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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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### Revenue Department Releases July 2021 Collections

Pennsylvania collected \$2.7 billion in General Fund revenue in July, the first month of the 2021-22 fiscal year, Revenue Secretary Dan Hassell reported on August 2, 2021.

**Sales tax receipts** totaled \$1.2 billion in July.

**Personal income tax (PIT) revenue** in July was \$959.1 million.

**Corporation tax revenue** was \$190.5 million for July.

**General Fund revenue** figures for July included \$117.3 million in inheritance tax and \$34.1 million in realty transfer tax.

**Other General Fund revenue**, including cigarette, malt beverage, liquor and gaming taxes totaled \$133.6 million for the month.

**Non-tax revenue** totaled \$28.4 million for the month.

In addition to the General Fund collections, the **Motor License Fund** received \$234.4 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, 8/2/2021

### IRRC Submits Comments to the Pennsylvania Public Utility Commission

Comments are available on the IRRC website at: **Pennsylvania Public Utility Commission #57-330: Rulemaking to Implement Act 120 of 2018**  
<http://www.irrc.state.pa.us/docs/3298/IRRC/3298%2008-02-21%20COMMENTS.pdf>.

The regulatory review process in Pennsylvania is a two-stage process. The submission of comments on this regulation concludes IRRC's formal role at the proposed stage.

The promulgating agency is required to respond to all comments received on their proposed regulation when submitting the final regulation with or without changes to IRRC and the legislative standing committees.

Commissioners:

- Chairman George D. Bedwick

- Vice Chairman John F. Mizner, Esq.
- John J. Soroko, Esq.
- Murray Ufberg, Esq.
- Dennis A. Watson, Esq.

The Independent Regulatory Review Commission provides oversight and review of all proposed and existing rules and regulations issued by all departments, boards, commissions, agencies or other authorities of the Commonwealth, excluding the Legislature, Fish and Boat Commission, the Game Commission, and any court, political subdivision, or municipal or local authority. IRRC also acts as a clearinghouse for complaints, comments and other input regarding existing, proposed, final-form and final-omitted regulations.

For recent news and updates on Commission proceedings or information about IRRC, visit our website at <http://www.irrc.state.pa.us/> and follow IRRC on Twitter: @PA\_IRRC.

**Source:** IRRC Press Release, 8/2/2021

## PUC Damage Prevention Committee Meets Virtually on August 10

The Pennsylvania Public Utility Commission (PUC) will hold a virtual meeting of the Damage Prevention Committee (DPC) on Tuesday, Aug. 10, at 9 a.m.

Members of the public, the media and others will be able to access the virtual conference by clicking on this **Microsoft Teams** [https://teams.microsoft.com/l/meetup-join/19%3ameeting\\_MWM4YjkwMTYtNThkNy00ODNiLTg3ZTctZGIyMWYxZmE2OWU0%40thead.v2/0?context=%7b%22id%22%3a%22418e2841-0128-4dd5-9b6c-47fc5a9a1bde%22%2c%22oid%22%3a%2266b01118-9010-4670-b905-5f1f3ebc829b%22%7d](https://teams.microsoft.com/l/meetup-join/19%3ameeting_MWM4YjkwMTYtNThkNy00ODNiLTg3ZTctZGIyMWYxZmE2OWU0%40thead.v2/0?context=%7b%22id%22%3a%22418e2841-0128-4dd5-9b6c-47fc5a9a1bde%22%2c%22oid%22%3a%2266b01118-9010-4670-b905-5f1f3ebc829b%22%7d) event link or by calling into the telephone conference by dialing 267-332-8737, and then entering passcode 465 023 336# to listen to the meeting. The meeting **agenda**

[https://www.puc.pa.gov/media/1591/dpc\\_agenda\\_081021.pdf](https://www.puc.pa.gov/media/1591/dpc_agenda_081021.pdf) is available on the PUC's website.

### 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, 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** <https://www.puc.pa.gov/pipeline/damage-prevention-committee/> 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.pa1call.org/> 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, 8/3/2021

## **SRBC to Hold Public Hearing on Water Project Applications**

*Written comments accepted through August 23, 2021*

**T**he Susquehanna River Basin Commission (SRBC) will receive public comment at a hearing on Thursday, August 12, 2021 at 6:30 p.m. The subjects covered by the hearing include applications for several water withdrawal and consumptive use projects including one Commission-initiated project approval modification. The SRBC Commissioners are scheduled to vote on the water project applications and other action items at their next business meeting on September 17, 2021.

Due to COVID-19 precautions and the relevant orders in place in the Commission's member jurisdictions, the Commission will hold this hearing telephonically, conference call number 1-877-668-4493 (Toll-free number), Access Code 177 232 3507. The hearing will begin at 6:30 p.m. and end at 9 p.m. or when public testimony concludes, whichever comes first.

Members of the public who are planning to present oral testimony during the public hearing are strongly encouraged to pre-register prior to the hearing by e-mailing Jason Oyler [atjoyler@srbc.net](mailto:atjoyler@srbc.net).

Written comments may be sent to Jason E. Oyler, General Counsel and Secretary to the Commission, Susquehanna River Basin

Commission, 4423 N. Front Street, Harrisburg, PA 17110, Telephone: (717) 238-0423, ext. 1312, Fax: (717) 238-2436.

