
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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IRRC Submits Comments to the Environmental Quality Board

On May 27, 2022, the Pennsylvania Independent Regulatory Review Commission (IRRC) issued its comments on the proposed Safe Drinking Water PFAS MCL Rule. The comments are available on the IRRC website at:

Environmental Quality Board #7-569: **Safe Drinking Water PFAS MCL Rule**
<http://www.irrc.state.pa.us/docs/3334/IRRC/3334%2005-27-22%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, 5/27/2022

DRBC Regulatory Program Fees & Water Charging Rates to Increase July 1, 2022

The DRBC published notice in the Federal Register about increases to its regulatory program fees & water charging rates, effective July 1, 2022. These rate increases are based on an annual, indexed inflation adjustment in accordance with the **approved resolution**

https://www.nj.gov/drbc/library/documents/Res2016-09_Fee-Rule.pdf.

Please visit <https://www.federalregister.gov/documents/2022/05/24/2022-11138/regulatory-program-fees-and-water-charges-rates> for the complete **Federal Register Notice**. The fee/rate tables on the DRBC's website will be updated accordingly on July 1, 2022.

Source: DRBC, 5/24/2022

70 Groups Support Action to get Lead Out of School Drinking Water by School District of Philadelphia

After SDP announces plans to replace drinking fountains, groups share letter of support following advocacy and research by PennPIRG, PennEnvironment, and the Black Church Center for Justice and Equality

On May 4th, administrators from the School District of Philadelphia presented the 2022-2023 budget for City Council and announced a detailed plan to replace old water fountains with lead filtering hydration stations by 2025. Following the announcement, PennPIRG Education Fund, the PennEnvironment Research & Policy Center, and the Black Church Center for Justice and Equality, released a **letter** <https://pennenvironment.org/sites/environment/files/resources/LeadLetter5.10.22.pdf> co-signed by 70 community organizations. The letter calls on district leaders to address the threat of lead in school drinking water. The recommendations put forth by the organizations appear to mirror the steps announced by Dr. Hite at the May 4th presentation to city council.

"Schools should be safe places where our kids go to learn, achieve, and grow up to be productive citizens in society," stated PennEnvironment Research & Policy Center Executive Director David Masur. "Instead, the pervasive threat of lead in drinking water still faces Philadelphia kids when

they enter our school buildings. It's encouraging to see district officials address this threat by allocating funds towards hydration stations in all schools."

District officials announced their plan to allocate \$6.2 million to replace 800 antiquated drinking fountains that pose a threat to lead contamination from drinking water with new, lead-filtering hydration stations. The district has already taken this step with 1,300 outlets installed, and by doing this, they are committing to have 2,100 drinking fountains that pose a threat to lead contamination to be fully replaced district wide by 2025.

As the letter states, this project can be paid for with less than 1% of the federal stimulus money the district received last spring.

"The district's allocation of \$6.2 million toward hydration stations is an important step towards ensuring that all students in Philadelphia have safe water to drink," said Emma Horst-Martz, PennPIRG Advocate. "It is clear that the community is concerned about lead contamination and we look forward to working with the district and City Council until this project is complete."

The letter follows up on a **report** <https://pennpirg.org/reports/pap/lead-water> released by the groups in February, which compiled data from the school district's water testing program. The results showed that 98% of schools tested had at least one outlet in the building test positive for lead in the water, and 61% of all outlets tested across the school district had lead contamination.

"Budgets and legislation are moral, even theological, documents that expose the heart of leaders and the soul of our politics-what we hold to be sacred," said Pastor Willie Francois, President of the Black Church Center for Justice and Equality. "If we follow the money committed to safe drinking water, SDP communicates loudly a devotion to guaranteeing schools are sanctuaries for children."

Lead is a potent neurotoxin that can cause learning disabilities, organ damage and lifelong health problems. The U.S. Environmental Protection Agency (EPA) warns that there is no safe level of lead exposure and it is particularly dangerous for young children who are still growing.

