



Water Utility Council of the
PA-Section, American Water
Works Association (PA-AWWA)



GOVERNMENT RELATIONS UPDATE

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Revenue Department Releases February 2022 Collections

Pennsylvania collected \$2.4 billion in General Fund revenue in February, which was \$155.7 million, or 6.8 percent, more than anticipated, Revenue Secretary Dan Hassell reported. Fiscal year-to-date General Fund collections total \$28.6 billion, which is \$2.0 billion, or 7.5 percent, above estimate.

Sales tax receipts totaled \$935.6 million for February, \$55.8 million above estimate. Year-to-date sales tax collections total \$9.1 billion, which is \$559.6 million, or 6.5 percent, more than anticipated.

Personal income tax (PIT) revenue in February was \$1.0 billion, \$40.8 million above estimate. This brings year-to-date PIT collections to \$9.7 billion, which is \$528.9 million, or 5.8 percent, above estimate.

February corporation tax revenue of \$136.1 million was \$24.6 million above estimate. Year-to-date corporation tax collections total \$2.8 billion, which is \$622.7 million, or 28.6 percent, above estimate.

Inheritance tax revenue for the month was \$116.1 million, \$14.5 million above estimate,

bringing the year-to-date total to \$1.0 billion, which is **\$90.9 million, or 9.9 percent, above estimate.**

Realty transfer tax revenue was \$58.5 million for February, \$18.8 million above estimate, bringing the fiscal-year total to \$549.5 million, which is **\$92.4 million, or 20.2 percent, more than anticipated.**

Other General Fund tax revenue, including cigarette, malt beverage, liquor and gaming taxes, totaled \$136.6 million for the month, \$6.2 million below estimate and bringing the year-to-date total to \$1.3 billion, which is **\$24.2 million, or 1.9 percent, above estimate.**

Non-tax revenue totaled \$18.9 million for the month, \$7.4 million above estimate, bringing the year-to-date total to \$4.2 billion, which is **\$84.3 million, or 2.1 percent, above estimate.**

In addition to the General Fund collections, the **Motor License Fund** received \$197.0 million for the month, \$24.8 million below 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 \$1.8 billion, which is **\$36.2 million, or 2.0 percent, above estimate.**

Source: PA Department of Revenue, 3/1/2022

PUC Damage Prevention Committee Meets Virtually on March 8

The Pennsylvania Public Utility Commission (PUC) will hold a virtual meeting of the Damage Prevention Committee (DPC) on **Tuesday, March 8, 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_ZWIwOGQ0OWItMDY5MC00MjMxLTk1NmYtMTgwYzQ4MDgzNjQ5%40thead.v2/0?context=%7b%22id%22%3a%22418e2841-0128-4dd5-9b6c-](https://teams.microsoft.com/l/meetup-join/19%3ameeting_ZWIwOGQ0OWItMDY5MC00MjMxLTk1NmYtMTgwYzQ4MDgzNjQ5%40thead.v2/0?context=%7b%22id%22%3a%22418e2841-0128-4dd5-9b6c-47fc5a9a1bde%22%2c%22oid%22%3a%22d90a3983-778f-4a0d-babb-2e33bba65d80%22%7d)

[47fc5a9a1bde%22%2c%22oid%22%3a%22d90a3983-778f-4a0d-babb-2e33bba65d80%22%7d](https://teams.microsoft.com/l/meetup-join/19%3ameeting_ZWIwOGQ0OWItMDY5MC00MjMxLTk1NmYtMTgwYzQ4MDgzNjQ5%40thead.v2/0?context=%7b%22id%22%3a%22d90a3983-778f-4a0d-babb-2e33bba65d80%22%7d) event

link or by calling into the telephone conference by dialing 267-332-8737, and then entering passcode 242 209 884# to listen to the meeting. The **meeting agenda**

https://www.puc.pa.gov/media/1826/dpc_agenda_030822.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, 3/2/2022

Sens. Fontana, Pittman Unveil Bipartisan Legislation to Identify Risk, Prevent Legionnaires' Disease

Pennsylvania has some of the highest rates of infection year after year

Legionnaires' disease is on the rise across the country but especially in Pennsylvania, with the commonwealth showing some of the

highest rates of infection and illness year after year, according to state and federal data.

Yet, despite the very real public health risk, Pennsylvania has no comprehensive plan or requirements for managing or testing for this deadly disease.

To remedy this oversight, state Sens. Wayne Fontana (D-42) and Joe Pittman (R-41) introduced bipartisan legislation **Senate Bill 1125** <https://www.legis.state.pa.us/cfdocs/Legis/CSM/showMemoPublic.cfm?chamber=S&SPick=20210&cosponId=36078> that would help to raise awareness about the disease while putting in place sound prevention and mitigation strategies.

“Even as Pennsylvania continues to recover from the health-care crisis caused by COVID-19, another public health risk is still looming. We shouldn’t wait for another serious outbreak of Legionnaires’ disease before we act. We know what needs to be done,” said Fontana of Allegheny County.

“Legionnaires’ disease is highly preventable, unlike the coronavirus, but it requires us to identify specific risks and then implement effective control measures --- something that isn’t happening right now but should be.”

