
WUC

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



GOVERNMENT RELATIONS UPDATE

From Milliron & Goodman Government Relations, LLC.

200 North 3rd Street ♦ Suite 1500 ♦ Harrisburg, PA 17101 ♦ Phone: 717-232-5322 ♦ Erik A. Ross, Senior Associate ♦ www.millirongoodman.com

Harrisburg, PA

Erik@millirongoodman.com

May 23, 2022 -- Issue 1279

Pennsylvania's Unemployment Rate Down to 4.8 Percent in April

More than 80 percent of jobs lost since pandemic start have been recovered

The Pennsylvania Department of Labor & Industry (L&I) today released its preliminary employment situation report for April 2022.

Pennsylvania's unemployment rate was down one-tenth of a percentage point over the month to 4.8 percent in April. The U.S. unemployment rate was unchanged over the month, remaining at 3.6 percent. The commonwealth's unemployment rate was 2.1 percentage points below its April 2021 level and the national rate was down 2.4 percentage points over the year.

"Two years ago, in April 2020, COVID-19 slammed into Pennsylvania's economy and caused the commonwealth's unemployment rate to skyrocket to 16.2 percent, more than three times the rate of the previous month. While the crisis of the pandemic is not yet entirely behind us, we continue to see the resilience of Pennsylvania's workers and businesses reflected in the gradual decline of our unemployment rate, now at 4.8 percent," said L&I Secretary Jennifer Berrier. "Pennsylvanians are working, businesses are hiring, and the commonwealth's economy is rebounding."

Pennsylvania's civilian labor force – the estimated number of residents working or looking for work – increased 23,000 over the month. The employment count rose 28,000 (to 6,102,000) while resident unemployment declined 5,000 (to 308,000).

Pennsylvania's total nonfarm jobs were up 11,400 over the month to 5,917,800 in April. Jobs increased from March in six of the 11 industry supersectors. Manufacturing (+5,200) had the largest gain from March. Over the year, total nonfarm jobs were up 210,300 with gains in 10 of the 11 supersectors. Leisure & hospitality had the largest 12-month gain, adding 69,200 jobs. Three supersectors – trade, transportation and utilities; information; professional and business services – were above their pre-pandemic job levels in April 2022.

From April 2020 through April 2022, Pennsylvania has recovered approximately 84 percent of jobs lost in the first two months of the pandemic period.

Additional information is available on the L&I website at www.dli.pa.gov.

Note: The above data are seasonally adjusted. Seasonally adjusted data provide the most valid month-to-month comparison. April data are preliminary and subject to revision.

Source: PA Dept. of Labor & Industry, 5/20/2022

EQB Meeting Rescheduled

The Environmental Quality Board rescheduled its meeting on Tuesday, June 21 to **Tuesday, June 14**. The meeting will be held in the Rachel Carson State Office Building, 400 Market St., Room 105, Harrisburg, PA 17101 at 9 a.m.

Questions on the meeting should be directed to Laura Griffin at laurgriffi@pa.gov or 717-783-8727. Additional information is available on the Pennsylvania Bulletin.

Source: Pennsylvania Bulletin, 5/20/2022
<https://www.pacodeandbulletin.gov/Display/pabull?file=/secure/pabulletin/data/vol52/52-21/743.html>

SRBC Notice of Meeting

The Susquehanna River Basin Commission provided notice of a regular business meeting on Thursday, June 16 at 9 a.m. at the Maryland Department of Environment, 1800 Washington Boulevard, Baltimore, MD 21230. Participants can attend in-person or online through the **meeting link** <https://srbc.webex.com/wbxmjs/joinservice/sites/srbc/meeting/download/8dd92e6e8e0846b78a0df4574c0bcdd9?siteurl=srbc&MTID=m79bb5b40439d92254c1d58b07ac89ded> with the meeting code 177 325 1513 and password CommBusMtg0616.

Alternatively, attendees can call 877-668-4493 and enter the meeting code 177 325 1513 #. The meeting will discuss the upcoming fiscal year, Conowingo Watershed Implementation Plan, contracts and grants, revision of by-laws, proposed Water Resources Program for 2022-24, regulatory program waiver requests, and actions on regulatory program projects.

For additional information, contact Jason E. Oyler, General Counsel and Secretary, at 717-238-0423. Additional information is available on the Pennsylvania Bulletin.