Kids spend much of their day in school buildings, many of which have old lead pipes, faucets, and components.

In response to the report's findings, City Councilmember Helen Gym introduced **Bill 220221** <https://phila.legistar.com/LegislationDetail.aspx?ID=5521749&GUID=9D91F31C-7792-49A7-A3FB-0515F7A4AFE3&Options=ID%7CText%7C&Search=lead+schools> in March. This proposal would require the school district to install the remaining hydration stations by 2025, codifying the district's stated plan into city law.

"In 2022, it's not too much to ask that schoolchildren have drinking water that is entirely lead free - in fact, it should be essential," said Councilmember Helen Gym (At-Large). "I am honored to have worked alongside PennPIRG and PennEnvironment on this legislation and campaign since 2016. The campaign for clean, safe, and lead-free water has not only resulted in what we expect to be a swift victory, but also kickstarted a billion-dollar school modernization efforts for the first time in decades. We will continue to organize with school communities across this city, fighting for healthy learning environments for every student."

The 70 organizations who delivered the letter include Our City Our Schools, POWER Interfaith, Parents United for Public Education, Conservation Voters of PA and others.

"Providing timely public access to data and information is a critical element in the ability of stakeholders to know and understand what we need to know about the conditions in our public schools," said Jerry Roseman, Director of Environmental Science Philadelphia Federation of Teachers Health and Welfare Fund. "Using the power of information about lead contaminated drinking water in Philly schools, a diverse coalition of groups was able to come together to successfully recommend an effective solution to protect our kids and to work with Council Member Gym to get Bill 220221 introduced. We need to stay involved to ensure that implementation is done well and sustained."

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PennEnvironment Research & Policy Center is dedicated to protecting our air, water and open

spaces. We work to protect the places we love, advance the environmental values we share, and win real results for our environment. For more information, visit <http://www.pennenvironmentcenter.org/>.

PennPIRG (Public Interest Research Group) Education Fund is an independent, non-partisan group that works for consumers and the public interest. Through research, public education and outreach, we serve as counterweights to the influence of powerful interests that threaten our health, safety, and wellbeing. To learn more, visit our website at <http://www.pennpirgedfund.org/>.

The Black Church Center for Justice and Equality is a nonprofit organization with the mission to reaffirm the social justice tradition of the Black Church by providing a platform for progressive theological debate, public policy advocacy, and public engagement that amplifies the voices of progressive African-American faith leaders. For more about BCC, visit <https://theblackchurch.net/>.

Source: PennEnvironment Press Release, 5/25/2022

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

Plans Hybrid In-Person, Livestream and Virtual Meeting on June 14

A total of 177 disciplinary actions, including \$95,175 in administrative penalties, have been taken against 85 underground facility owners, excavators and project owners in the **latest enforcement actions**

https://www.puc.pa.gov/media/1914/dpc_case_summaries051022.pdf by the Public Utility Commission's (PUC's) Damage Prevention

Committee (DPC). These actions were taken during the DPC's May 2022 meeting.

The next meeting of the Damage Prevention Committee (DPC) is Tuesday, June 14, at 9 a.m. Members of the public, the media and others are invited to join the meeting in person in Hearing Room 1 of the Commonwealth Keystone Building, Harrisburg. Additionally, the PUC will livestream the DPC meeting on the **PUC website** <https://www.puc.pa.gov/live-streaming/>. Attendees also will be able to access the virtual conference by clicking on this **Microsoft Teams** https://teams.microsoft.com/l/meetup-join/19%3ameeting_Y2M3Y2IxYzQtNjA1MC00YmFILThkNjMtNDdhMzJjMDQzNTUw%40thread.v2/0?context=%7b%22Tid%22%3a%22418e2841-0128-4dd5-9b6c-47fc5a9a1bde%22%2c%22Oid%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 626 580 001# to listen to the meeting. The meeting **agenda** https://www.puc.pa.gov/media/1915/dpc_agenda_061422.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-safety/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, 5/27/2022

