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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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IRRC Submits Comments to the Pennsylvania Public Utility Commission, the State Board of Barber Examiners and the Pennsylvania Turnpike Commission

Comments are available on the IRRC website at:

Pennsylvania Public Utility Commission #57-332: Diversity Reporting for Major Jurisdictional Utilities; Notice of Proposed Rulemaking
<http://www.irrc.state.pa.us/docs/3304/IRRC/3304%2008-18-21%20COMMENTS.pdf>

State Board of Barber Examiners #16A-4211: Fees
<http://www.irrc.state.pa.us/docs/3306/IRRC/3306%2008-18-21%20COMMENTS.pdf>

Pennsylvania Turnpike Commission #60-3: Traffic Regulations
<http://www.irrcstate.pa.us/docs/3307/IRRC/3307%2008-18-21%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 www.irrc.state.pa.us and follow IRRC on Twitter: @PA_IRRC.

Source: IRRC Press Release, 8/18/2021

Senate Environmental Resources and Energy Committee Votes to Urge IRRC Disapproval of Carbon Tax Plan

The Pennsylvania Senate Environmental Resources & Energy Committee, chaired by Sen. Gene Yaw (R-23), approved sending a letter urging the Independent Regulatory Review Commission (IRRC) to disapprove the "CO2 Budget Trading Program," proposed regulation - #7-559 (IRRC #3274). The [letter https://environmental.pasenategop.com/wp-content/uploads/sites/34/2021/08/Letter_to_IRRC_081821.pdf](https://environmental.pasenategop.com/wp-content/uploads/sites/34/2021/08/Letter_to_IRRC_081821.pdf) reflects the view of organized labor, business leaders and elected officials that the Regional Greenhouse Gas Initiative (RGGI) would impose a massive tax on all coal and natural gas electric generation plants in the commonwealth and cause the loss of thousands of jobs, without delivering the promised emissions-reducing benefits.

In addition, the final proposed rulemaking lacks any statutory basis and is opposed by wide, bipartisan majorities in both chambers of the General Assembly.

RGGI is a compact between several Northeast and Mid-Atlantic states that impose a carbon tax on electricity production and require fossil fuel generators to purchase allowances. Participating states, through legislative or regulatory action, agree to implement the initiative through a tax and spend program involving CO2 emitting electric power plants.

The letter notes that RGGI fails to meet the requirement of the state Regulatory Review Act that the state Department of Environmental Protection (DEP) produce "acceptable data" to form the basis of the regulation.

"DEP's data from its most recent modeling of RGGI's impact on regional CO2 emissions concludes that 99.1% of all CO2 reductions in Pennsylvania would be offset by increases in

CO2 emissions in non-RGGI PJM states, such as neighboring Ohio and West Virginia," the letter states. *PJM is a regional transmission organization that coordinates the movement of wholesale electricity in all or parts of 13 states and the District of Columbia.

Based on the failure of DEP and the Environmental Quality Board to meaningfully respond to the objections raised in the committee's previous comment letter and numerous other commentators (organized labor, business leaders, the regulated community, IRRC, etc.), the committee urged IRRC to exercise its independence and reject this proposed final regulation.

DEP disregarded IRRC's previous recommendation to delay RGGI by at least one year to allow for impacted industries and communities to engage. "Nevertheless," the letter concludes, "we believe IRRC's rejection will help pave the way for a more constructive dialogue between the Governor's Office and the General Assembly to consider common sense energy policy reforms that do not impair our economy and harm our constituents."

Source: Senator Yaw Press Release, 8/18/2021

House Environmental Committee Meets Sept. 2 On Resolution to Kill RGGI Greenhouse Gas Reduction Regulations

The House Environmental Resources and Energy Committee has scheduled a meeting for September 2 to consider a concurrent resolution to kill the final regulations establishing a Carbon Pollution Reduction Program covering power plants consistent with the Regional Greenhouse Gas Initiative.

The Committee is anticipating action by the Independent Regulatory Review Commission which meets September 1 to consider the regulation.

If the IRRC approves the regulation, both the Senate and House will have the opportunity to kill the final RGGI regulation by passing a resolution and presenting it to the Governor for his action. The Governor is certain to veto it.

It's no surprise where Republicans stand on the final RGGI regulation.

