
BCW&S

**Berks County
Water &
Sewer Association**

GOVERNMENT RELATIONS UPDATE

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Gov. Wolf Signs COVID-19 Disaster Declaration to Provide Increased Support for State Response

Following a press conference announcing the first two presumptive positive cases of coronavirus, known as COVID-19, Governor Tom Wolf signed an emergency disaster declaration to provide increased support to state agencies involved in the response to the virus.

"It's imperative that we continue to respond quickly and accurately to the coronavirus and its introduction into Pennsylvania," Gov. Wolf said. "First and foremost, we want all Pennsylvanians to be safe and remain healthy and follow the practical advice of the Department of Health on ways to protect yourself from any virus and that's by washing hands, covering your mouth and nose when you sneeze or cough and staying home if you are sick.

"It is critical to prepare for and respond to suspected or confirmed cases in the commonwealth and to implement measures to mitigate the spread of COVID-19. The disaster declaration is an additional way we can be prepared, so I authorized the Pennsylvania Emergency Management Agency Director or his designee, to assume command and control of all statewide emergency operations and authorize and direct that all commonwealth departments and agencies use all available resources and personnel as is deemed necessary to cope with this emergency situation."

The disaster declaration follows the Department of Health's activation of its Department Operations Center at the Pennsylvania Emergency Management Agency's headquarters to conduct public health and medical coordination for COVID-19 throughout the commonwealth and the governor's announcement earlier this morning about two presumptive positive cases in Pennsylvania.

The one individual is an adult from Wayne County; the other is an adult from Delaware County.

To date, there are nearly 100,000 cases worldwide, including more than 3,300 deaths. There are 233 cases and 12 deaths to date in the United States. The CDC expects cases to continue to be confirmed in the upcoming days and weeks but wants everyone to take action to help prevent the spread of the virus. CDC also said due to the rapidly changing nature of the spread of COVID-19 around the world, it is important for families to be prepared.

Individuals who intend on traveling outside of the United States are urged to check the CDC's and the federal Department of State's travel guidance. Currently there are outbreaks of COVID-19 occurring within numerous countries across the world. The number of countries seeing new cases has increased significantly over the last week.

"As this situation evolves, we will continually update Pennsylvanians through our **website**, <https://www.health.pa.gov/Pages/default.aspx>, our **Facebook page** <https://www.facebook.com/pennsylvaniadepartment>

[ofhealth/](#) and our **Twitter account**

https://twitter.com/PAHealthDept?ref_src=twsrc%5Egoogle%7Ctwcamp%5Eserp%7Ctwgr%5Eauthor," Secretary of Health Dr. Rachel Levine said. "It's important to remember that the most accurate and timely information regarding this outbreak is available through the Department of Health."

Symptoms of the COVID-19 can include fever, cough and shortness of breath. The symptoms may appear in as few as two days or as long as 14 days after exposure. Reported illnesses have ranged from people with little to no symptoms to people being severely ill and dying. Individuals most at risk for severe symptoms include elderly and those with pre-existing conditions.

Anyone who does not feel well should:

- Wash your hands often with soap and water for at least 20 seconds. Use an alcohol-based hand sanitizer if soap and water are not available.
- Cover any coughs or sneezes with their elbow, not their hands.
- Clean surfaces frequently, such as countertops, light switches, cell phones and other frequently touched areas.
- Contain - If someone is sick, they should stay home until they are feeling better.

In addition to the emergency disaster declaration to date the Wolf Administration has:

- Activated of the Department of Health's Emergency Operations Center to allow for enhanced response coordination;
- Began testing for COVID-19 at the state laboratory;
- Maintained communication and outreach with federal, state and local partners;
- Provided symptom monitoring for residents returning from areas impacted by coronavirus;
- Provided health care providers, businesses and education providers with information;
- Reviewed and adapted current pandemic flu plans to prepare for spread of COVID-19;
- Increased testing capacity to test 20 to 25 individuals daily;

- Purchased equipment to increase testing capacity to 125 to 150 individuals within a day; and
- Partially activated the Commonwealth Response Coordination Center at PEMA.

Read the **emergency disaster declaration** as a **PDF**

https://twitter.com/PAHealthDept?ref_src=twsrc%5Egoogle%7Ctwcamp%5Eserp%7Ctwgr%5Eauthor or on **Scribd**
<https://www.scribd.com/document/450457202/2020-3-6-COVID19-Digital-Proclamation-pdf> .

