

# 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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### Revenue Department Releases July 2020 Collections

Pennsylvania collected \$4.1 billion in General Fund revenue in July, the first month of the 2020-21 fiscal year, Revenue Secretary Dan Hassell reported today.

The Department of Revenue estimates that approximately \$1.6 billion of the revenue collected in July can be attributed to extending due dates for various taxes due to the COVID-19 pandemic.

“Our goal was to provide relief for Pennsylvania residents and business owners by giving them more time to file their returns and make their tax payments,” Revenue Secretary Dan Hassell said. “Now that several of those significant deadlines that were extended have passed, much of the revenue that we expected to receive in the prior fiscal year has come in. We’re working as quickly as we can to process returns so that we’ll have a clearer picture of anticipated revenue collections for the remainder of the fiscal year.”

**Sales tax receipts** totaled \$1.3 billion in July.

**Personal income tax (PIT) revenue** in July was \$2.3 billion.

**Corporation tax revenue** was \$240.5 million for July.

**General Fund revenue** figures for July included \$118.4 million in inheritance tax and \$17.9 million in realty transfer tax.

**Other General Fund revenue**, including cigarette, malt beverage, liquor and gaming taxes totaled \$144.8 million for the month.

**Non-tax revenue** totaled \$14.1 million for the month.

In addition to the General Fund collections, the **Motor License Fund** received \$287.5 million for the month, which includes the commonly known gas and diesel taxes, as well as other license, fine and fee revenues.

*July collection data does not include a comparison against anticipated amounts because revenue estimates for each month are not yet finalized.*

**Source:** PA Department of Revenue Press Release, 8/3/2020

### PUC to Hold Telephonic Damage Prevention Committee Meeting on Aug. 11

**T**he Pennsylvania Public Utility Commission (PUC) will hold a telephonic meeting of the

Damage Prevention Committee (DPC) on **Tuesday, Aug. 11, at 9 a.m.**

Members of the public, the media and others will be able to access the telephone conference by dialing 888-917-8050, and then entering passcode 9570961# to listen to the meeting. The meeting **agenda**

[http://www.puc.pa.gov/transport/gassafe/pdf/DPC\\_Agendas/2020/DPC081120.pdf](http://www.puc.pa.gov/transport/gassafe/pdf/DPC_Agendas/2020/DPC081120.pdf) is available on the PUC's website.

Under the unique circumstances presented by the COVID-19 pandemic, conducting public meetings and other routine Commission business telephonically - to help minimize non-essential personal social contact - is consistent with the Governor's Proclamation of Disaster Emergency and the requirements of the Public Utility Code.

#### About the DPC

The DPC is a peer-based group of 13 representatives, nominated by their industry or affiliated organization and appointed by the PUC. Creation of the committee was authorized by **Act 50 of 2017**

[http://www.puc.pa.gov/about\\_puc/press\\_releases.aspx?ShowPR=3918](http://www.puc.pa.gov/about_puc/press_releases.aspx?ShowPR=3918), which enhances Pennsylvania's Underground Utility Line Protection Act - also known as the "One Call Law." The focus of the DPC is to reduce the number of "hits" on underground lines and utilities.

The DPC meets regularly to review alleged violations of Act 50 and make informal determinations as to the appropriate response including, but not limited to, the issuance of warning letters, mandatory training programs and/or administrative penalties. **Summaries of actions** [http://www.puc.pa.gov/utility\\_industry/transportation/pa\\_one\\_call\\_enforcement/dpc\\_agendas\\_Actions.aspx](http://www.puc.pa.gov/utility_industry/transportation/pa_one_call_enforcement/dpc_agendas_Actions.aspx) taken at monthly DPC meetings are available on the PUC's website.

#### Digging Safety - PA One Call

Every year, underground lines across the state are struck more than 6,000 times - which means that during the average workday a pipeline or other vital utility system is hit every 20 minutes. While

underground lines are often "out of sight and out of mind," every hit poses a risk to the contractors and homeowners who are doing the digging; to utility workers and emergency responders who are mobilized when lines are struck; and to bystanders who live, work or travel near the locations of the incidents.

State law requires contractors and residents to contact **PA One Call** <https://www.palcall.org/PA811/Public/> at least three business days prior to excavation - triggering alerts to all utilities within an intended digging area and prompting utilities to mark where their facilities are located. Pennsylvanians can dial 8-1-1 to connect with the One Call system, while out-of-state residents or businesses can call 1-800-242-1776.

#### About the Bureau of Investigation & Enforcement

As the independent investigation and enforcement bureau of the PUC, I&E enforces state and federal pipeline safety, electric safety and motor carrier safety laws and regulations and represents the public interest in ratemaking and service matters before the PUC's Office of Administrative Law Judge. I&E has the authority to bring enforcement action, seek emergency orders from the Commission or take other steps to ensure public safety.