Legionella pneumophila bacteria, the pathogen that causes Legionnaires’ disease, are found naturally in freshwater environments, including waters used as a source by public drinking water systems. The bacteria grow in stagnant water or poorly treated building water systems, and eventually spread via mists.

The legislation that Fontana and Pittman introduced would direct both public drinking water providers and certain building owners to assess their respective water systems for risk and adopt simple mitigation measures such as flushing clean water through the system, keeping hot and cold water at appropriate temperatures, and monitoring the system regularly.

The bill would codify the seven-step industry standard, ASHRAE-188, which is backed by the Centers for Disease Control and Prevention (CDC), the U.S. Environmental Protection Agency (EPA),

the U.S Veterans Administration (VA), and many other industry and professional organizations. ASHRAE-188 is currently only voluntary and not widely adopted.

Pittman joined in on collaborating with Fontana after the Senate Democrats held a hearing on Legionella, at the request of Fontana, on May 5, 2021. Expert panelists testified that the risk of Legionnaires’ disease would rise as buildings that were shut down during the pandemic began to reopen and without checking the quality of the water inside. The Pennsylvania Department of Health issued its own advisory on June 28, 2021, warning about the potential risk of Legionnaires’ disease.

Pennsylvania had exceptionally high case counts in 2017, 2018, and 2019, according to the department, although the number of cases has been low since COVID-19 arrived, largely because mask wearing protects individuals from both Legionnaires’ disease and COVID-19. As fewer people wear masks, cases could spike again.

Many experts believe Legionnaires’ disease cases are going undetected because both Legionnaires’ disease and COVID-19 are a severe pneumonia. A recent study by the National Academy of Science, Engineering and Medicine estimates that the true number of Legionnaires’ disease cases may be 10 times higher than what is currently reported. Like COVID, Legionnaires’ disease can impact anyone, but especially those with compromised respiratory systems, meaning the 1.3 million Pennsylvanians who have contracted and then recovered from COVID now are at heightened risk.

Source: Senator Fontana Press Release, 3/4/2022

New Toxics Release Inventory Data Show Decline in Releases of Certain Toxic Chemicals New Features to Make Data More Accessible,

Help Identify Environmental Justice Concerns

On March 3, 2022, the U.S. Environmental Protection Agency (EPA) released its 2020 Toxics Release Inventory (TRI) National Analysis, which shows that environmental releases of TRI chemicals by facilities covered by the program declined by 10% between 2019 and 2020. The 2020 TRI National Analysis summarizes TRI chemical waste management activities, including releases, that occurred during calendar year 2020. More than 21,000 facilities report annually on over 800 chemicals they release into the environment or otherwise manage as waste. EPA, states, and tribes receive TRI data from facilities in industry sectors such as manufacturing, mining, electric utilities, and commercial hazardous waste management.

“EPA is encouraged by the continued decrease in releases of toxic chemicals reported to the Toxics Release Inventory,” said Assistant Administrator for the Office of Chemical Safety and Pollution Prevention Michal Freedhoff.

“Making this information publicly available also incentivizes companies to reduce pollution and gives communities tools to act locally – particularly underserved communities that have historically been disproportionately impacted by pollution.”

This 2020 Analysis includes enhancements to make data more useful and accessible to communities, including communities with environmental justice concerns. EPA has added demographic information to the “Where You Live” mapping tool, making it easy to overlay maps of facility locations with maps of overburdened and vulnerable communities. Community groups, policymakers, and other stakeholders can use this information to identify potential exposures to air and water pollution, better understand which communities are experiencing a disproportionate pollution burden and take action at the local level.

To assist communities with reducing pollution, EPA is offering **\$23 million in grant funding opportunities**
<https://www.epa.gov/newsreleases/epa-announces-23-million-pollution-prevention-grant->

[opportunities-including-14-million](#) for states and Tribes to develop and provide businesses with information, training, and tools to help them adopt pollution prevention (P2) practices. For the first time, approximately \$14 million in grant funding provided by the Bipartisan Infrastructure Law is available with no cost sharing/matching requirement, increasing access to funding for all communities. These grants are a critical component of the President Biden’s Justice40 initiative by providing a meaningful benefit to communities impacted by legacy pollution issues. As such, EPA will administer this program in accordance with this initiative to ensure at least 40% of the benefits are delivered to underserved communities.

EPA is hosting a public webinar on March 23, 2022, highlighting the findings and trends from the 2020 TRI National Analysis and explaining the interactive features of the National Analysis website. **Register for the webinar**
<https://www.eventbrite.com/e/us-epa-2020-toxics-release-inventory-tri-national-analysis-tickets-277668523027>.

New Tools

In addition to the new community mapping tools, the National Analysis also includes a new map in the data visualization dashboard that displays international transfers of chemical waste by facilities in each state. The map includes information on the facility that shipped the waste, the destination country, and how the waste was managed in that country.

Additionally, the National Analysis includes a new profile of the cement manufacturing sector and the addition of greenhouse gas reporting information in certain sector profiles. Users will be able to track greenhouse gas emissions for electric utilities, chemical manufacturing, cement manufacturing, and other sectors. This section will also include information on the benefits of source reduction in these industries.