Gov. Wolf Announces Over \$8.4 Million in New Funding Awarded to Communities for Water and Sewer Improvements in Five Counties

On May 31, 2022, Governor Tom Wolf announced more than \$8.4 million in **Community Development Block Grant-**

CARES Act (CDBG-CV)

<https://dced.pa.gov/programs/community-development-block-grant-cares-cdbg-cv/> funding to help communities update and improve existing water and/or sewer systems in Centre, Fayette, Greene, Mifflin, and Tioga counties.

"Effective and efficient water and sewage systems are vital to quality of life and public safety in any community," said Gov. Wolf. "This funding will allow for improvements that would otherwise place a costly burden on these communities, preserving the health and safety of residents while also ensuring compliance with state regulations."

The following projects were included in the most recent block of CDBG-CV funding approvals:

Centre County

- \$1,148,650 for water system improvements to the **Haines Aaronsburg Municipal Authority (HAMA)**. The funds will be used to install the raw water transmission main from Well No. 8 to the water treatment plant and to replace the old above-ground cast iron finished water transmission main from the plant to the distribution system. This phase will also replace and relocate the existing Henry Street pressure relief valve.

Fayette County

- \$987,000 to assist the **North Fayette County Municipal Authority (NFCMA)** in replacing several main distribution water lines in Fairchance Borough that are antiquated and highly compromised, leading to frequent loss of water service and infiltration. The project also involves the installation of fire hydrants to assist the Borough with fire protection and emergency services. Two main areas have been identified: 1) Kanawha Street - Pittsburgh Street Area and 2) Kyle Avenue - Farmview Drive Area.

Greene County

- \$1,939,341 for water system improvements for the **East Dunkard Water Authority**.

This includes replacement of the iron main water line, pumps, gate valves, blow off valves and/or hydrants, and inspecting and rehabilitation of the eight water storage tanks to ensure that build up in the tanks are not propagating into the system.

Mifflin County

- \$2,816,809 for the **Hawstone Road (SR 333) sewer extension project** to install 5,807 lineal feet of gravity and 4,598 lineal feet of force main sewer line. A new pump station will be added to pump the sewage from the station to the end of the existing line and will ultimately be treated at the Granville Township Sewer Treatment Plant.

Tioga County

- \$1,512,520 to the **Tioga County Commissioners** to remediate the poor quality of drinking water in the Village of Watrous and establish a permanent, safe, metered, and reliable distribution system. The project will address obtaining and providing safe water for the current customers of the Watrous Water Association. Galeton, located three miles west of Watrous, also experiences water shortages during drought seasons. They are in the process of obtaining an additional water source which will address their drought conditions. Galeton has also agreed to supply adequate water for the Watrous community through the establishment of a transmission line from their water treatment facility to the Watrous Water Association. A reliable secure water source will be established in Galeton. The water will be treated and sent to Watrous via an eight-inch PVC transmission line.

CDBG-CV funds are made available through the federal Coronavirus Aid, Relief and Economic Security Act (CARES Act) and enable communities to effectively prepare for, prevent the spread of, and respond to the impacts of coronavirus in their communities.

For more information, visit the DCED website at <https://dced.pa.gov/>.

Source: Governor Wolf's Press Office, 5/31/2022

Matzie bills would Modernize State's Home Energy Assistance Program

Would require fuller distribution of federal funding; create year-round help

On May 26, 2022, state Rep. Rob Matzie announced that he will be introducing a package of bills to strengthen the Low Income Home Energy Assistance Program, including a bill to ensure the state fully distributes the annual federal funding it receives to residents in need.

Matzie, who is Democratic chairman of the PA House Consumer Affairs Committee, said he is introducing the legislation to end an arbitrary state practice that is hurting low-income families.

