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



GOVERNMENT RELATIONS UPDATE

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Senate Republicans Welcome Two New Members

Senate President Pro Tempore Joe Scarnati (R-25) and Senate Majority Leader Jake Corman (R-34) welcomed two new members to the Senate Republican caucus.

Senator-elects Doug Mastriano and Joe Pittman won special elections to the Pennsylvania Senate on May 21.

Senator-elect Mastriano will represent the 33th Senatorial District, which includes all of Adams County and parts of Cumberland, Franklin and York counties.

A retired U.S Army Colonel, and military historian, Mastriano, has a doctorate from the University of New Brunswick and master's degrees in military operations, strategic intelligence, airpower and strategy. He earned a bachelor's degree from Eastern University in St. Davids. Mastriano and his wife Rebecca have a son, Josiah, and live in Greene Township, Franklin County.

Senator-elect Pittman will represent the 41st Senatorial District, which includes of Armstrong and Indiana counties and parts of Butler and Westmoreland counties.

Pittman served as chief of staff to Sen. Don White, who retired in February. Prior to that, he

served on the Purchase Line School Board. He currently serves on the board of directors for the Purchase Line Red Dragon Foundation, a nonprofit that provides scholarships to high school graduates. Pittman and his wife, Gina, have four children, two boys and twin girls, and live in Indiana.

With the inclusion of Mastriano and Pittman, Senate Republicans will hold a 28-22 majority in the State Senate.

Source: Senate Republican Communications, 5/22/2019

Turzai Announces Rep. Fred Keller Resignation from State House in Wake of Congressional Election

On May 24, 2019, Speaker of the House Mike Turzai (R-Allegheny) announced that Rep. Fred Keller (R-Snyder/Union) has officially resigned his House seat this week after winning election to Congress.

"We congratulate Fred on his election and wish him all the best as he continues to serve the Commonwealth and his constituents in Congress," said Turzai.

The 85th Legislative District office, located in the Mifflinburg Government Center, 343 Chestnut

St., Suite 1, Mifflinburg, will remain open to serve constituents. Residents can call and make an appointment for assistance at 570-966-0052. The website <http://www.repfredkeller.com/> will also redirect constituents to many state documents and other helpful information.

The date for a special election to fill the House seat will be announced within a week according to Turzai.

The 85th Legislative District includes parts of Union and Snyder counties.

Source: Speaker Turzai Press Release, 5/24/2019

Perchlorate Proposed Rulemaking

On May 23, 2019, the U.S. Environmental Protection Agency (EPA) is releasing a notice of proposed rulemaking that seeks public input on a range of options regarding the regulation of perchlorate in public drinking water systems.

The agency is seeking comment on a proposed National Primary Drinking Water Regulation (NPDWR) for perchlorate to establish a Maximum Contaminant Level (MCL) and a health-based Maximum Contaminant Level Goal (MCLG) at 56 micrograms per liter.

In addition, the agency is seeking comment on three alternative regulatory options:

- An MCL and MCLG for perchlorate set at 18 micrograms per liter.
- An MCL and MCLG for perchlorate set at 90 micrograms per liter.
- Withdrawal of the agency's 2011 determination to regulate perchlorate in drinking water.

The agency is requesting comment on all relevant aspects of the proposed rule but is especially interested in the perchlorate monitoring and reporting requirements for public water systems and a list of treatment technologies that would enable water systems to comply with the MCL,

including affordable compliance technologies for small systems serving 10,000 persons or less EPA is also requesting comment on its methodology for deriving the MCLG, the underlying assumptions and analysis of its cost and benefit estimates, and other specific items listed in the proposed rule.

Perchlorate is commonly used in solid rocket propellants, munitions, fireworks, airbag initiators for vehicles, matches, and signal flares. Perchlorate may occur naturally, particularly in arid regions such as the southwestern United States and is found as an impurity in hypochlorite solutions used for drinking water treatment and nitrate salts used to produce nitrate fertilizers, explosives, and other products.

EPA will accept public comment on the proposal for 60 days after publication in the Federal Register via <http://www.regulations.gov> [Docket ID No. EPA-HQ-OW-2018-0780]. For more information and to view the pre-publication version of the Federal Register Notice, visit <https://www.epa.gov/dwstandardsregulations/perchlorate-drinking-water>

Source: EPA, 5/23/2019

New Executive Director Joins PUC

The Pennsylvania Public Utility Commission (PUC) announced the appointment of Seth A. Mendelsohn of Harrisburg, a senior government leader, business and leadership professor, and former corporate vice president, as Executive Director, effective May 28.

Mendelsohn replaces Jan H. Freeman, who is stepping down from the position effective May 28 and will serve as an adviser to Chairman Gladys Brown Dutrieuille, before leaving the Commission on June 28. Freeman served as Executive Director for nearly eight years.

With more than 20 years of management experience in insurance, government and public utilities, Mendelsohn is concluding his current service as Executive Deputy Insurance Commissioner, the chief operating officer of the

Pennsylvania Insurance Department. In this position, Mendelsohn established employee retention and recruitment programs, and an employee mentorship program, the first of its kind for a Commonwealth agency under the Governor's jurisdiction.

Mendelsohn also brings to the PUC his public utility experience as a Vice President and Corporate Counsel for American Water Works Company, with responsibilities in Pennsylvania, Virginia and Maryland. While there, Mendelsohn was particularly recognized for solving problems with troubled water companies in Pennsylvania. He also previously served as a Senior Deputy Attorney General/Attorney-in-Charge for the Pennsylvania Office of Attorney General's Bureau of Consumer Protection.

He serves as an adjunct instructor of business law, ethical leadership and corporate governance for the Master of Business Administration program at Lebanon Valley College. Mendelsohn also teaches a course on leadership in a multicultural global environment as an adjunct associate professor in the Master of Business Administration program at the University of Maryland University College.