On July 28, Republicans on the House Environmental Committee OK'd a letter to the IRRC urging them to disapprove the regulation.

On August 18, Republicans on the Senate Environmental Resources and Energy Committee approved a letter to the IRRC urging them to disapprove the regulation.

On July 13, the Environmental Quality Board, which adopts all of DEP's regulations, voted 15 to 4 to approve the final Carbon Pollution Reduction Program regulation.

For more information on this regulation, visit DEP's **Regional Greenhouse Gas Initiative webpage** at <https://www.dep.pa.gov/Citizens/climate/Pages/RGGI.aspx>.

The September 2 meeting will be held in Room G-50 of the Irvis Building starting at 11:00 a.m. **Click here to watch the meeting online** <http://www.pahousegop.com/livestreams>.

Rep. Daryl Metcalfe (R-Butler) serves as Majority Chair of the House Environmental Committee and can be contacted by calling 717-783-1707 or sending email to: dmetcalf@pahousegop.com. Rep. Greg Vitali (D-Delaware) serves as Minority Chair and can be contacted by calling 717-787-7647 or sending email to: gvitali@pahouse.net.

Source: PA Environment Digest, 8/19/2021

Pennsylvania's Unemployment Rate Drops

for Fifth Consecutive Month to 6.6 Percent in July

Nonfarm jobs surpassed 5.7 million Leisure & hospitality jobs saw biggest gain

On August 20, 2021, the Pennsylvania Department of Labor & Industry (L&I) released its employment situation report for July 2021.

Pennsylvania's unemployment rate was down three-tenths of a percentage point over the month to 6.6 percent in July. The U.S. rate fell one-half of a percentage point to 5.4 percent. The commonwealth's unemployment rate was 6.4 percentage points below its July 2020 level and the national rate was down 4.8 points over the year.

Pennsylvania's civilian labor force – the estimated number of residents working or looking for work – decreased 16,000 over the month due to a drop in unemployment which fell for the fifth consecutive month. Employment rose for the fifth time in the past six months.

Pennsylvania's total nonfarm jobs were up 28,800 over the month to 5,731,800 in July. Jobs increased in 8 of the 11 industry supersectors with the largest volume gain in leisure & hospitality (+16,200). The largest drop was in education & health services (-2,400). Over the year, total nonfarm jobs were up 222,200 with gains in 10 of the 11 supersectors. Leisure & hospitality, which includes the restaurant industry had the largest 12-month gain, adding back 85,500 jobs.

All supersectors remained below their February 2020 job levels as of July 2021.

Additional information is available on the L&I website at <https://www.dli.pa.gov/Pages/default.aspx>.

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

Source: PA Department of Labor & Industry, 8/20/2021

should not be used as a substitute for appropriate legal advice.

Gov. Wolf: 80 Percent of Pennsylvania's 18 and Older Population Have Received First Dose of COVID-19 Vaccine

On August 16, 2021, Governor Tom Wolf announced that 80 percent of Pennsylvania's 18 and older population have received their first dose of COVID-19 vaccination. Pennsylvania ranks 9th for first doses administered and 5th for total doses administered among all 50 states.

“Today’s vaccination milestone is a reminder that Pennsylvanians are committed to the health and safety of themselves and their neighbors. Thank you to every Pennsylvanian who helped make it happen. I couldn’t be prouder,” said Gov. Wolf. “The pandemic has been unpredictable and unsettling throughout the last 18 months, but Pennsylvania has remained steadfast in our vaccination efforts. As COVID-19 variants spread throughout the country, it is vitally important that partially vaccinated individuals receive their second dose and individuals who haven’t been vaccinated get the vaccine today.”

To date, 64.3 percent of the 18 and older population are fully vaccinated.

All Pennsylvanians aged 12 and older are eligible to get vaccinated. **Use the following link to find a COVID-19 vaccine provider near you** <https://www.vaccines.gov/>.

Click here for more information on the commonwealth’s **vaccination efforts and data dashboard** <https://www.health.pa.gov/topics/disease/coronavirus/Vaccine/Pages/Vaccine.aspx>.

Source: Governor Wolf’s Press Office, 8/16/2021

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This newsletter provides general information, not legal advice as to any specific matter. It