important to understand that renewable energy is only about 10 percent of the total, with goals to make it higher.

“In reality, renewables and the infrastructure needed to make it viable are quite a few years into the future.

“For the long term, the Penn State Department of Architectural Engineering in September 2018, submitted a report to DEP titled, CHP-Enabled Renewable Energy Microgrids in Pennsylvania: A Guidance Document for Conceiving Feasible Systems.

“The report stresses smaller energy systems that use natural gas and renewables as opposed to the multi-billion dollar nuclear projects that have been prevalent since the 1970’s.

“Overall we foresee a nice mix of natural gas and renewables for the future of Pennsylvania’s energy demands. Yet Pennsylvania still lags well behind neighboring states in its support for renewables.”

Sewage Facilities Planning: The Council recommended DEP examine its regulations to facilitate the use of well-tested and proven alternative technologies in the on-lot sewage planning phase of development and the

effectiveness and direction of the entire Act 537 sewage facilities program. It also viewed this issue as an opportunity for consensus building.

Click here for a **copy of the report**
http://files.dep.state.pa.us/PublicParticipation/Citizens%20Advisory%20Council/CACPortalFiles/What%27sNew/CAC_Vision%202022%20Transition%20Report.pdf .

The Citizens Advisory Council is an independent 18-member advisory group appointed by the Senate President Pro Temporal, Speaker of the House and the Governor. The Council advises the Secretary, Governor and General Assembly about issues affecting all parts of DEP's operation.

The next meeting of the Council will be **February 19** in Room 105 of the Rachel Carson Building in Harrisburg starting at 10:00. Click here for more on the meeting agenda
<http://www.paenvironmentdigest.com/newsletter/default.asp?NewsletterArticleID=45739> .

For more information, visit DEP's Citizens Advisory Council webpage
<https://www.dep.pa.gov/PublicParticipation/CitizensAdvisoryCouncil/Meetings/Pages/default.aspx> . Questions should be directed to Keith Calador, Executive Director, 717-787-8171 or send email to: ksalador@pa.gov .

Source: PA Environmental Digest, 2/18/2019

Budget Testimony Submitted by the Department of Environmental Protection

This is the text of the written budget testimony submitted to the House and Senate Appropriations Committees by the Department of Environmental Protection Secretary Patrick McDonnell.

Thank you for the opportunity to present Governor Wolf's proposed Fiscal Year 2019-20 budget for the Department of Environmental Protection (DEP).

I want to begin by acknowledging the almost 2,500 public servants who work every day to achieve the department's mission. Every one of us commits daily to "protect Pennsylvania's air, land and water from pollution, and to provide for the health and safety of our citizens."

This year, DEP's budget request includes \$135.186 million from the General Fund and a total spending authorization of \$783.820 million. The proposal includes \$271.705 million of special fund authorizations as well as \$251.680 million in Federal spending authority.

For reference, in 2018-19, DEP's total enacted General Fund budget was \$156,049,000 which included a \$9,602,000 increase. The current budget further increases this budget by another \$4,617,000 to a total of \$160,666,000, a two-year increase of \$14,219,000. This is an increase of \$21,433,000 from the last year budget of the prior administration.

Recognizing that agencies across Commonwealth government have been tasked with finding efficiencies in order to achieve a high level of service with limited budgetary increases, DEP is working to meet our obligations to the best of our abilities at our current staffing level of 2,497.

To achieve the proposed savings in the general fund budget, the Chesapeake Bay Agricultural Source Abatement Fund, Transfer to Conservation District Fund, and funding for several commissions will be appropriated from the Environmental Stewardship Fund in the amount of \$8.031 million.

Another \$7.449 million from the Environmental Stewardship Fund and \$10 million from the Recycling Fund is proposed to be utilized to augment department operations.

The Governor's Budget also proposes to fully fund Pennsylvania's commitments to interstate compacts, commissions and partners including the Susquehanna River Basin Commission, Delaware River Basin Commission, Ohio River Valley Water Sanitation Commission, and Chesapeake Bay Commission.

Through this testimony, I'd like to update you on several core initiatives DEP has undertaken that are directly related to our mission and our fiscal accountability:

- Improving our permit review process;
- Preparing for the future of clean-up of hazardous sites throughout the Commonwealth as that funding stream ends;
- Reducing runoff pollution through improved stormwater management statewide;
- Continuing our partnership with conservation districts;
- Making unprecedented progress on our federal obligations to improve local water quality in the Chesapeake Bay Watershed; and
- Continuing toward a clean energy economy.