"Every year, Pennsylvania receives federal funding for home energy assistance, and even though that funding arrives annually, the state makes a policy decision not to use all of it, but to hold some of it back for the following year," Matzie said. "Some years, the unused portion is \$10 million, but this year, it's estimated to be between \$50 million and \$100 million.

"This funding helps hundreds of thousands of people with a real and immediate need – paying the gas, oil and electric bill. That need doesn't disappear after the state arbitrarily ends funding for the year. We need to do a better job of driving out those federal dollars – particularly now, with rising inflation and gas prices leaving more families struggling."

Matzie said his five bills would:

- Require the state Department of Human Services to expend all the federal money it receives annually from the federal government.

- Create the Retail Electric and Gas Customer Assistance Program, which would use \$500 million in American Rescue Plan Act funding to help electric and gas customers with accounts in arrears during the COVID pandemic pay down their accounts.
- Create a new LIHEAP program in Pennsylvania that is open year-round to assist with both home heating and cooling. The bill would be funded by the current federal funding along with a supplemental state appropriation to make up the difference. There are 11 other states with year-round programs.
- Codify the makeup of the LIHEAP Advisory Council and add legislative appointments.
- Require the state to create a plan identifying how it can leverage resources to provide more assistance to those in need.

Funding under LIHEAP is distributed via cash and crisis grants. More information about the current program is available at this link: <https://www.dhs.pa.gov/Services/Assistance/Pages/LIHEAP.aspx>.

NOTE: A sponsor summary can be found at: <https://www.legis.state.pa.us/cfdocs/Legis/CSM/showMemoPublic.cfm?chamber=H&SPick=20210&coSponId=37382>

Source: Rep. Matzie Press Release, 5/26/2022

EPA Names Dr. Kandis Boyd as New Director of Chesapeake Bay Program

On June 2, 2022, the U.S. Environmental Protection Agency (EPA) announced the selection of Dr. Kandis Boyd as the new Director of EPA's Chesapeake Bay Program. Dr. Boyd will start her new role as Director on June 6.

"I'm thrilled to have Kandis join our leadership team as we are stepping up restoration efforts for the Bay in the face of emerging challenges," said EPA Mid-Atlantic Regional Administrator Adam

Ortiz. "Her experience as a strategic leader in the sciences and success engaging diverse communities and youth will help take the Bay effort to a new level as we focus on climate change and vulnerable communities."

"I'm extremely humbled and excited to work with a forward-focused team of specialists and experts to advance the ongoing work of EPA and the Chesapeake Bay partners," said Boyd. "I'm ready to dive in and get to work on the most pressing matters before us."

Dr. Boyd has nearly 30 years of experience leading, teaching, advising and mentoring students and early career enthusiasts in environmental and atmospheric science. Her skillset as a strategic thinker, change agent, and leader includes designing, developing, and managing cutting edge initiatives to advance STEAM - science, technology, engineering, arts, and math.

She previously served as the Strategic Advisor for the National Science Foundation's (NSF) Office of Equity and Civil Rights. Dr. Boyd championed key agency-wide initiatives to broaden participation and to reduce the gap between future STEAM careers and experienced professionals needed for these positions, particularly in the areas of diversity, equity, inclusion, and accessibility. Her previous position included serving as the first Deputy Division Director of the NSF Division of Grants and Agreements, in which she provided oversight and direction for 35 individuals, a \$5 billion budget, and over 12,000 new grants annually.

Dr. Boyd was the first African-American female to receive an undergraduate degree in Meteorology from Iowa State University in 1996. After receiving her degree, she began her career at the National Oceanic and Atmospheric Administration (NOAA). Her NOAA career highlights include spearheading the Turn Around Don't Drown program, delivering around-the-clock on-site meteorological forecasts during the 2005 landfall of Hurricane Katrina, serving as the designated federal officer for the third National Climate Assessment Development Advisory Committee, co-chairing the first NOAA Environmental Modeling Strategic Plan, serving as a Subject Matter Expert for NOAA's \$2 billion satellite portfolio, and leading as

both the acting director and deputy director of the NOAA Weather Program Office.