**Source:** PUC Press Release, 8/7/2020

## **Wolf Administration Highlights Increased Efforts to Expand COVID-19 Testing Availability**

**O**n August 6, 2020, Governor Tom Wolf and Pennsylvania Department of Health Secretary Dr. Rachel Levine highlighted ongoing efforts to expand testing across Pennsylvania to ensure that every Pennsylvanian who wants a test can get one.

"If we want to mitigate the spread of this very contagious virus, we must continue to understand

how it's impacting Pennsylvania. Most importantly, improving access to testing helps Pennsylvanians who want and need to test for COVID-19," Gov. Wolf said. "Testing also provides us with critical data to understand where the disease is in our communities so that we can take the necessary proactive measures to stop the spread and continue to protect the public."

The Wolf Administration continues to work to further increase testing in Pennsylvania. This includes partnerships in place with Walmart and Quest Diagnostics, which provide direct access in many communities, including rural areas.

The administration also continues to work with laboratories across the state in order to enhance testing capacity in Pennsylvania, particularly as we see significant national delays in receiving test results due to other states experiencing major case increases.

"In Pennsylvania, we are committed to ensuring that testing is accessible, available and adaptable," Secretary of Health Dr. Rachel Levine said. "Through working with our partners, including Walmart and Quest Diagnostics, we are helping to ensure that anyone who needs to get tested for COVID-19 in Pennsylvania can get tested. Testing, along with wearing a mask, washing your hands, maintaining social distancing and contact tracing are essential tools to reduce the spread of COVID-19 in Pennsylvania."

Nine drive-thru Walmart testing sites launched on Aug. 5 <https://www.media.pa.gov/Pages/Health-Details.aspx?newsid=943>. These nine new sites are in addition to existing Walmart drive-thru sites in Clarion, State College, New Castle and Edinboro.

"Walmart is happy to assist Governor Wolf with reliable timely COVID-19 tests via a convenient drive thru," said Jamie Reilly, Walmart regional health and wellness director.

Pennsylvania has conducted the ninth highest total number of tests for COVID-19 in the country, according to the **Centers for Disease Control and Prevention** <https://www.cdc.gov/covid-data-tracker/#testing>. Since the beginning of the pandemic, more than 1.6 million tests have been

completed, which equates to 13 percent of the Pennsylvania population.

At the height of the first wave in April, statewide testing capacity was limited to under 8,000 tests per day. Pennsylvania is now averaging more than 22,000 test results per day, as of Saturday, Aug. 1, and is testing about 4 percent of the population each month.

The most updated testing sites and information is available at the **Department of Health** <https://www.health.pa.gov/topics/disease/coronavirus/Pages/Symptoms-Testing.aspx>. Testing sites continue to be added.

For the updated commonwealth map of testing sites, visit **Pennsylvania COVID-19 Viral Testing Sites** <https://pema.maps.arcgis.com/apps/webappviewer/index.html?id=1a4c139769d646839e1549bcb6a668f1>.

**Source:** Gov. Wolf's Press Office, 8/6/2020

## DEP: Availability of Technical Guidance

The Department of Environmental Protection provided notice of the availability of Technical Guidance Documents (TGD). The **final TGDs are available here** <http://www.depgreenport.state.pa.us/elibrary/GetFolder?FolderID=4558>. Persons can order a paper copy of any TGDs by contacting the department at (717) 783- 8727.

The department provided notice of changes to the following TGDs:

DEP ID: 383-4200-003: *Guidance on Notification Requirements for Spills, Discharges, and other Incidents of a Substance Causing or Threatening Pollution to Waters of the Commonwealth Under Pennsylvania's Clean Streams Law.*

<http://www.depgreenport.state.pa.us/elibrary/GetDocument?docId=3232161&DocName=GUIDANCE%20ON%20NOTIFICATION%20REQS.%20FOR%20SPILLS%2C%20DISCHARGES%2C%20AN>

[D%20OTHER%20INCIDENTS%20OF%20A%20SUBSTANCE%20CAUSING%20OR%20THREATENING%20POLLUTION%20TO%20WATERS%20OF%20THE%20COMMONWEALTH%20UNDER%20PENNSYLVANIA%20E2%80%99S%20CLEAN%20STREAMS%20LAW.PDF](#)

DEP ID: 800-0810-002: *Policy for the Replacement or Restoration of Private Water Supplies Impacted by Unconventional Operations*  
<http://www.depgreenport.state.pa.us/elibrary/GetFolder?FolderID=160355>

Interested persons may submit written comments on DEP ID: 383-4200-003 online <https://www.ahs.dep.pa.gov/eComment/> or by email to [ecomment@pa.gov](mailto:ecomment@pa.gov) by October 6, 2020. Written comments can be mailed to the Technical Guidance Coordinator, Department of Environmental Protection, Policy Office, Rachel Carson State Office Building, P.O. Box 2063, Harrisburg, PA 17105.