Before I begin, I would like to note that **Governor Wolf's Restore Pennsylvania initiative** <http://www.paenvironmentdigest.com/newsletter/default.asp?NewsletterArticleID=45667&SubjectID=> , while separate from this proposed budget, would have a strong positive impact on each of these essential environmental programs.

DEP welcomes the opportunity to add resources which will help us better achieve our mission to protect public health and the environment, and Restore Pennsylvania is the only option available to provide much-needed resources for many of the department's priority areas.

Improving Our Permit Review Process

DEP receives more than 31,000 permit applications a year, and each of these permits is important to a project somewhere in the commonwealth.

Broadly speaking, permits are required for certain types of construction projects that require control of erosion or air emissions, cross waterbodies, result in industrial wastewater or stormwater discharges, or are drinking water and sewerage construction.

DEP permitting is often a critical step for community growth and redevelopment.

Both permitting and inspections cover almost every industry in our state, and are often a requirement to maintain primacy of certain federal programs, where DEP is delegated federal authority by the U.S. Environmental Protection Agency (EPA) to enforce both state and federal laws and regulations, such as Safe Drinking Water, Air Quality, and Mining.

One year ago, I was honored to stand with Governor Tom Wolf to announce plans to modernize the permit process, reduce the backlog, and improve our already exemplary oversight.

To help us deal with long-standing reductions to the agency's budget, we sought a \$2.5 million budget allocation to facilitate the strategy. This funding enabled DEP to fill 33 mission-critical positions, seventeen in our Regional Offices, sixteen for our Central Office operations, and funded two Human Resource Delivery Center positions to process DEP hiring requests more quickly and efficiently.

Staff throughout DEP have focused our efforts on increased responsiveness, improved customer service, and working smarter with the help of technology to enhance operations and give applicants tools to provide complete applications at the outset.

In brief, DEP has:

- Opened the Regional Permit Coordination Office (RPCO), a centralized permitting office to assist with construction permitting and coordination related to erosion and sediment control (Chapter 102) and water obstruction and encroachment (Chapter 105) for large scale, multi-county or multi-regional infrastructure projects, such as pipelines and highways.
- Developed electronic permitting applications for well drilling and erosion and sedimentation control at oil and gas sites (ESCGP), surface coal mining, air emissions from certain natural gas activities (GP-5 and GP-5A), Chapter 105 water obstruction and encroachment general permits, storage tank renewals, and radiation protection x-ray registration renewals.

- Increased the efficiency of inspection for oil and gas sites, erosion and sedimentation, waterways encroachment, waste management, spill cleanup, and emergency response through the development and implementation of electronic tools.
- Begun to digitize files while also requesting electronic submissions to improve Right to Know and informal file review processes, reinforcing DEP's commitment to transparency.
- Significantly improved permitting efficiency by meeting with and clearly communicating permitting and regulatory requirements to the regulated community and consultants.

As a result of these and other staff-designed modernization efforts, collaborations, and innovations, we have reduced permit review times substantially (in some cases by more than 220 days) while maintaining our commitment to our mission of protecting public health and our environment.

Preparing For the Future of Clean-up Of Hazardous Sites

As Governor Wolf addressed last week as part of the **Restore Pennsylvania initiative** <http://www.paenvironmentdigest.com/newsletter/default.asp?NewsletterArticleID=45667&SubjectID=>, former industrial and commercial sites sit waiting for cleanup as a catalyst for new economic opportunity.

One of the most important tools Pennsylvania has to provide these opportunities is the Hazardous Sites Cleanup Fund under the Hazardous Sites Cleanup Act (HSCA).

This special fund supports investigation, cleanup and monitoring at contaminated sites, implementation of Pennsylvania's Land Recycling Program, and participation in the federal Hazardous Waste Program and in the Federal Superfund Program (coordinated with the U.S. Environmental Protection Agency).

Over the 22-year history of the Land Recycling Program, DEP has approved more than 6,687 actions.

As a result of voluntary actions by developers and landowners and DEP enforcement and cleanup responses, contaminated and abandoned sites have been cleaned, put back into service, and regained productive value to the residents of adjacent communities and the commonwealth overall.

