



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 December 2021 Collections

Pennsylvania collected \$3.8 billion in General Fund revenue in December, which was \$464.3 million, or 13.7 percent, more than anticipated, Revenue Secretary Dan Hassell reported. Fiscal year-to-date General Fund collections total \$22.6 billion, which is **\$1.5 billion, or 7.0 percent, above estimate.**

Sales tax receipts totaled \$1.2 billion for December, \$101.9 million above estimate. Year-to-date sales tax collections total \$7.0 billion, which is **\$409.1 million, or 6.2 percent, more than anticipated.**

Personal income tax (PIT) revenue in December was \$1.3 billion, \$59.5 million above estimate. This brings year-to-date PIT collections to \$6.9 billion, which is **\$308.0 million, or 4.7 percent, above estimate.**

December corporation tax revenue of \$913.4 million was \$259.4 million above estimate. Year-to-date corporation tax collections total \$2.5 billion, which is **\$577.2 million, or 30.7 percent, above estimate.**

Inheritance tax revenue for the month was \$143.2 million, \$24.9 million above estimate, bringing the year-to-date total to \$755.1 million,

which is **\$50.2 million, or 7.1 percent, above estimate.**

Realty transfer tax revenue was \$91.6 million for December, \$24.5 million above estimate, bringing the fiscal-year total to \$403.1 million, which is **\$44.0 million, or 12.2 percent, more than anticipated.**

Other General Fund tax revenue, including cigarette, malt beverage, liquor and gaming taxes, totaled \$164.6 million for the month, \$16.5 million below estimate and bringing the year-to-date total to \$1.0 billion, which is **\$203 million, or 2.1 percent, above estimate.**

Non-tax revenue totaled \$39.0 million for the month, \$10.5 million above estimate, bringing the year-to-date total to \$4.1 billion, which is **\$61.5 million, or 1.5 percent, above estimate.**

In addition to the General Fund collections, the *Motor License Fund* received \$208.5 million for the month, \$14.2 million above estimate. Fiscal year-to-date collections for the fund - which include the commonly known gas and diesel taxes, as well as other license, fine and fee revenues - total \$1.4 billion, which is **\$61.3 million, or 4.5 percent, above estimate.**

Source: PA Dept. of Revenue Press Release, 1/3/2022

Wolf Administration Discusses Pennsylvania's New Water Assistance Program Opening on January 4

On January 3, 2022, the Pennsylvania Department of Human Services (DHS) and Public Utility Commission (PUC) announced the launch of the Low Income Household Water Assistance Program (LIHWAP), which will help Pennsylvanians with low incomes maintain access to drinking and wastewater services. Applications for LIHWAP open tomorrow, January 4, 2022.

“Access to clean drinking water and wastewater services that keep our homes safe are important to our daily lives and a family’s ongoing health and wellbeing,” said DHS Acting Secretary Meg Snead. “I encourage all Pennsylvanians who are at risk of losing these essential services to apply as soon as possible when the water assistance program opens on January 4.”

“As part of our #CallUtilitiesNow campaign, the PUC strongly encourages consumers to learn more about LIHWAP, since direct conversations between customers and utilities about eligible programs are the best ‘first step’ for any Pennsylvania households or businesses struggling to #KeepUtilitiesOn,” PUC Chairman Gladys Brown Dutrieuille. “The launch of the Low-Income Household Water Assistance Program is a great opportunity to start the new year secure and connected.”

Assistance is available for families who have past due water bills, had their service terminated, or received a notice indicating that their service will be terminated in the next 60 days. Households can receive LIHWAP grants for both drinking water service and wastewater service. Grants are issued directly to water service providers, and families must meet income requirements. Pennsylvanians should have the following information ready to include in their application:

- Names, Social Security numbers, and dates of birth for all people in their household;
- Proof of income for the applicant and all household members; and,
- A recent water bill.

Receiving utility assistance through another program like the Low-Income Home Energy Assistance Program (LIHEAP) or the Emergency Rental Assistance Program (ERAP) does not prevent a household from receiving assistance through LIHWAP as long as the applicant meets LIHWAP eligibility criteria. Income guidelines for the program are as follows:

Household Size	Maximum Annual Income
1	\$19,320
2	\$26,130
3	\$32,940
4	\$39,750
5	\$46,560
6	\$53,370

More information and promotional materials for LIHWAP are available online <https://www.dhs.pa.gov/Services/Assistance/Pages/LIHWAP.aspx>. DHS encourages Pennsylvanians to help spread the word so those who need help know the program is available.