The list of project applications and Commission-initiated project approval modifications along with options for submitting comments electronically are all accessible on SRBC's **Meetings and Events webpage** <https://www.srbc.net/about/meetings-events/>.

SRBC will accept written comments until August 23, 2021. Comments may be submitted electronically by being emailed or faxed to Mr. Oyler.

### About the Susquehanna River Basin Commission

The Susquehanna River Basin Commission is a federal/interstate governmental agency responsible for protecting and wisely managing the water resources within the 27,500 square-mile Susquehanna River Basin without regard to political boundaries. The Susquehanna rises and flows through New York, Pennsylvania, and Maryland into the Chesapeake Bay. For more information on the Commission, visit <https://www.srbc.net/> or follow us on Twitter: <https://twitter.com/srbcnews>.

**Source:** SRBC Press Release, 8/4/2021

## **CBF Hails Senate Appropriations Committee's Fiscal 2022 Spending Plan for Army Corps**

**T**he Chesapeake Bay Foundation (CBF) hailed the Senate Appropriations Committee's fiscal year 2022 spending plan for the U.S. Army Corps of Engineers for dedicating \$9.6 million to restoration projects in the Bay watershed.

The Senate Appropriations Committee bill would specifically direct \$5.75 million to Chesapeake Bay environmental restoration and protection in Maryland, Virginia, and Pennsylvania. The recommendation is included in the fiscal 2022

Energy and Water spending bill the panel marked up August 4 by a vote of 25-5.

The **report** accompanying the Senate committee bill

<https://www.appropriations.senate.gov/imo/media/doc/Energy%20and%20Water%20Development%20Report.pdf> expresses support for the Army Corps' **Chesapeake Bay Comprehensive Water Resources Restoration Plan** <https://www.cbf.org/blogs/save-the-bay/2018/05/a-powerful-new-restoration.html> and encourages the Corps to devote sufficient funds to implementing it. The plan lays out a detailed roadmap of thousands of local projects across the watershed vital to achieving the ambitious habitat restoration goals of the **2014 Chesapeake Bay Watershed Agreement** <https://www.cbf.org/how-we-save-the-bay/chesapeake-clean-water-blueprint/2014-chesapeake-watershed-agreement/>.

The House Appropriations Committee's fiscal 2022 Energy and Water spending bill does not contain this \$5.75 million line item. However, the **report** accompanying the House committee bill <https://www.congress.gov/117/crpt/hrpt98/CRPT-117hrpt98.pdf> calls for providing up to \$5 million from another account "to employ nature-based tools and principles to support civil works flood control and ecosystem planning objectives and operations in the Chesapeake Bay."

The Senate committee bill also calls for the Army Corps to get \$3.9 million for oyster recovery work in the Bay, the same amount in the bill the House Appropriations Committee **marked up** last month <https://www.cbf.org/news-media/newsroom/2021/federal/cbf-cheers-house-committee-push-to-increase-oyster-restoration-funds-in-fiscal-2022.html> and in President Biden's fiscal 2022 budget request.

The funds would enable Maryland and Virginia to continue making progress towards restoring oyster reefs in 10 tributary rivers by 2025 <https://www.cbforge/how-we-save-the-bay/chesapeake-clean-water-blueprint/2014-chesapeake-watershed-agreement/large-scale-oyster.html>, as called for in the 2014 Bay Agreement. Oysters are a keystone species in the Bay that provide ecosystem services such as

filtering up to 50 gallons of water a day and providing habitat for marine life vital to the region's multibillion-dollar seafood industry.

CBF Federal Executive Director Denise Stranko issued the following statement:

"This bill represents an exciting step toward breaking ground on the more than 4,000 Bay-saving projects outlined in the Army Corps' Chesapeake Bay Comprehensive Plan. Finally implementing this plan could dramatically increase the pace and impact of state efforts to reach the 2014 Bay Agreement's habitat restoration goals by 2025.

"We are also pleased the Senate Appropriations Committee devoted funding to restoring the Bay's native oyster population. This work is vital to the future of this amazing ecosystem and the multibillion-dollar seafood industry it supports.

"CBF thanks Senate Energy and Water Appropriations Subcommittee Chairwoman Dianne Feinstein (D-Ca.), Ranking Member John Kennedy (R-La.), Senate Appropriations Committee Chairman Patrick Leahy (D-Vt.), and Ranking Member Richard Shelby (R-Al.), along with Bay delegation Energy and Water Subcommittee member Sen. Chris Coons (D-De.), and full committee member Sen. Chris Van Hollen (D-Md.), for their work on this bill.

"We look forward to working with congressional negotiators to ensure this robust funding for oyster recovery and habitat restoration makes it into the final fiscal 2022 Army Corps spending plan."

**Source:** CBF Press Release, 8/6/2021

## EQB Meeting Cancellation

**T**he Environmental Quality Board **cancelled** its August 17, 2021, meeting. The next regular meeting of the board is tentatively scheduled for Tuesday, September 21, 2021. The meeting will begin at 9:00 a.m. at the Rachel Carson State Office Building, Harrisburg.

Individuals may attend the meeting in person or remotely. Information on how to join the meeting,

as well as agenda and meeting materials, will be available on the board's webpage. Questions concerning the September 21, 2021, meeting can be directed to Laura Griffin at [laurgriffi@pa.gov](mailto:laurgriffi@pa.gov) or (717) 783-8727.

**Source:** Pennsylvania Bulletin, 8/7/2021

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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.*