Under this fund, DEP has performed investigations of groundwater and soil contamination, replaced contaminated water supplies, removed and disposed of toxic wastes, implemented groundwater treatment actions, and addressed threats posed by toxic chlorinated solvents, toxic heavy metals, flammable materials, corrosive substances and radiological materials.

Now, the future of this program is in jeopardy. The funding of \$40 million per year was generated by the Capital Stock and Franchise Tax. With the phase-out of that tax, DEP will be unable to sustain these valuable programs without a new source of \$30 million annually to support the projects required by the act.

Outside of finding an extra \$30 million in General Fund dollars, Restore Pennsylvania could be the answer to finding new additional revenue to fund this critical program.

Reducing Runoff Pollution through Improved Stormwater Management

Just about every Pennsylvanian noticed the record-breaking storms that hit the state in 2018. Flooding was so dangerous that some residents lost their lives, roads were destroyed, and homes and businesses were severely damaged. In addition to causing flooding-related disaster, stormwater runoff from impervious surfaces is one of the biggest sources of flooding and water pollution and one of the thorniest problems to solve.

As the negative impacts of storms have increased, the EPA has required about 950 Pennsylvania municipalities with urbanized areas (commonly referred to as MS4s, or municipal separate storm sewer systems) to meet new, more stringent stormwater management requirements, including developing stormwater management ordinances and practices that control stormwater

runoff from development to reduce flooding and pollution.

DEP has worked shoulder to shoulder with municipal leaders around the state to help them understand and work through these new federal requirements.

Through extensive assistance in the application process, new mapping tools, and training events, we've ensured that most municipalities have met their permit application deadlines, despite the complexity of this new approach.

Restore Pennsylvania could provide municipalities with funding required to meet these federal requirements.

Restore Pennsylvania could also provide financial assistance to flood mitigation programs such as DEP's Stream Improvement Program, and help fund high hazard dam rehabilitation projects, and the operation and maintenance of Commonwealth built flood protection projects sponsored by municipalities.

Continuing Our Strong Partnership with Conservation Districts

Pennsylvania's County Conservation Districts provide invaluable regulatory support to DEP and the communities they serve.

DEP, through agreements with these Conservation Districts, delegates the implementation of erosion and sediment control program, and the authorization of activities eligible for coverage under the Chapter 105 General Permits relating to water obstructions and encroachments.

The Conservation Districts also review and approve nutrient management plans, and assist with flood response and stream improvement projects. The Conservation Districts provide these services at the local level which maximizes accessibility of these programs to the public.

Making unprecedented progress on improving local water quality DEP, along with the Departments of Agriculture and Conservation and Natural Resources, has achieved an unprecedented

degree of momentum and partnership with county leaders, as well as those in agricultural, business, and community organizations, in developing **Phase 3 of the state Watershed Implementation Plan** <https://www.dep.pa.gov/Business/Water/Pennsylvania%E2%80%99s%20Chesapeake%20Bay%20Program%20Office/WIP3/Pages/WIP-Steering-Committee-Actions.aspx> to reduce nutrient and sediment pollutants in local streams and rivers in the Chesapeake Bay watershed.

This strong partnership, along with a ground-up framework, has created an innovative new tool for county-level planning that enables local leaders to plan projects strategically, where they can serve local priorities and have the greatest pollutant-reducing impact.

Both Lancaster and York Counties have completed their local plans using the new tool, meaning that Pennsylvania now has a plan for 25 percent of its part of the watershed.

Franklin and Adams Counties are finishing up their local plans, with the process to be rolled out to the remaining counties in early spring.

What's more, we're bringing the same degree of fresh momentum as we look beyond plan development this spring to plan implementation starting in late summer.

Continuing Toward a Clean Energy Economy

All Pennsylvanians -- government leaders, business owners, organizations, and residents -- must understand how they can help keep global temperature increases below 2 degrees Celsius, to ensure that human-caused climate change is not catastrophic.

DEP continues to make advances on Pennsylvania's clean energy economy, with a goal to reduce energy bills, create opportunities for businesses, and enhance public health through a cleaner environment.

Our "Finding Pennsylvania's Solar Future Project"

<http://www.paenvironmentdigest.com/newsletter/default.asp?NewsletterArticleID=45090&SubjectID=8>

outlines a path for achieving 10 percent solar electricity generation by 2030. As noted in the plan, the investment potential in solar is estimated to be at least \$2.9 billion in significant economic benefits and additional jobs. Our plan guides the Commonwealth to capitalize on those benefits.