LIHWAP is a new, temporary assistance program established through the American Rescue Plan Act and the Consolidated Appropriations Act, 2021. These funds are part of the nation’s continued response to families experiencing financial difficulties due to the ongoing COVID-19 pandemic. Pennsylvania received approximately \$43.2 million to assist families who have lost or are at risk of losing water service in their homes.

Applications for LIHWAP, LIHEAP, and ERAP as well as other public assistance programs that can provide health care, food, and cash assistance can be submitted online at www.compass.state.pa.us. **DHS’ County Assistance Offices** <https://www.dhs.pa.gov/Services/Assistance/Pages/CAO-Contact.aspx> (CAO) are available for in-person support if clients cannot access online

services or need assistance or information that is not on the COMPASS website or the **myCOMPASS PA mobile app**. Pennsylvanians can also request a paper application or get help applying for assistance by calling the Customer Service Centers at 215-560-7226 for Philadelphia clients or 1-877-395-8930 for clients in all other counties.

All Pennsylvanians experiencing financial hardships due to the pandemic, a lost job, or a change in income are strongly encouraged to apply and see if they qualify for assistance with food, health care, and other essential needs.

Learn more about LIHWAP at www.dhs.pa.gov/waterhelp.

Source: DHS Press Release, 1/3/2022

Metcalfe Announces Legislative Retirement

On Jan. 1, 2022, after the clock struck midnight and the New Year rang in, State Representative Daryl Metcalfe (R-12) announced to his family that he does not plan to seek re-election to the Pennsylvania House of Representatives in 2022.

Metcalfe released the following statement regarding his legislative retirement:

"After family discussions, prayerful consideration and affirmation that I was embarking on a path of service that God was calling me to, I announced my candidacy for state representative in 1998. I have been blessed by God with 12 legislative election victories over the last 24 years.

"I am thankful to the voters who trusted me to represent them in the Pennsylvania House of Representatives. I am honored by the broad and deep base of support from citizens across the state who supported my work to limit government, protect taxpayers and defend liberty.

"After family discussions, prayerful consideration and affirmation that God is calling me to a new adventure in life, I do not plan to seek re-

election for state representative in 2022. I plan to finish my current term of office.

"In the future, I plan to continue fighting in defense of our God-given rights and our Constitution wherein they are affirmed!"

Metcalfe is currently serving his 12th term as state representative for the 12th Legislative District in Butler County, which includes Adams, Clinton, Cranberry, Forward, Middlesex and Penn townships, and Callery, Mars, Seven Fields and Valencia boroughs.

His term ends on Nov. 30, 2022.

Source: Rep. Metcalfe Press Release, 1/4/2022

EPA to Review Amended Pennsylvania Plan to Help Restore Chesapeake Bay, Local Waters

Agency commends local input, says tough federal actions could be taken

On January 5, 2022, the U.S. Environmental Protection Agency said it will fully evaluate Pennsylvania's amended plan to help restore the Chesapeake Bay.

Pennsylvania submitted an amended Phase III Chesapeake Bay Watershed Implementation Plan (WIP) to EPA on Dec. 30, 2021, intended to close a 9.8-million-pound gap in planned nitrogen pollution reductions needed to meet its Bay restoration commitments. The state said the amended WIP also includes reductions to compensate for future climate impacts.

"We appreciate that Pennsylvania amended its WIP and engaged counties and other stakeholders in the planning process," said EPA Mid-Atlantic Regional Administrator Adam Ortiz. "We have begun a thorough review to determine if the plan measures up to Pennsylvania's commitments to do its share to restore downstream waters and, in the

process, improve the health of local rivers, streams, and drinking water."

Ortiz said the Biden Administration strongly expects state and local partners to "join us in fully meeting our commitments" to achieve new high levels of environmental restoration.