Source: Governor Wolf's Press Office, 3/6/2020

Revenue Department Releases February 2020 Collections

Pennsylvania collected \$2.2 billion in General Fund revenue in February, which was \$90.5 million, or 4.4 percent, more than anticipated, Revenue Secretary Dan Hassell reported. Fiscal year-to-date General Fund collections total \$20.9 billion, which is **\$249.1 million, or 1.2 percent, above estimate.**

Sales tax receipts totaled \$811.8 million for February, \$17.1 million above estimate. Year-to-date sales tax collections total \$7.7 billion, which is **\$92.4 million, or 1.2 percent, more than anticipated.**

Personal income tax (PIT) revenue in February was \$940.1 million, \$9.5 million above estimate. This brings year-to-date PIT collections to \$8.7 billion, which is **\$105.6 million, or 1.2 percent, above estimate.**

February corporation tax revenue of \$136.5 million was \$44.3 million above estimate. Year-to-date corporation tax collections total \$1.9 billion, which is **\$85.7 million, or 4.3 percent, below estimate.**

Inheritance tax revenue for the month was \$102.9 million, \$24.6 million above estimate, bringing the year-to-date total to \$751.4 million,

which is **\$45.3 million, or 6.4 percent, above estimate.**

Realty transfer tax revenue was \$36.1 million for February, \$9.5 million above estimate, bringing the fiscal-year total to \$366.5 million, which is **\$14.5 million, or 4.1 percent, more than anticipated.**

Other General Fund tax revenue, including cigarette, malt beverage, liquor and gaming taxes, totaled \$135.1 million for the month, \$3.1 million below estimate and bringing the year-to-date total to \$1.2 billion, which is **\$6.1 million, or 0.5 percent, above estimate.**

Non-tax revenue totaled \$5.1 million for the month, \$11.3 million below estimate, bringing the year-to-date total to \$284.5 million, which is **\$70.8 million, or 33.1 percent, above estimate.**

In addition to the General Fund collections, the **Motor License Fund** received \$215.3 million for the month, \$10.7 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 **\$14.8 million, or 0.8 percent, below estimate.**

Source: PA Department of Revenue Press Release, 3/2/2020

Petition Seeks DRBC Action to Upgrade River Designation to Ensure Full Protection for Primary Contact Recreation Uses

A coalition of organizations have petitioned the Delaware River Basin Commission (DRBC) to upgrade the regulatory status and protections for the Philadelphia/Camden reach of the Delaware River. The initiative seeks to ensure that water quality standards governing the river provide protections to those that come into direct contact with the water during recreational activities.

According to the petition, the identified river reaches are heavily used in ways that bring people into direct contact with the water, including children. As a result, according to the environmental petitioners, the DRBC and the states should modify the existing legally designated uses to reflect the actual existing uses of the river. This action, the petitioners contend, is needed in order to ensure those recreating on the river receive the proper level of protection from pollution now and into the future.

"The Delaware River is a valued public resource, it is a resource that belongs to the people. Communities should be able to enjoy swimming, fishing, boating and utilizing the River for recreation knowing that our government officials are recognizing these uses and ensuring they are protected under the law for both present and future generations," said Maya van Rossum, the Delaware Riverkeeper and leader of the Delaware Riverkeeper Network. "We know that communities throughout the region are right now enjoying the River in ways that bring them into direct contact with the water. All we are asking is for the DRBC to recognize this use and to ensure that standards are in place that are ensuring the ongoing protection of these uses. All of the other reaches of the mainstream are protected for primary contact recreation, the urban reaches should be protected too."

"Upgrading the water quality standards for this section of the Delaware River will not only make the river safer for the many people who recreate there now, but would represent a broader win for the health and safety of the public and the environment for generations to come," said Joe Minott, Executive Director of the Clean Air Council.

"The Clean Water Act requires that our waters be protected for the way that people actually use them," said PennFuture president and CEO Jacquelyn Bonomo. "This petition presents clear evidence and support that the community actually uses the urban sections of the Delaware River for things like swimming, tubing, and jet skiing. Because these uses put people, including children, in direct contact with the water, it is imperative that

the DRBC and the states protect the water quality of this section of the river for primary contact. Ensuring the safety of our communities to use these waters for primary contact recreation is the legal responsibility of the DRBC."