Questions regarding this TGD can be directed to Bob Kachonik at [rkachonik@pa.gov](mailto:rkachonik@pa.gov) or (717) 783-3863.

Questions regarding DEP ID: 800-0810-002 can be directed to Kurt Klapkowski at [kklapkowski@pa.gov](mailto:kklapkowski@pa.gov) or (717) 783.

Additional information can be found on the Pennsylvania Bulletin.

**Source:** Pennsylvania Bulletin, 8/8/2020  
<http://www.pacodeandbulletin.gov/Display/pabull?file=/secure/pabulletin/data/vol50/50-32/1080.html>

## EQB Meeting Cancellation

**T**he Environmental Quality Board's meeting scheduled for August 18, 2020 has been **canceled**.

The next regular meeting of the board will be held virtually on Tuesday, September 15, 2020 at 9:00 a.m. Information on how to join the meeting, as well as the agenda and meeting materials, will be available here

<https://www.dep.pa.gov/PublicParticipation/EnvironmentalQuality/Pages/2020-Meetings.aspx>.

Questions regarding the meeting should be directed to (717) 783-8727 or [RA-EPEQB@pa.gov](mailto:RA-EPEQB@pa.gov).

**Source:** Pennsylvania Bulletin, 8/8/2020

## Certification Examination Scheduled for August 10, 2020; Rescheduled to September 28, 2020

**T**he Department of Environmental Protection's State Board for Certification of Sewage Enforcement Officers has **rescheduled** the certification examination previously scheduled for Monday, August 10, 2020. This certification examination has been rescheduled to **Monday, September 28, 2020**, and will be held at the Pennsylvania Association of Township Supervisors Training Center, 4855 Woodland Drive, Enola, PA 17025. Registration will begin at 8:30 a.m. and the exam will begin at 9 a.m.

Examination applications may be obtained by contacting the DEP, Rachel Carson State Office Building, 400 Market Street, PO Box 8774, Harrisburg, PA 17105, (717) 772-2186.

The complete 2020 Sewage Enforcement Officer examination schedule can be found here <http://files.dep.state.pa.us/Water/BNPNSM/WastewaterManagement/Act537/SEO/REV.Pa.B%202020%20SEO%20Certification%20Exam%20Dates-NOTICE.pdf>.

Questions should be directed to [RA-SEOTRNG@pa.gov](mailto:RA-SEOTRNG@pa.gov) or (717) 772-2186. Additional information can be found on the Pennsylvania Bulletin.

**Source:** Pennsylvania Bulletin, 8/8/2020  
<http://www.pacodeandbulletin.gov/Display/pabull?file=/secure/pabulletin/data/vol50/50-32/1081.html>

## CAC Virtual Meeting; Change to Meeting Start Time

The Department of Environmental Protection's Citizens Advisory Council meeting scheduled for Tuesday, August 18, 2020 at 10:00 a.m. will be held as a virtual meeting and will begin at 12:30 p.m. Information on how to join the meeting, as well as the agenda and meeting materials, will be available here

<https://www.dep.pa.gov/PublicParticipation/CitizenAdvisoryCouncil/Meetings/Pages/default.aspx>.

Questions should be directed to Keith Salador at [ksalador@pa.gov](mailto:ksalador@pa.gov) or (717) 787-8171. Additional information can be found on the Pennsylvania Bulletin.

**Source:** Pennsylvania Bulletin, 8/8/2020  
<http://www.pacodeandbulletin.gov/Display/pabull?file=/secure/pabulletin/data/vol50/50-32/1082.html>

## Climate Change Advisory Committee Virtual Meeting

The Department of Environmental Protection's Climate Change Advisory Committee meeting scheduled for Tuesday, August 25, 2020, will be held as a virtual meeting and will begin at 10 a.m.

Individuals interested in providing public comments during the meeting must sign up prior to the start of the meeting by contacting Lindsay Byron at [lbyron@pa.gov](mailto:lbyron@pa.gov) or (717) 772-8951. Information on how to join the meeting, as well as the agenda and meeting materials, will be available here

<https://www.dep.pa.gov/Citizens/climate/Pages/CCAC.aspx>.

Additional information can be found on the Pennsylvania Bulletin.