To help transition our transportation sector to cleaner options, DEP has issued several rounds of grants and rebates to cleaner vehicles and infrastructure from Pennsylvania's share of a national settlement with Volkswagen Group of America after that automaker cheated on U.S. Environmental Protection Agency emission tests.

Pennsylvania received \$118 million in the settlement for projects

<http://www.paenvironmentdigest.com/newsletter/default.asp?NewsletterArticleID=43402&SubjectID=2> in Pennsylvania that reduce emissions of nitrous oxides.

In January, Governor Wolf issued an **Executive Order**

<http://www.paenvironmentdigest.com/newsletter/default.asp?NewsletterArticleID=45506&SubjectID=8> setting a statewide goal to reduce greenhouse gas emissions 26 percent by 2025, and 80 percent by 2050. The Executive Order also sets energy reduction performance goals for state government.

As part of the newly established Green Government Council, DEP will partner with the Department of General Services and Department of Conservation and Natural Resources to develop strategies to ensure state government meets these goals.

We anticipate that current DEP technical assistance and funding programs for building and vehicle energy efficiency and conservation will play a role.

Next month, DEP will issue its **Climate Action Plan update**,

<http://www.paenvironmentdigest.com/newsletter/default.asp?NewsletterArticleID=45186&SubjectID=8> a set of recommendations that can prepare Pennsylvania for the impacts of climate change and outline ways to mitigate it, as required by the Legislature.

The plan analyzes 19 strategies that may enable Pennsylvania to achieve these emission reduction goals and enable us to better adapt to impacts of climate change we're already seeing.

Over one hundred actions in nine sectors are outlined, with a key focus on energy, as 88 percent of state greenhouse gas emissions come from electricity generation, and energy use such as the heating and cooling of buildings, and transportation.

DEP stands ready to work with the General Assembly to implement the recommended strategies, many of which will require legislative action.

We look forward to working with the legislature on the challenges and opportunities that lie ahead this fiscal year. Thank you for your consideration.

Click here for a **copy of the testimony**
<https://drive.google.com/file/d/1SEeX8TT98LebLIxoOW05g117MFq8dJ6o/view> .

Click here for a **summary Secretary McDonnell's appearance** before the House Appropriations Committee
<https://paenvironmentdaily.blogspot.com/2019/02/d ep-secretary-promotes-restore-pa-bond.html> .

Source: PA Environmental Digest, 2/18/2019

PennVEST to hold 11 Information Sessions on Water Quality, Green Infrastructure Funding Programs

The PA Infrastructure Investment Authority is holding a series of 11 information sessions across the state for municipal officials, conservation districts, private landowners, authority board members and staff, regulators, engineers, and others interesting in learning about how PennVEST funding can help improve water quality in your community.

PennVEST provides funding for wastewater, drinking water, stormwater, septic system and nonpoint source water pollution control and treatment projects. Click here for a **list of PennVEST funding programs** <https://www.pennvest.pa.gov/Information/Funding-Programs/Pages/default.aspx> .

The sessions will be held:

- March 11 - Clearfield County, Clearfield;
- March 12 - Tioga County, Mansfield;
- March 13 - Chester County, Berwyn;
- April 2 - Cambria County, Ebensburg;
- April 8 - Westmoreland County, New Stanton;
- April 9 - Crawford County, Meadville;
- April 11 - Lehigh County, Allentown;
- April 22 - Dauphin County, Harrisburg;
- April 29 - Lackawanna County, Jessup;
- April 30 - Bedford County, Bedford; and
- May 16 - Luzerne County, Hazle Township.

Click here for **more information and to register** https://www.pennvest.pa.gov/Pages/Information_Exchanges.aspx .

Questions about the information sessions should be directed to PennVEST's regional project specialists: Northeast Region: Rebecca Kennedy 717-574-8454, rebkennedy@pa.gov ; Southwest Region: Dan Mikesic 717-574-8452, dmikesic@pa.gov ; Northwest and Northcentral Regions: David Henning 717-574-8451, dahenning@pa.gov ; and Southeast and South Central Regions: Tesra Schlupp 717-574- 8453, tschlupp@pa.gov .

For more information on available funding programs, visit the **PA Infrastructure Investment Authority website** <https://dced.pa.gov/programs/pennsylvania-infrastructure-investment-authority-pennvest/> .

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