He noted that EPA has provided significant financial and technical resources to support Pennsylvania's Bay restoration goals - with potentially tens of millions of dollars of funding to come through the Bipartisan Infrastructure Law and other sources to help.

"However, EPA is serious about taking greater federal action to promote progress in Pennsylvania" if the amended plan does not meet 2025 cleanup targets or provide confidence to meet its goals, he said, citing greater federal oversight of permits, increased inspections and enforcement actions as potential options.

With a high percentage of the state's pollution reductions expected to come from manure controls, EPA called on Pennsylvania to institute agricultural reforms.

"Notable progress has been made by state agencies and the farming community," said Ortiz, who is planning a multi-day tour of innovative agriculture practices in Lancaster County in the coming weeks. "However, there are several critical missing statewide policies."

In a letter emailed to state officials on Dec. 23, 2021, Ortiz laid out the seriousness of the expectations, that "existing resources and policies to control pollution in Pennsylvania do not include successful agricultural conservation measures established by downstream jurisdictions, such as a dedicated state agriculture cost share program, improved manure management practices, or requirements for stream buffers or fencing to keep animals from accessing local waters."

EPA has been working closely with the agricultural community to get more support to small farms for their conservation efforts. Pennsylvania Farm Bureau President Rick Ebert said that additional steps to help farmers and producers

achieve clean water and healthy farms are necessary.

"Pennsylvania's farmers have led the recent effort in achieving nitrogen reductions in the Bay watershed," said Ebert. "Many farmers want to continue Pennsylvania's current trend to improve water quality locally in the Bay watershed through increased conservation measures on their farms. But our farmers are also concerned about additional standards they cannot realistically meet. A predictable and reliable source of state funding to finance farm conservation measures would be a huge win in maintaining Pennsylvania's recent momentum in water quality improvement and providing feasible opportunities for farmers to play a key role in achievement of water quality in the Bay."

A copy of the amended WIP is available online at:
https://files.dep.state.pa.us/Water/ChesapeakeBayOffice/WIP/III/FinalPlan/PA_Phase_3_WIP_Final.pdf

Source: EPA Press Release, 1/5/2022

Damage Prevention Committee Actions Announced Against Underground Facility Owners, Excavators and Project Owners

Latest Enforcement Actions Reflect 200 Disciplinary Actions Against 111 Underground Facility Owners, Excavator & Project Owners

A total of 200 disciplinary actions, including \$91,400 in administrative penalties, have been taken against 111 underground facility owners, excavators and project owners in the **latest enforcement actions** https://www.puc.pa.gov/media/1766/dpc_case_summaries121421.pdf by the Public Utility Commission's (PUC's) Damage Prevention Committee (DPC). These actions were taken during the DPC's December 2021 meeting.

The DPC is tasked with enforcing the state's Underground Utility Line Protection Act - also known as the "PA One Call Law." Penalties are payable to the Commonwealth of Pennsylvania. The Commission will offset the costs of administering this program through the penalties collected.

Digging Safety - PA One Call

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 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.

When the PUC first took on the role of enforcing the state's One Call Law, underground lines across the state were struck more than 6,000 times per year - but the situation continues to steadily improve, thanks to education, public awareness and enforcement.

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. The DPC **meets regularly** https://www.puc.pa.gov/media/1737/2022_dpc_meeting_schedule.pdf 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 and actions

<https://www.puc.pa.gov/pipeline/damage-prevention-committee/> taken at monthly DPC meetings are available on the PUC's website. 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."

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, 1/6/2022

SRBC Offers No-Cost Webinar Series

The Commission is continuing its **Public Water Assistance Program** <https://www.srbc.net/our-work/what-we-do/public-water-supply-assistance-program.html> with a three-part webinar series for public water system operators/managers, groundwater withdrawal project sponsors, state agency staff and consultants.

The **no-cost seminars** <https://mdw.srbc.net/pwsap/> will provide in-depth instructions and guidance on the Commission's new **Alternative Hydrogeologic Evaluation (AHE) Policy** <https://www.srbc.net/regulatory/policies-guidance/docs/alternative-hydrogeologic-evaluation-policy-2021-01.pdf>. The AHE, which recently replaced the SRBC's Aquifer Test Plan Waiver practice, is the first step of a two-step process for submitting a groundwater renewal application to the Commission. Special focus will be provided on how this new streamlined, risk-based approach utilizes existing data and information to evaluate a withdrawal's sustainability, impacts to other users, and impacts to the environment.