Dr. Boyd has mentored over 50 students, authored three books, written over 100 articles and hosted over 30 podcasts to date. In addition, she is an American Meteorological Society (AMS) Fellow, which is the highest honor bestowed by this organization. She was also the recipient of the 2021 Charles E. Anderson Award from the American Meteorological Society for her career-long efforts toward advancing diversity and inclusion.

EPA's Chesapeake Bay Program coordinates activities and implements strategies for meeting the restoration goals of the Chesapeake Bay watershed, which covers 64,000 square miles across New York, West Virginia, Pennsylvania, Delaware, Maryland, Virginia and the District of Columbia.

For more information about the Chesapeake Bay restoration, visit <https://www.epa.gov/restoration-chesapeake-bay>.

Source: EPA Press Release, 6/2/2022

EPA Takes Action to Empower States, Territories, and Tribes to Protect Water Resources and Support Sustainable Development

On June 2, 2022, the U.S. Environmental Protection Agency (EPA) announced a proposed rule to update the regulatory requirements for water quality certification under Clean Water Act (CWA) Section 401. This proposed rule would strengthen the authority of states, territories, and Tribes to protect their vital water resources while supporting an efficient, predictable, and common-sense certification process, restoring a long-held right, which was severely limited by the previous administration's rule.

"For 50 years, the Clean Water Act has protected water resources that are essential to thriving communities, vibrant ecosystems, and sustainable

economic growth," said EPA Administrator Michael S. Regan. "EPA's proposed rule builds on this foundation by empowering states, territories, and Tribes to use Congressionally granted authority to protect precious water resources while supporting much-needed infrastructure projects that create jobs and bolster our economy."

This proposed rule is a key milestone in the **regulatory process announced in May 2021** <https://www.epa.gov/newsreleases/epa-takes-action-bolster-state-and-tribal-authority-protect-water-resources-0> to revise the 2020 CWA Section 401 Certification Rule. The proposed rule would update the existing regulations to be more consistent with the statutory text of the 1972 CWA and clarify elements of Section 401 certification practice that have evolved over the 50 years since the 1971 regulation was promulgated. EPA conducted pre-proposal engagement to help inform the content of its proposal.

Congress provided authority to states, territories, and Tribes under CWA Section 401 to protect the quality of their waters from adverse impacts resulting from federally licensed or permitted projects. Under Section 401, a federal agency may not issue a license or permit to conduct any activity that may result in any discharge into a water of the United States, unless the state, territory, or authorized Tribe where the discharge would originate either issues a CWA Section 401 water quality certification or waives certification.

The Agency is taking comment on this proposed rule for 60 days beginning on the date it is published in the Federal Register. For more information on submitting written comment on the proposal or to **register for the virtual public hearing on the proposed rule**, see <https://www.epa.gov/cwa-401>.

"The Clean Water Act quite clearly gives states, territories, and Tribes the ability to protect their water quality when projects are permitted or licensed," said U.S. Senator Tom Carper, Chairman of the Senate Committee on Environment and Public Works. "I commend Administrator Regan and the technical experts at EPA for taking a prudent step to help these governments act to address local water quality."

"I applaud EPA's announcement today to restore the rights of states, territories, and Tribes to safeguard their water resources - an essential tool for states to protect their people, local economies, and public health," said U.S. Representative Peter DeFazio, Chair of the House Committee on Transportation and Infrastructure. "This marks yet another step the Biden Administration has taken to reverse the harmful policies of the Trump era and to uphold the Clean Water Act. The Section 401 process is a prime example of states and the federal government working together to protect clean water while keeping local expertise in the driver's seat. The proposed rulemaking reinstates our bipartisan commitment to clean water with policies that protect, not pillage, our most precious natural resources."

