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# 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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### EPA Finalizes Historic Action to Better Protect Children's Health

*The first major update in 30 years strengthens every aspect of the Lead and Copper Rule.*

On December 22, 2020, U.S. Environmental Protection Agency (EPA) Administrator Andrew Wheeler was joined by U.S. Department of Housing and Urban Development (HUD) Secretary Ben Carson, Flint, Mich. Mayor Sheldon Neeley, Springfield, Ill. Mayor Jim Langfelder, Wisconsin State Senator Robert Cowles, Pennsylvania State Senator Camera Bartolotta, and Jefferson County, Colo. Commissioner Libby Szabo to announce the first major update to the agency's Lead and Copper Rule (LCR) in nearly 30 years. This historic action strengthens every aspect of the LCR and accelerates actions that reduce lead in drinking water to better protect children from lead exposure.

"This new Lead and Copper Rule will protect children and families from exposure to lead in drinking water," said EPA Administrator Andrew Wheeler. "For the first time in nearly thirty years, this action incorporates best practices and strengthens every aspect of the rule, including closing loopholes, accelerating the real world pace of lead service line replacement, and ensuring that lead pipes will be replaced in their entirety."

In older homes and buildings, lead can leach from service lines, solder, and fixtures into tap water and become a significant source of lead exposure. In children, lead exposure can cause irreversible and life-long health effects, including decreasing IQ, focus, and academic achievement. The U.S. has made tremendous progress in lowering children's blood lead levels by phasing lead out of gasoline, banning lead paint, and implementing the old LCR. However, the old rule included deficiencies that are fixed by EPA's new Lead and Copper Rule. For example, the old rule created so many loopholes that only 1 percent of utilities actually replaced lead pipes as a result of an action level exceedance. The old LCR also allowed up to 48 months to pass in our small towns before corrosion control was in place after a water system exceeded the action level and failed to require all systems to test for lead in drinking water in their elementary schools or child care facilities.

EPA's new Lead and Copper Rule better protects children and communities from the risks of lead exposure by testing drinking water at elementary schools and child care facilities, getting the lead out of our nation's drinking water, and empowering communities through information. Improvements under the new rule include:

- Using science-based testing to better locate elevated levels of lead in drinking water.
- Establishing a trigger level to jumpstart mitigation earlier and in more communities.
- Driving more and complete lead service line replacements.

- For the first time, requiring testing in elementary schools and child care facilities.
- Requiring water systems to identify and make public the locations of lead service lines.

For more information on the new LCR, visit: <https://www.epa.gov/ground-water-and-drinking-water/final-revisions-lead-and-copper-rule>.

For information on lead service line replacement, visit [www.epa.gov/safewater/pipe-replacement](http://www.epa.gov/safewater/pipe-replacement).

### Background

Under Administrator Wheeler’s leadership, in December 2018 EPA with its federal partners announced the Federal Action Plan to Reduce Childhood Lead Exposures and Associated Health Impacts. As part of the Plan, EPA is working to address lead in water systems across the country, including undertaking the first major overhaul of the Lead and Copper Rule since 1991. In addition, EPA is working with states to ensure that the existing Lead and Copper Rule is being properly implemented.

Source: EPA Press Release, 12/22/2020

## Pennsylvania’s Unemployment Rate Declines to 6.6 Percent in November

*Total nonfarm jobs rise for seventh consecutive month*

**O**n December 18, 2020, the Pennsylvania Department of Labor & Industry (L&I) released its employment situation report for November 2020.

Pennsylvania’s unemployment rate was down 0.8 percentage points over the month to 6.6 percent in November. Pennsylvania’s rate fell below the U.S. rate (6.7 percent in November) for the first time since May 2015. The commonwealth’s unemployment rate was 2.0 percentage points above

its November 2019 level while the national rate was up 3.2 points over the year.

Pennsylvania’s civilian labor force – the estimated number of residents working or looking for work – decreased 40,000 over the month as unemployment declined 55,000 while resident employment was up 15,000.

Pennsylvania’s total nonfarm jobs were up 21,000 over the month to 5,637,600 in November, the seventh consecutive monthly gain. Jobs increased in 7 of the 11 industry supersectors. The largest volume gain was in trade, transportation, and utilities, up 10,000 jobs.

Over the past seven months, Pennsylvania has recovered 57.7 percent of the total nonfarm jobs lost in March and April.

Over the year, total nonfarm jobs in Pennsylvania were down 452,600 (-7.4 percent) with declines in each of the 11 supersectors. The largest 12-month change among supersectors was a decline of 139,000 jobs in leisure & hospitality. Additional information is available on the L&I website at [www.dli.pa.gov](http://www.dli.pa.gov).