"The transformation of the lower Delaware River over the last 50 years is a direct testament to the power of the Clean Water Act to clean up our waterways. Yet the Act's original vision to protect waterways based on how the public uses them isn't being fulfilled in the lower Delaware - and that's why the DRBC should act to meet the vision of the Clean Water Act," said Doug O'Malley, director of Environment New Jersey. "As water quality has improved along the Lower Delaware, the public is voting with their feet and their bodies - people are recreating in the Delaware. As our cities and river towns revive and access to the water is seen as a premium, the DRBC should protect the lower Delaware River for primary contact. The Delaware River should not be treated as a regulatory mixing zone - it is the people's river and the DRBC should protect it for all recreational uses based on the Clean Water Act."

The petition seeks to secure higher protections from River Mile 108, near the mouth of the Pompeston Creek, down to river mile 81.8, near the Commodore Barry Bridge - currently this reach of River is designated only for secondary contact recreation. According to the petition, because this reach of river is heavily used in ways that bring people in direct contact with the water, the DRBC is legally obligated to recognize the primary contact uses and put in place higher standards that ensure protection of human health. Survey results and data included in the petition demonstrate that the affected reach of the river is used for swimming, snorkeling, tubing, and jet skiing; it is also used by a wide variety of organizations such as the health and wellness organization Aqua Vida for paddleboard yoga, acro and fitness classes; and educational organizations such as Urban Promise that brings young people to the river for kayaking who, given their inexperience in paddling, do come into direct contact in the water.

"The Delaware River is an iconic part of the region's natural heritage where visitors from throughout the Mid Atlantic and across the nation

come to boat, fish, swim, hike and recreate," noted PennEnvironment Executive Director David Masur. "The action we're taking today is a crucial step to ensure that we can restore and protect the Delaware River now and for future generations."

"Our right to clean water has been denied since the industrial era. Although our water policies helped to improve some of the most egregious forms of pollution it has not gone far enough to clean up our shared resource. With the latest technology and science there is no reason why we can't clean up the Delaware River," said Jaclyn Rhoads, President of the Darby Creek Valley Association.

The petition explains that "secondary contact" recreation refers to activities where the probability of significant contact or water ingestion is minimal - according to federal regulation this includes things like boating and activities where people are expected to have limited contact with surface waters such as fishing from the shoreline. "Primary contact" recreation includes activities where people engage, or are likely to engage, in activities that could result in ingestion of, or immersion in, water, such as swimming and water-skiing.

"We strongly support the initiatives laid out in this petition. A stronger designation for these portions of the Delaware Estuary will ensure the water quality is optimal for recreational use. On-water organizations such as ours highly value clean water as we want our audiences to have the safest, most enjoyable river experience possible," said Rupika Ketu, Environmental Program Coordinator for Glen Foerd on the Delaware.

"The increase of recreational boating along the Delaware River in Camden and Philly is a poster child for the Clean Water Act working. Now DRBC needs to lock in those improvements decades in the making especially in the face of attacks from a polluter friendly Administration," stated NJ State Director Amy Goodsmith of Clean Water Action, which was founded in 1972 to watchdog implementation of the Clean Water Act by one of the lead citizen activists, David Zwicker, that helped secure its passage.

The petition closes by urging: "Failure to recognize and protect the primary contact recreation uses taking place in the River today puts the health and safety of our River communities and river users at risk. The DRBC has the authority to initiate the necessary changes to accurately reflect the uses and activities that are actually taking place in the Delaware Estuary and in so doing to protect the communities that enjoy and depend upon a healthy Delaware River, including in Zones 3 and Upper Zone 4."

Source: PennEnvironment Press Release, 3/2/2020

Gov. Wolf Highlights Efforts to Improve Workforce Development in Pennsylvania, Cuts Ribbon on Northeast Philadelphia Workforce Development Center

On March 5, 2020, Governor Tom Wolf helped cut the ribbon on Toben Center, Northeast Philadelphia's first comprehensive workforce development center. He was joined by Sen. Christine Tartaglione, Rep. Jared Solomon and representatives from Toben Center tenants PhillyWorks, Harcum College, and Northeast Learning Center to celebrate this new piece of workforce development, which builds upon programs already established by the Wolf Administration and proposed as part of Gov. Wolf's 2020-21 Budget.