"Today's actions by the EPA will enable states, territories and tribes to uplift their economies by protecting their water resources as they deem appropriate," said New Mexico Governor Michelle Lujan Grisham. "I applaud Administrator Regan for his collaborative approach to ensuring that our state and federal partnership on this important issue leads to improved water quality for ecosystems, cultural uses, and continued economic growth."

"The CWA Section 401 certifications serve as the first and sometimes the only line of defense protecting tribal waters from pollutant discharge flowing within and on to our reservation lands. A strengthening of the 401-certification rule serves to protect our tribal nations' water and cultural values," said National Tribal Water Council Chairman Ken Norton.

"The Clean Water Act has always been a valuable tool for states to protect their waters," said Environmental Council of States Executive Director Ben Grumbles. "We appreciate EPA's engagement to continue pursuing a durable rule that safeguards states' rights and a clean water future."

"The Clean Water Act Section 401 Certification rule is a cornerstone part of protecting Connecticut's waters," said Commissioner of Connecticut Department of Energy and Environmental Protection Katie S. Dykes. "We are pleased that EPA has proposed a rule that updates the regulatory

requirements to ensure an efficient, predictable, and protecting process."

"We thank EPA for their efforts to strengthen state authority to protect our own water resources," said New Jersey Department of Environmental Protection Commissioner Shawn M. LaTourette. "Partnership at the state and federal level on issues like water quality is the best way to achieve results. In New Jersey protecting water resources for our residents is a priority and ensuring economic benefits is vital to our state."

"We applaud EPA for this important proposal to ensure states have a role in protecting clean water and thank Administrator Regan for his commitment to coordination with states on programs like this," said New York State Department of Environmental Conservation Commissioner Basil Seggos. "We look forward to reviewing the proposal and working with EPA to further create a clear process that enhances this vital Clean Water Act program."

"The state of Wisconsin is encouraged by EPA's efforts to update the 2020 CWA Section 401 certification rule and EPA's commitment to craft a rule that recognizes the breadth of state review necessary to determine an activity's impacts on state resources," said Wisconsin Department of Natural Resources Secretary Preston Cole. "The CWA Section 401 certification process is a critical component of state's authority to preserve and protect its water resources and is a fundamental part of the Clean Water Act."

"We applaud the Biden administration for taking this important step to restore clean water safeguards. Ensuring states and Tribal Nations have the ability to advocate for their rights and interests is essential to protecting and restoring rivers nationwide," said CEO of American Rivers Tom Kiernan "The way toward just, equitable solutions is for those most impacted by threats to rivers to play a meaningful role in decision-making. States and Tribal Nations have a vital role to play in creating a future of clean water and healthy rivers everywhere, for everyone."

"The EPA's proposal would rightly restore power to states and tribes to protect their waters

from harm, and signals our nation's streams, lakes, and wetlands will be better protected by the people who deeply understand their water resources, guided by science and law," said Director of Federal Water Policy for NRDC (Natural Resources Defense Council) Jon Devine.

Background

Executive Order 13990 on Protecting Public Health and the Environment and Restoring Science to Tackle the Climate Crisis directed EPA to review and, as appropriate and consistent with applicable law, take action to revise or replace the 2020 CWA Section 401 Certification Rule (2020 Rule). Prior to the 2020 Rule, EPA promulgated implementing regulations for water quality certification before the 1972 amendments to the Federal Water Pollution Control Act (commonly known as the Clean Water Act), which created Section 401.

Source: EPA Press Release, 6/2/2022

Clean Water and Drinking Water State Revolving Fund Programs; Federal FY 2022 Intended Use Plans; Available for Public Comment

The Department of Environmental Protection and the Pennsylvania Infrastructure Investment Authority (PENNVEST) and have prepared the federal fiscal year (FFY) 2022 Intended Use Plans (IUP). These IUPs include a list of drinking water, wastewater treatment, nonpoint source and pollution abatement projects to be considered for a design and engineering or construction loan or grant from funds the commonwealth expects from the U.S. Environmental Protection Agency. Additional information is available on the Pennsylvania Bulletin.