**Note:** The above data are seasonally adjusted. Seasonally adjusted data provide the most valid month-to-month comparison.

Source: PA Dept. of Labor & Industry, 12/18/2020

## PUC Moves to Require Diversity Reporting by Public Utilities

*Diversity Reports to be Mandatory for Major Electric, Natural Gas, Water, Wastewater, and Telecommunications Public Utilities – Building on Current Recommended Reporting Policy Statement*

**O**n December 17, 2020, the Pennsylvania Public Utility Commission (PUC) voted 4-0 to begin a **rulemaking process** <https://www.puc.pa.gov/pcdocs/1687583.docx> that will require regular reporting on diversity programs

and efforts by major utilities under the Commission’s jurisdiction.

This rulemaking builds on the recommendations included in the PUC’s recently **revised policy statement on diversity** <https://www.puc.pa.gov/press-release/2020/puc-revises-policy-statement-on-diversity-at-utilities>, as part of the diversity discussion initiated earlier this year by PUC Chairman Gladys Brown Dutrieuille <https://www.puc.pa.gov/press-release/2020/puc-updates-policy-statement-on-diversity-at-utilities-begins-rulemaking-process-for-utility-reporting-of-diversity-information>.

### Rulemaking on Diversity Reporting

The Commission is proposing that diversity reporting become mandatory for major jurisdictional utilities providing electric, natural gas, water, wastewater and telecommunications services.

Properly structured, diversity programs can successfully leverage untapped talent pools to help fill these critical jobs. Furthermore, as regulated monopolies, the Commonwealth’s jurisdictional utilities have unique beneficial community relationships which diversity programs have the power to strengthen.

The Commission’s Notice of Proposed Rulemaking will be published in the **Pennsylvania Bulletin** <https://www.pacodeandbulletin.gov/> and interested parties can submit comments within 45 days of that publication. Comments should be eFiled through the PUC’s **e-Filing System** <https://www.puc.pa.gov/filing-resources/efiling/>. Instructions for **creating a free eFiling account** are available on the PUC website at <https://efiling.puc.pa.gov/>. Comments containing confidential information should be emailed to Commission Secretary Rosemary Chiavetta at [rchiavetta@pa.gov](mailto:rchiavetta@pa.gov) rather than eFiled.

In addition to the public comment period, the proposed rulemaking is being submitted to the Office of the Attorney General, for review as to form and legality, and the Governor’s Budget Office, for review of fiscal impact – and submitted for review and comment by the Pennsylvania

Independent Regulatory Review Commission and the Legislative Standing Committees.

Copies of the Notice of Proposed Rulemaking are also being served on all major jurisdictional utilities in the Commonwealth, as well as the parties involved in earlier discussions about updates to the PUC’s policy statement on diversity.

### PUC Policy Statement on Diversity at Major Utilities

Today’s action by the Commission follows recent action to update the PUC’s “Statement of Policy on Diversity at Major Jurisdictional Utility Companies” – which was initially adopted in 1995. The enhanced policy statement expanded diversity reporting guidelines to include minorities, women, persons with disabilities, LGBTQ, and veterans. The **final version of that policy statement** was unanimously approved by the Commission on Dec. 3, 2020 <https://www.puc.pa.gov/pdocs/1686231.docx>.

The revised PUC policy statement on diversity at public utilities reflects the Commonwealth’s diverse citizenship – including minorities, women, persons with disabilities, LGBTQ, and veterans.

Revisions to the PUC Diversity policy statement include:

- Updating the definition of diversity to include minorities, women, veterans, LGBTQ, and the disabled.
- A standardized reporting form with the goal of collecting the following information:
  - A copy of any corporate policy committed to improving diversity in the workplace and in the procurement process.
  - A description of any training implemented on diversity initiatives in employment and in the contract of goods and services.
  - A standardized format to account for diverse employee numbers.
  - A description of any diversity recruiting strategies.
  - A description of any diversity promotion efforts.

- A description of any diversity retention efforts.
- A brief description of any involvement with organizations promoting diversity.
- A summary of diverse owned businesses the company contracts with for goods and services, including the percentage of dollars spent with diverse-owned businesses versus non-diverse businesses.

### About the PUC

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.

**Docket No.: L-2020-3017284**  
<https://www.puc.pa.gov/docket/L-2020-3017284>

**Source:** PUC Press Release, 12/17/2020

## **DEP Board and Committee Meeting Schedules for 2021**

The following is a **partial list** (those of interest to water and wastewater industries) of 2021 advisory board and committee meetings associated with the Department of Environmental Protection (Department). These schedules and an agenda for each meeting, including meeting materials, will be available on the Department's web site at [www.dep.pa.gov](http://www.dep.pa.gov) through the Public Participation tab. Prior to each meeting,

the Department encourages individuals to visit the web site to confirm meeting date and time.