The series will include three parts beginning January 27. To register for any of the webinars,

please visit our website at <https://mdw.srbc.net/pwsap/PWSAPRegistration.aspx>.

- **Part 1: Impacts to Other Users;** Thursday, January 27 (1:00 - 2:00 pm)
- **Part 2: Evaluating Sustainability and Impacts to the Environment;** Thursday, February 24 (1:00 - 2:00 pm)
- **Part 3: Form Completion and Implementation using Voluntary Action Plans;** Thursday, March 24 (1:00 - 2:30 pm)

The Commission recognizes the challenges facing smaller municipal water supply systems to keep abreast of current regulatory requirements, and therefore initiated the Public Water Supply Assistance Program in 2012 to aid municipal systems in meeting the Commission's regulatory requirements.

For more information regarding this PWSAP webinar series, please contact Dave Haklar at (717) 238-0423 ext. 1108, Mike Appleby, P.G. at (717) 238-0423 ext. 1208, or email PWSAP@srbc.net.

Source: SRBC Press Release, 1/7/2022

EPA Awards More Than \$3 Million in Funding to U.S. Small Businesses to Commercialize Environmental Technologies

On January 6, 2022, the U.S. Environmental Protection Agency (EPA) announced \$3,599,571 in funding for nine small businesses to further develop and commercialize technologies to protect the environment and public health. The funded technologies are focused on addressing issues including PFAS destruction, ethylene oxide monitoring, water reuse, and sustainable construction materials.

"I commend our nation's small businesses for being at the forefront of addressing these environmental problems," said Wayne Cascio, Acting Principal Deputy Assistant Administrator in EPA's Office of Research and Development. "This funding will allow these small businesses to take the next steps in developing their technologies and bringing them to the marketplace."

These nine small businesses are receiving Phase II funding of up to \$400,000 from EPA's Small Business Innovation Research (SBIR) program. These companies were previously awarded a Phase I contract of \$100,000 to develop innovative environmental technologies and are now receiving a Phase II award to further advance and commercialize the technology. This year's SBIR Phase II recipients include:

- ***Aquagga, Inc. (Tacoma, Wash.)*** - For a hydrothermal alkaline treatment process for destroying PFAS in contaminated groundwater.
- ***Hyperion Analytical LLC (Rancho Cucamonga, Calif.)*** - For a fully automated analytical system for measurement of N-nitrosamines to support water reuse applications.
- ***Nikira Labs (Mountain View, Calif.)*** - For a sensitive, real-time, and highly selective ethylene oxide analyzer for next generation environmental monitoring.
- ***OLIN (Philadelphia, Pa.)*** - For a process that repurposes waste-stream glass into soil suitable for horticultural and green infrastructure projects.
- ***PKS Consulting, Inc. (Anchorage, Alaska)*** - For a mobile plastic ocean waste recycler that produces recycled plastic lumber products from locally collected plastic ocean waste.
- ***Pure Blue Tech Inc. (Seattle, Wash.)*** - For anti-fouling membranes integrated with polyvinylidene fluoride transducers to promote efficient water reuse.

- **Quick-Med Technologies, Inc. (Gainesville, Fla)** - For long-term disinfectant coatings to kill viruses and bacteria on high-touch surfaces.
- **Triangle Environmental Health Initiative, LLC (Durham, N.C.)** - For a zero-waste system to maximize chemical energy potential in wastewater and produce three valuable reuse output streams.
- **Verdant Structural Engineers (Berkeley, Calif.)** - For straw structural insulated panel alternatives for homes and buildings to improve energy efficiency and reduce embodied carbon impacts.

Learn more about the **SBIR Phase II winners**:
https://cfpub.epa.gov/ncer_abstracts/index.cfm/fuseaction/recipient.display/rfa_id/691/records_per_page/ALL.

To learn more about EPA's SBIR program, please visit:
<https://www.epa.gov/sbir>.

Learn more about the Federal SBIR Program: www.SBIR.gov.

Source: EPA Press Release, 1/6/2022

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