He previously served as an appointee of the Governor on the Citizens Advisory Council of the Pennsylvania Department of Environmental Protection.

Mendelsohn received his bachelor's degree from the University of Pittsburgh, his law degree from The Dickinson School of Law and his Master of Business Administration degree from Lebanon Valley College.

As Executive Director of the PUC, Mendelsohn will plan, organize and direct day-to-day operations of the Commission.

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.

Visit the PUC's website at <http://www.puc.pa.gov/> for recent news releases and video of select proceedings. You can also follow us on Twitter, Facebook, LinkedIn, Instagram and YouTube. Search for the "Pennsylvania Public Utility Commission" or "PA PUC" on your favorite social media channel for updates on utility issues and other helpful consumer information.

Source: PUC Press Release, 5/23/2019

Wolf Administration Outlines Benefits of Restore Pennsylvania for Aging Dams, Rehabilitation in Monroe County

On May 20, 2019, representatives from Department of Environmental Protection's (DEP) Waterways Engineering and Wetlands Program toured Middle Dam along Sambo Creek in East Stroudsburg to highlight how the Wolf Administration's Restore Pennsylvania plan would comprehensively address aging dams across the commonwealth.

Restore Pennsylvania is an aggressive plan to address the commonwealth's vital infrastructure needs, including old dams in need of rehabilitation.

"All across Pennsylvania, DEP is seeing more and more dams that are either failing, or in serious need of rehabilitation, with the safety of thousands of residents at stake," said DEP Secretary Patrick McDonnell. "The cost of the work to fix those dams could range in the millions of dollars. Restore Pennsylvania could provide a funding source for these projects."

Middle Dam, which is owned by the borough and used as one of its two water supplies, has obtained funding through a state grant for rehabilitation that would bring the 24-foot high structure into compliance with state regulations. The work includes reconstructing the spillway,

installing a new piping and drainage system, and construction of new wetlands. The total cost is estimated at \$8 million. In 2008, the DEP declared Middle Dam as "unsafe" due to a seriously inadequate spillway. Approximately 750 people and 33 businesses are at risk if the dam were to fail. The drainage area to the dam is 2.7 square miles which includes the larger East Stroudsburg Dam, which was recently rehabilitated.

"In Monroe County we have some of the highest concentrations of lakes and waterways in the commonwealth," said Sen. Mario Scavello (R-40th). "While we are blessed with an abundance of beautiful waterways, we also have many high hazard dams - many of which are in local communities without the funds to repair. I am pleased to join in supporting Restore Pennsylvania's efforts to invest back into repairing our dams to protect our environment and communities for many years to come."

Restore Pennsylvania proposes a commonsense severance tax that would invest \$4.5 billion over the next four years in significant high-impact projects throughout the commonwealth, that would rebuild Pennsylvania's infrastructure and increase resources for blighted properties, storm preparedness, and disaster recovery to help make Pennsylvania a leader in the 21st century.

Learn more about the Restore Pennsylvania plan <https://www.governor.pa.gov/restore-pennsylvania/>.

Source: Governor Wolf's Press Office, 5/20/2019

Gov. Wolf's Restore Pennsylvania Can Help Clean Up Contaminated Drinking Water

On May 21, 2019, Governor Tom Wolf joined local and state officials on a tour of a Horsham Water and Sewer Authority well equipped with a Granular Activated Carbon (GAC) filter to see what the township is doing to mitigate Perfluoroalkyl and Polyfluoroalkyl Substances (PFAS) contaminants in its water system and how

his Restore Pennsylvania plan can help communities across the commonwealth.

"Restore Pennsylvania will provide funding needed to remediate PFAS on a statewide basis, so families living in places like Horsham have peace of mind when they fill a glass with tap water or when a child takes a sip from a drinking fountain," Gov. Wolf said. "And that's why we are working together to pass Restore Pennsylvania."

Restore Pennsylvania, funded by the monetization of a commonsense severance tax, will invest \$4.5 billion over the next four years in significant high-impact projects throughout the commonwealth to help catapult Pennsylvania ahead of every state in the country in terms of technology, development, and infrastructure.

Restore Pennsylvania will expand efforts to remove PFAS and other contaminants from communities across the commonwealth where these chemicals have also been discovered, threatening the safety of residents' drinking water. The cleanup costs associated with addressing these chemicals can be significant with few funding options available at the state level.

Horsham Township did receive Pennvest funding to help purchase the GAC filters now in place to filter out PFAS on 11 wells in the township.

Perfluoroalkyl and polyfluoroalkyl substances - PFAS - are man-made chemicals resistant to heat, water and oil, and persist in the environment and the human body. PFAS are not found naturally in the environment. They have been used to make cookware, carpets, clothing, fabrics for furniture, paper packaging for food, and other materials that are resistant to water, grease, or stains. They are also used in firefighting foams and in a number of industrial processes.

In September 2018, Governor Wolf announced the establishment of a multi-agency PFAS Action Team <https://www.governor.pa.gov/governor-wolf-takes-executive-action-address-pfas-concerns-protect-pennsylvanians/> and other executive actions to address growing national concerns surrounding PFAS. The PFAS Action Team places Pennsylvania

at the forefront of states taking proactive action to address PFAS and other water contaminants.

"Republican or Democrat, senator or representative, every elected official understands that clean drinking water is a critical issue," Gov. Wolf said. "We all want Pennsylvanians to live the happiest, healthiest lives possible."

Learn more about how Restore Pennsylvania <https://www.governor.pa.gov/restore-pennsylvania/> can help your community protect drinking water, improve infrastructure, remove blight and increase access to broadband.

Source: Governor Wolf's Press Office, 5/21/2019

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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.