A full list can be viewed in the Pennsylvania Bulletin at <http://www.pacodeandbulletin.gov/Display/pabull?file=/secure/pabulletin/data/vol50/50-52/1813.html>.

### **Agricultural Advisory Board**

The Agricultural Advisory Board has not yet scheduled board meetings for 2021.

Notices for upcoming meetings will be published in future issues of the Pennsylvania Bulletin.

Contact: Jay Braund, Bureau of Clean Water, 400 Market Street, Harrisburg, PA 17101 at [jbraund@pa.gov](mailto:jbraund@pa.gov) or (717) 772-5636.

### **Citizens Advisory Council**

The Citizens Advisory Council (CAC) will meet virtually at 12:30 p.m. on the following days:

- January 19, 2021
- February 16, 2021
- March 16, 2021
- April 20, 2021
- May 18, 2021
- June 15, 2021
- July 20, 2021
- September 21, 2021
- October 19, 2021
- November 16, 2021—a portion of this meeting will be held with the Environmental Justice Advisory Board

Contact: Keith Salador, Citizens Advisory Council, P.O. Box 8459, Harrisburg, PA 17105-8459 at [ksalador@pa.gov](mailto:ksalador@pa.gov) or (717) 787-8171.

### **Cleanup Standards Scientific Advisory Board**

The Cleanup Standards Scientific Advisory Board will meet at 9:30 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101. The meeting dates are as follows:

- April 14, 2021

August 11, 2021  
December 15, 2021

Contact: Mike Maddigan, Bureau of Environmental Cleanup and Brownfields, 400 Market Street, Harrisburg, PA 17101 at [mmaddigan@pa.gov](mailto:mmaddigan@pa.gov) or (717) 772-3609.

### **Climate Change Advisory Committee**

The Climate Change Advisory Committee will meet virtually at 9 a.m. on the following days:

February 23, 2021  
April 27, 2021  
June 22, 2021  
August 24, 2021  
October 26, 2021  
December 14, 2021

Contact: Lindsay Byron, Energy Programs Office, 400 Market Street, Harrisburg, PA 17101 at [lbyron@pa.gov](mailto:lbyron@pa.gov) or (717) 772-8951.

### **Environmental Justice Advisory Board**

The Environmental Justice Advisory Board will meet virtually at 9 a.m. on the following days:

February 18, 2021  
May 20, 2021  
August 19, 2021  
November 16, 2021—a portion of this meeting will be held with the CAC

Contact: John Brakeall, Office of Environmental Justice, 400 Market Street, Harrisburg PA 17101 at [jbrakeall@pa.gov](mailto:jbrakeall@pa.gov) or (717) 783-9731.

### **Environmental Quality Board**

The Environmental Quality Board will meet virtually at 9 a.m. Meetings will only be held when there is a sufficient number of agenda items for consideration. The meeting dates are as follows:

February 16, 2021  
March 16, 2021  
April 20, 2021  
May 18, 2021  
June 15, 2021

July 13, 2021  
August 17, 2021  
September 21, 2021  
October 19, 2021  
November 16, 2021  
December 21, 2021

Contact: Laura Griffin, Environmental Quality Board, P.O. Box 8477, Harrisburg, PA 17105-8477 at [laurgriffi@pa.gov](mailto:laurgriffi@pa.gov) or (717) 772-3277.

### **Laboratory Accreditation Advisory Committee**

The Laboratory Accreditation Advisory Committee has not yet scheduled board meetings for 2021.

Notices for upcoming meetings will be published in future issues of the Pennsylvania Bulletin.

Contact: Martina McGarvey, Bureau of Laboratories, 2575 Interstate Drive, Harrisburg, PA 17110 at [eplabaccredit@pa.gov](mailto:eplabaccredit@pa.gov) or (717) 346-7200.

### **Sewage Advisory Committee**

The Sewage Advisory Committee has not yet scheduled board meetings for 2021.

Notices for upcoming meetings will be published in future issues of the Pennsylvania Bulletin.

Contact: Janice Vollero, Bureau of Clean Water, 400 Market Street, Harrisburg, PA 17101 at [jvollero@pa.gov](mailto:jvollero@pa.gov) or (717) 772-5157.

### **Small Water Systems Technical Assistance Center Board**

The Small Water Systems Technical Assistance Center Board will meet virtually at 9 a.m. on the following days:

January 28, 2021  
April 29, 2021  
July 29, 2021  
October 28, 2021

Contact: Dawn Hissner, Bureau of Safe Drinking Water, 400 Market Street, Harrisburg, PA 17101 at [dhissner@pa.gov](mailto:dhissner@pa.gov) or (717) 772-2189.