Source: Pennsylvania Bulletin, 5/21/2022
<https://www.pacodeandbulletin.gov/Display/pabull?file=/secure/pabulletin/data/vol52/52-21/758.html>

SRBC Grandfathering Registration Notice

Susquehanna River Basin Commission provided notice of Grandfathering Registration for projects under 18 CFR 806, Subpart E (relating to registration of grandfathered projects) from Friday, April 1 to Saturday, April 30.

Further information is available by contacting Jason E. Oyler, General Counsel and Secretary, at 717-238-0423. Additional information is available on the Pennsylvania Bulletin.

Source: Pennsylvania Bulletin, 5/21/2022
<https://www.pacodeandbulletin.gov/Display/pabull?file=/secure/pabulletin/data/vol52/52-21/759.html>

SRBC Projects Approved for Consumptive Uses of Water

Susquehanna River Basin Commission provided notice of projects approved from April 1 to April 30 for consumptive uses of water.

For additional information, contact Jason E. Oyler, General Counsel and Secretary, at 717-283-0423. Additional information is available on the Pennsylvania Bulletin.

Source: Pennsylvania Bulletin, 5/21/2022
<https://www.pacodeandbulletin.gov/Display/pabull?file=/secure/pabulletin/data/vol52/52-21/760.html>

EPA Seeks Input from Small Businesses on Potential Multi-Pollutant Emissions Standards for Light-Duty and Medium-Duty Vehicles for Model Years 2027 and Later

The U.S. Environmental Protection Agency (EPA) is inviting small businesses to participate as Small Entity Representatives (SERs) for a Small Business Advocacy Review (SBAR) Panel. This Panel will focus on the agency's development of a rule that would propose to reduce air pollutant emissions, including greenhouse gas (GHG) emissions and criteria air pollutants (such as nitrogen oxides, hydrocarbons, and particulate matter) from light-duty (LD) vehicles and medium-duty (MD) vehicles. As with other EPA motor vehicle regulatory programs, these standards would affect companies that manufacture or sell passenger cars and light trucks (LD vehicles) and certain larger pickups, vans, and trucks (MD vehicles).

There is a need for deeper emission reductions from the LD and MD vehicle sectors to protect public health and welfare. EPA recently finalized more stringent GHG emission standards for LD vehicles through model year 2026. That action serves as an important launch point for this new rulemaking addressing model year 2027 and later. EPA is taking this action under its authority under the Clean Air Act, and it is also responsive to Executive Order 14037.

Three categories of small entities may be affected by the proposed new emission standards.

- Small entities that seek EPA Certificates of Conformity in order to sell new light-duty and medium-duty vehicles in the U.S. This includes companies that produce and sell vehicles directly (Small-Entity LD/MD Vehicle Manufacturers) and those that import vehicles from outside the U.S. and adapt them to meet EPA emission standards (Small-Entity LD/MD Independent Commercial Importers).
- Small entities that convert previously certified vehicles to operate partially or fully on alternative fuels (Small-Entity LD/MD Alternative Fuel Converters).

The Panel will include federal representatives from the Small Business Administration (SBA), the Office of Management and Budget (OMB), and EPA. The Panel members will ask a selected group of SERs to provide advice and recommendations on

behalf of their company to inform the Panel members about the potential impacts of the proposed rule on small entities.

EPA seeks self-nominations directly from the small businesses that may be subject to the rule requirements. Other representatives, such as trade associations that exclusively or at least primarily represent potentially regulated small businesses, may also serve as SERs.

Self-nominations may be submitted through the link below and must be received by May 31.

Nominate yourself as a SER:

<https://www.epa.gov/reg-flex/potential-sbar-panel-multi-pollutant-emissions-standards-model-years-2027-and-later-light>

Source: EPA Press Release, 5/16/2022

House Environmental Committee Meets May 24 on Bills Attempting to Address Local Flooding, Extending Underground Tank Cleanup Programs

The House Environmental Resources and Energy Committee is scheduled to meet May 24 on a package of eight bills that attempt to deal with local flooding by digging out stream channels and not by taking actions to prevent flooding and restore floodplains.

Also on the agenda is **House Bill 1780** (Armanini-R-Clearfield)

<https://www.legis.state.pa.us/cfdocs/billinfo/billinfo.cfm?year=2021&sInd=0&body=H&type=B&bn=1780> which would extend the sunset date for the underground storage tank cleanup and pollution prevention programs to December 31, 2027. The programs are due to expire on June 30, 2022.