**Source:** Pennsylvania Bulletin, 8/8/2020  
<http://www.pacodeandbulletin.gov/Display/pabull?file=/secure/pabulletin/data/vol50/50-32/1083.html>

## State Board for Certification of Water and Wastewater Systems Operators Virtual Meeting; Conference Call

The Department of Environment Protection's State Board for Certification of Water and Wastewater Systems Operators meeting scheduled for Wednesday, August 12, 2020, will be held as a conference call and will begin at 10 a.m.

Individuals interested in providing public comments during the meeting must sign up prior to the start of the meeting by contacting Ed Chescattie at [echescatti@pa.gov](mailto:echescatti@pa.gov) or (717) 772-2184.

The agenda and meeting materials, as well as call-in information, will be available here <https://www.dep.pa.gov/PublicParticipation/AdvisoryCommittees/WaterAdvisory/CPAC/Pages/default.aspx>. Additional information can be found on the Pennsylvania Bulletin.

**Source:** Pennsylvania Bulletin, 8/8/2020  
<http://www.pacodeandbulletin.gov/Display/pabull?file=/secure/pabulletin/data/vol50/50-32/1084.html>

## New Ciresi legislation promotes cost-saving local government cooperation

State Rep. Joe Ciresi, D-Montgomery, introduced legislation on August 4, 2020 that would establish a new shared grant services program to help communities save money and reduce property taxes. School districts and municipalities would be able to apply for state funding to support locally driven cooperation initiatives that improve efficiency.

### House Bill 2760

<https://www.legis.state.pa.us/cfdocs/billInfo/BillInfo.cfm?year=2019&kind=0&body=H&type=B&bn=2760>, which has bipartisan support, would empower local governments, including school districts, to work together, Ciresi said, allowing

more resources to be spent on providing services instead of on administrative costs and overhead.

"With strained budgets, local governments and school districts throughout Pennsylvania are looking for ways to provide necessary services without raising taxes," Ciresi said. "We have a real opportunity to improve local government and reduce property taxes through back-office reform and shared services, allowing us to do more with less while keeping our local representation and community identity."

The program would be administered by the Department of Community and Economic Development with funding appropriated by the state legislature. Grant money would be awarded for shared services like regionalization, shared capacity, boundary change, consolidation and personnel sharing.

The Joint State Government Commission highlighted this approach to encourage sharing resources and reducing costs, allowing local governments to benefit from economies of scale. Following the passage of Act 50 of 2020 earlier this year, the Pennsylvania State System of Higher Education is also exploring shared services as a way of achieving cost savings and improving efficiency as part of its system redesign initiative.

More information about this bill is available by contacting Ciresi's office at 484-200-8265.

**Source:** Rep. Ciresi Press Release, 8/4/2020

## **Regional Climate Change Experts Meet despite Tropical Storm Isaias**

**A**s Tropical Storm Isaias roared up through the Delaware Valley Tuesday, the Delaware River Basin Commission's (DRBC) Advisory Committee on Climate Change (ACCC) held its inaugural meeting. The ACCC was created by the DRBC in December 2019. The ACCC is comprised of 18 individuals with relevant climate expertise, representing various government, watershed, academic, business and water user

perspectives. Members are listed at [https://www.state.nj.us/drbc/about/advisory/ACCC\\_committee.html](https://www.state.nj.us/drbc/about/advisory/ACCC_committee.html).

The ACCC's initial charge is to help inform DRBC's future water resource planning efforts considering climate change and support development of a comprehensive study on climate impacts to the Basin's water supply and water quality.

"Here in the Delaware River Basin we have some unique challenges. This Basin is prone to droughts and floods. Our main stem river is undammed and open to the ocean, meaning the bay and estuary are subject to sea level rise and storm surges. Bottom line - its complex, and we need this regional climate change expert committee's help," said Steve Tambini, DRBC's Executive Director.

Among the Committee's first orders of business was to elect a chair. Howard Neukrug, P.E., Executive Director, The Water Center at Penn, University of Pennsylvania, was unanimously chosen by the members.

"The DRBC staff has assembled a strong team of climate experts who will now work together to share their knowledge and ideas on how to minimize the future impacts of climate change on our region's water resources," said Neukrug.

The ACCC is one of seven DRBC advisory committees, which are important forums for information-sharing, dialogue and coordination among stakeholders and member state agencies. These committees also help inform the Commission's policy decisions. All advisory committee and sub-committee meetings are open to the public. Information on each is available at <https://www.nj.gov/drbc/about/advisory/>.

The DRBC is a federal/interstate government agency created in 1961 by concurrent compact legislation, marking 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. The five Commission members are the governors of the basin states (Delaware, New Jersey, New York and Pennsylvania) and the commander of the U.S. Army

Corps of Engineers' North Atlantic Division, who represents the federal government.

To learn more about the Commission, please visit <http://www.drbc.gov/> or follow DRBC.

**Source:** DRBC Press Release, 8/6/2020

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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.*