## **State Board for Certification of Water and Wastewater Systems Operators**

The State Board for Certification of Water and Wastewater Systems Operators will meet virtually at 10 a.m. on the following days:

February 3, 2021  
April 14, 2021  
June 9, 2021  
August 4, 2021  
October 6, 2021  
December 8, 2021

Contact: Laura Chambers, Bureau of Safe Drinking Water, 400 Market Street, Harrisburg, PA 17101 at [lchambers@pa.gov](mailto:lchambers@pa.gov) or (717) 772-5158.

## **State Water Plan—Regional Water Resource Committees**

### *Delaware Regional Water Resource Committee*

The Delaware Regional Water Resource Committee will meet virtually at 9 a.m. on the following days:

January 12, 2021  
April 13, 2021  
July 13, 2021  
October 12, 2021

Contact: Mark Matlock, Compacts and Commissions Office, 400 Market Street, Harrisburg, PA 17101 at [marmatlock@pa.gov](mailto:marmatlock@pa.gov) or (717) 783-2285.

### *Great Lakes Regional Water Resource Committee*

The Great Lakes Regional Water Resource Committee will meet virtually at 9 a.m. on the following days:

January 27, 2021  
April 28, 2021  
July 28, 2021  
October 27, 2021

Contact: Mark Matlock, Compacts and Commissions Office, 400 Market Street,

Harrisburg, PA 17101 at [marmatlock@pa.gov](mailto:marmatlock@pa.gov) or (717) 783-2285.

### *Lower Susquehanna Regional Water Resource Committee*

The Lower Susquehanna Regional Water Resource Committee will meet virtually at 9 a.m. on the following days:

January 13, 2021  
April 14, 2021  
July 14, 2021  
October 13, 2021

Contact: Mark Matlock, Compacts and Commissions Office, 400 Market Street, Harrisburg, PA 17101 at [marmatlock@pa.gov](mailto:marmatlock@pa.gov) or (717) 783-2285.

### *Ohio Regional Water Resource Committee*

The Ohio Regional Water Resource Committee will meet virtually at 1 p.m. on the following days:

January 26, 2021  
April 27, 2021  
July 27, 2021  
October 26, 2021

Contact: Mark Matlock, Compacts and Commissions Office, 400 Market Street, Harrisburg, PA 17101 at [marmatlock@pa.gov](mailto:marmatlock@pa.gov) or (717) 783-2285.

### *Potomac Regional Water Resource Committee*

The Potomac Regional Water Resource Committee will meet virtually at 1 p.m. on the following days:

January 14, 2021  
April 15, 2021  
July 15, 2021  
October 14, 2021

Contact: Mark Matlock, Compacts and Commissions Office, 400 Market Street, Harrisburg, PA 17101 at [marmatlock@pa.gov](mailto:marmatlock@pa.gov) or (717) 783-2285.

*Upper/Middle Susquehanna Regional Water Resource Committee*

The Upper/Middle Susquehanna Regional Water Resource Committee will meet virtually at 1 p.m. on the following days:

- January 28, 2021
- April 29, 2021
- July 29, 2021
- October 28, 2021

Contact: Mark Matlock, Compacts and Commissions Office, 400 Market Street, Harrisburg, PA 17101 at [marmatlock@pa.gov](mailto:marmatlock@pa.gov) or (717) 783-2285.

*Statewide Water Resources Committee*

The Statewide Water Resources Committee will meet virtually at 9 a.m. on the following days:

- January 21, 2021
- March 17, 2021
- May 19, 2021
- July 21, 2021
- September 15, 2021
- November 17, 2021

Contact: Mark Matlock, Compacts and Commissions Office, 400 Market Street, Harrisburg, PA 17101 at [marmatlock@pa.gov](mailto:marmatlock@pa.gov) or (717) 783-2285.

**Water Resources Advisory Committee**

The Water Resources Advisory Committee will meet virtually at 9:30 a.m. on the following days:

- January 27, 2021
- March 24, 2021
- May 26, 2021
- July 28, 2021
- September 22, 2021
- November 17, 2021

Contact: Bob Haines, Bureau of Clean Water, 400 Market Street, Harrisburg, PA 17101 at [robhaines@pa.gov](mailto:robhaines@pa.gov) or (717) 705-4090.

**Source:** Pennsylvania Bulletin, 12/26/2020  
<http://www.pacodeandbulletin.gov/Display/pabull?file=/secure/pabulletin/data/vol50/50-52/1813.html>

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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.*