This bill has been in Committee since August 12, 2021.

Digging Out Stream Channels

The package of eight bills to address localized flooding problems would emphasize digging out stream channels and not natural stream restoration techniques designed to prevent flooding and debris build up.

DEP, working with the Bradford County Conservation District and other districts, has developed **Guidelines for Maintaining Streams** <https://www.dep.pa.gov/Citizens/My-Water/PrivateWells/Pages/Stream-Maintenance.aspx> to outline environmentally safe techniques for maintaining clear stream channels and simplified emergency permits they issue for the removal of debris that address short-term, localized flooding problems.

Through the Growing Greener Program, DEP has also been **promoting natural stream restoration efforts** <https://www.nrc.gov/docs/ML1430/ML14308A182.pdf> that not only improve water quality but help prevent flooding and reduce the necessity and expense of repeated stream clearing activities.

DEP has also been working with Villanova's **Center for Resilient Water Systems** <https://www1.villanova.edu/university/engineering/faculty-research/Resilient-Water-Systems.html> to update its Stormwater Best Management Practices Manual to emphasize cost-effective green infrastructure solutions to manage stormwater and reduce flooding.

In other words, DEP, working with local partners, is looking at the problem of reducing flood damage in three dimensions and these bills look at only one.

The House Republican bills include:

- **House Bill 2404** (Owlett-R-Tioga) <https://www.legis.state.pa.us/cfdocs/billInfo/billInfo.cfm?sYear=2021&sInd=0&body=H&type=B&bn=2404>: Would allow local government organizations to apply for a permit for continuing maintenance for a period of at least 10 years for the streams within their jurisdiction. This permit would grant an affirmative duty to

the local government entity to properly maintain the streams and would not require the local government to get pre-approval for maintenance projects.

- **House Bill 2405** (Pickett-R-Bradford) <https://www.legis.state.pa.us/CFDOCS/billInfo/billInfo.cfm?syear=2021&sInd=0&body=H&type=B&bn=2405>: Would create a program that allows counties to opt in to address hazards within their streams by allowing for emergency maintenance permits in consultation with their county conservation district. This is modeled after a pilot project that has proven successful in Bradford County.
- **House Bill 2406** (Fritz-R-Susquehanna) <https://www.legis.state.pa.us/CFDOCS/billInfo/billInfo.cfm?syear=2021&sInd=0&body=H&type=B&bn=2406>: Would create a permit specific to smaller maintenance projects for the mitigation of flood-related hazards of less than 250 linear feet. This permit would be reviewed and issued by the local county conservation district.
- **House Bill 2407** (Hamm-R-Lycoming) <https://www.legis.state.pa.us/cfdocs/billInfo/billInfo.cfm?sYear=2021&sInd=0&body=H&type=B&bn=2407>: Would clarify that the Pennsylvania Fish and Boat Commission has no authority for permitting or enforcement related to stream clearing or maintenance activities. This authority shall belong solely to DEP and the county conservation districts as appropriate.
- **House Bill 2408** (Armanini-R-Clearfield) <https://www.legis.state.pa.us/CFDOCS/billInfo/billInfo.cfm?syear=2021&sInd=0&body=H&type=B&bn=2408>: Would declare that no permit or authorization shall be required for maintenance activities conducted on a culvert.
- **House Bill 2409** (O'Neal-R-Washington) <https://www.legis.state.pa.us/CFDOCS/billInfo/billInfo.cfm?syear=2021&sInd=0&body=H&type=B&bn=2409>: Would state that no permit shall be required for the removal of flood-related hazards from streams that are deemed to be an emergency by a state or county.

- **House Bill 2410** (Smith-R-Jefferson)
<https://www.legis.state.pa.us/CFDOCS/billInfo/billInfo.cfm?syear=2021&sInd=0&body=H&type=B&bn=2410>: Would state that no permit shall be required for stream maintenance activities conducted 50 feet or less upstream or downstream of a bridge or culvert.
- **House Bill 2411** (Hershey-R-Mifflin)
<https://www.legis.state.pa.us/cfdocs/billInfo/billInfo.cfm?sYear=2021&sInd=0&body=H&type=B&bn=2411>: requires DEP to issue an annual report on flooding and stream restoration.

The Committee held an informational meeting on this legislation April 25.

The meeting will be held in Room 515 Irvis Building starting at 8:00 a.m. **Click here to watch live online**
<https://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 Environmental Digest, 5/19/2022

#####

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.