Notable Trends in 2020

Facilities that report to TRI avoided releasing into the environment more than 89 percent of the chemical-containing waste they created and

managed during 2020 by using preferred practices such as recycling, energy recovery, and treatment. The 2020 Analysis showcases these industry best practices for preventing waste creation and reducing pollution. Facilities reported initiating nearly 3,000 new source reduction activities. EPA encourages facilities to learn from their counterparts' best practices by using EPA's Pollution Prevention Search Tool and adopt additional methods for reducing pollution.

The report also includes a discussion of chemical releases into the environment, including air releases, which decreased by 52 million pounds from 2019 to 2020, continuing a long-term trend, as well as summaries of regional chemical waste management activities, illustrating the geographic diversity of U.S. industrial operations.

PFAS Reporting

The 2020 Analysis is also the first to feature reporting on the 172 per- and polyfluoroalkyl substances (PFAS) added to TRI by the 2020 National Defense Authorization Act (NDAA). Facilities reported managing 800,000 pounds of these chemicals in 2020, but of that, only around 9,000 lbs. were reported as releases. Most of the production-related PFAS waste was reported by hazardous waste management facilities or chemical manufacturers, and most releases of PFAS were reported by the chemical manufacturing sector.

EPA continues to work to better understand the seemingly limited scope of PFAS reporting. The agency has used existing data to generate lists of potential producers and recipients of PFAS waste, and has contacted facilities with potential reporting errors, as well as those that were expected to report but did not.

EPA also plans to enhance PFAS reporting under the TRI by proposing a rulemaking this summer that would, among other changes, remove the eligibility of the de minimis exemption for PFAS. The de minimis exemption allows facilities that report to TRI to disregard certain minimal concentrations of chemicals in mixtures or trade name products. If finalized, this proposal would also make unavailable the de minimis exemption with regard to providing supplier notifications to downstream

TRI facilities for PFAS and persistent, bioaccumulative, and toxic chemicals.

Because PFAS are used at low concentrations in many products, the elimination of the de minimis exemption will result in a more complete picture of the releases and other waste management quantities for these chemicals.

To view the 2020 TRI National Analysis, including local data and analyses, visit www.epa.gov/trinationalanalysis.

Information on facility efforts to reduce TRI chemical releases is available at www.epa.gov/tri/p2.

Source: EPA Press Release, 3/3/2022

EPA Announces New Science Advisory Board Process to Strengthen Science Supporting EPA Decisions

On February 28, 2022, the U.S. Environmental Protection Agency (EPA) announced the implementation of a new process by which the Science Advisory Board (SAB) will assess the science that informs decisions regarding Agency proposed rules. The new process will restore opportunities for peer review and strengthen the independence of the board. The improved process builds on the principle that early engagement with the Science Advisory Board is a priority and will best enable EPA to benefit from the expert advice received from the board.

“Everything we do as an agency must adhere to the highest standards of scientific integrity, and today's action is a major step towards stronger, independently reviewed science,” said EPA Administrator Michael S. Regan. “This new process, Science Supporting EPA Decisions, will allow EPA to effectively engage the Science Advisory Board while ensuring the important independent advisory status of the Board is maintained.”

This new Science Supporting EPA Decisions process strengthens peer review at EPA by:

- Restoring the SAB’s role by having structured opportunities to conduct peer review of critical scientific and technical actions developed by EPA.
- Strengthening the independence of the SAB’s role by scoping and identifying the peer review need for EPA decisions.
- Ensuring EPA considers and develops peer reviewed science early in their rule-making development process.
- Restoring public faith in the EPA by ensuring the use of peer reviewed science to inform decision making.

“The Science Supporting EPA Decisions process is a victory for peer reviewed science and will lead to better EPA rule-making decisions” said Thomas Brennan, Director of the SAB Staff Office. “This process is effective immediately.”

The Biden-Harris Administration is committed to restoring the central role of science and evidence in addressing numerous challenges to public health and the environment, including climate change, environmental justice, PFAS, children’s health, air quality, water quality, contaminated lands, and many others. Durable EPA decision-making is dependent on the credibility of the science that informs these decisions. The credibility of the science depends on adherence to well established, time-tested processes and procedures for peer review that assure scientific integrity, and strong peer review depends on engaging independent external experts in a timely and rigorous manner. Today’s action addresses these goals.

A memo from Associate Administrator for Policy Victoria Arroyo, Deputy Assistant Administrator for the Office of Research and Development Christopher Frey and Director of the SAB Staff Office Thomas Brennan outlines the improved process for engaging the EPA Science Advisory Board (SAB) in the review of the scientific and technical basis of proposed EPA decisions. This memorandum was issued at the direction of the Administrator and supersedes prior procedures.

The memo was issued on February 28, 2022 and is available at the SAB Staff Office web site: https://sab.epa.gov/ords/sab/sab_apex/r/files/static/v403/Science%20Supporting%20EPA%20Decisions.pdf.

Source: EPA Press Release, 2/28/2022

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