A copy of the IUPs may be obtained by contacting Jay Patel, Division of Municipal Facilities, at (717) 787-5017 or through the

department's website at <https://www.dep.pa.gov/Business/Water/CleanWater/InfrastructureFinance/Pages/default.aspx>.

Interested persons may submit comments to DEP through Tuesday, July 5, 2022, through the department's online **eComment tool** at <https://www.ahs.dep.pa.gov/eComment/> or by e-mail to ecomment@pa.gov. Written comments can be mailed to the Policy Office, DEP, Rachel Carson State Office Building, PO Box 2063, Harrisburg, PA 17105-2063. Use "Clean Water and Drinking Water State Revolving Funds" as the subject line in written communication.

Source: Pennsylvania Bulletin, 6/4/2022
<https://www.pacodeandbulletin.gov/Display/pabull?file=/secure/pabulletin/data/vol52/52-23/838.html>

Delaware Regional Water Resources Committee Public Meeting

The Department of Environmental Protection's State Water Plan's Delaware Regional Water Resources Committee will hold a public meeting for the purpose of voting on their regional component to be added to the State Water Plan 2022 Update on Tuesday, July 12, 2022, at 9 a.m. in the 16th Floor Delaware Room, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101. Individuals may attend the public meeting in person or remotely.

Information on how to join the meeting and other materials are available on the committee's website at <https://www.dep.pa.gov/Business/Water/PlanningConservation/StateWaterPlan/Committees/Delaware/Pages/default.aspx>. Questions concerning the public meeting can be directed to James Horton at jahorton@pa.gov or (717) 772-1100.

Source: Pennsylvania Bulletin, 6/4/2022
<https://www.pacodeandbulletin.gov/Display/pabull?file=/secure/pabulletin/data/vol52/52-23/823.html>

Great Lakes Regional Water Resources Committee Public Meeting

The Department of Environmental Protection's State Water Plan's Great Lakes Regional Water Resources Committee will hold a public meeting for the purpose of voting on their regional component to be added to the State Water Plan 2022 Update on Thursday, June 23, 2022, at 9 a.m. in the 16th Floor Delaware Room, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101.

Individuals may attend the public meeting in person or remotely. Information on how to join the meeting and other materials are available on the **committee's website** at <https://www.dep.pa.gov/Business/Water/PlanningConservation/StateWaterPlan/Committees/GreatLakes/Pages/default.aspx>. Questions concerning the public meeting can be directed to James Horton at jahorton@pa.gov or (717) 772-1100.

Source: Pennsylvania Bulletin, 6/4/2022
<https://www.pacodeandbulletin.gov/Display/pabull?file=/secure/pabulletin/data/vol52/52-23/824.html>

Ohio Regional Water Resources Committee Public Meeting and Hearing

The Department of Environmental Protection's State Water Plan's Ohio Regional Water Resources Committee will hold a public meeting for the purpose of voting on their regional component to be added to the State Water Plan 2022 Update on Thursday, July 14, 2022, at 9 a.m. in the 16th Floor Delaware Room, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101.

Individuals may attend the public meeting in person or remotely. Information on how to join the meeting and other materials are available on the **committee's website** at <https://www.dep.pa.gov/Business/Water/PlanningConservation/StateWaterPlan/Committees/Ohio/Pages/default.aspx>.

[onservation/StateWaterPlan/Committees/Ohio/Pages/default.aspx](#). Questions concerning the public meeting can be directed to James Horton at jahorton@pa.gov or (717) 772-1100.

Source: Pennsylvania Bulletin, 6/4/2022
<https://www.pacodeandbulletin.gov/Display/pabull?file=/secure/pabulletin/data/vol52/52-23/825.html>

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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.