"Workforce development is one of my highest priorities because Pennsylvanians can't get good jobs without the training they need, and businesses can't succeed without trained workers," Gov. Wolf said. "Last year, I signed an executive order creating the Keystone Economic Development and Workforce Command Center. I tasked a group of leaders from labor, business and government with identifying hurdles that prevent workers from finding good jobs, and businesses from finding good workers. The Toben Center will serve as a

ladder up for residents of Northeast Philadelphia's neighborhoods and it will strengthen the business community by creating a stronger pool of educated, skilled workers."

Gov. Wolf's budget proposes \$12 million for competitive grants to address employment barriers and a \$2 million increase for WEDnetPA, which helps businesses with training to upskill existing employees. The investments will continue the progress already made on overcoming the hurdles the Command Center identified that can prevent workers from success, including transportation, child care, re-entry, licensure and training. Many of these are addressed by services offered at the Toben Center.

The governor's innovative workforce development initiative PAsmart launched two years ago and has invested \$30 million to expand hands-on job training through career and technical education, registered apprenticeships and Next Generation Industry Partnerships. The number of apprentices registered with the Department of Labor and Industry annually has tripled since 2015 when the Apprenticeship and Training Office was created.

The center houses the Northeast Learning Center, which provides high school equivalency preparation and exams; Harcum College, which offers course work for human services and business management degrees; and a PhillyWorks and PA CareerLink career and training facility. Many of these services were not previously available in the Northeast.

"In today's macro economy, employment opportunities are plenty," said Sen. Christine Tartaglione. "Yet many Pennsylvanians find themselves unemployed or underemployed due to local economic conditions or business closings. I am thrilled that the Toben Center will offer the people of the Greater Northeast opportunities to enhance their education and skills, improve their marketability, and connect with potential employers. The Center will help folks advance their careers and create a better life for their families."

"Today is a great day in Northeast Philadelphia as we celebrate the grand opening of a new, innovative approach to job and career training," Rep

Jared Solomon said. "I am grateful to Gov. Wolf for visiting the Toben Center on Castor Avenue to re-affirm his commitment to help the people of Northeast Philadelphia build family-sustaining careers. The Toben Center offers a one-stop-shop for that we have never had before in my neighborhood, and with the Governor's support, I believe this can be a model for other parts of Philadelphia and Pennsylvania."

"Thanks to my state representative, Jared Solomon, a vision that has been in the planning for several years has come to fruition," said Bonnie Kaye, M.Ed., director of the Northeast Learning Center. "Our mission at Northeast Learning Center has always been success for people whose lives were at a standstill because they lacked a high school diploma. Now we have an opportunity to open new doors for our students to achieve further success by offering their next step of college or employment."

"Governor Wolf's dedication to workforce is evident through these types of strategic partnerships, which he spoke of in his recent State budget address," said H. Patrick Clancy, president and CEO at Philadelphia Works. "As the State's largest workforce board, we strive to stay aligned with the Governor's priorities. The location of the Toben Center directly addresses transportation access and gaps in workforce training. The services provided in the center ensure that education and workforce resources are accessible at the same time, in the same space, lessening the burden on career seekers. In workforce, we work better together."

Source: Governor Wolf's Press Office, 3/5/2020

PUC Damage Prevention Committee Actions Announced Against Underground Facility Owners, Excavators and Project Owners; PUC to Livestream March 10 Meeting

A total of 240 disciplinary actions, including \$110,575 in administrative penalties, have been taken against 90 underground facility owners, excavators and project owners in the **latest enforcement actions** http://www.puc.pa.gov/transport/gassafe/pdf/DPC_Agendas/2020/DPC_Case_Summaries021120.pdf by the Public Utility Commission's (PUC's) Damage Prevention Committee (DPC). These actions were taken during the DPC's February meeting.

The DPC is tasked with enforcing the state's Underground Utility Line Protection Act - also known as the "PA One Call Law." The next DPC meeting is scheduled for March 10 in Harrisburg. Each meeting is **livestreamed on the PUC's**

website http://www.puc.pa.gov/about_puc/live_streaming_video.aspx where a **meeting agenda** http://www.puc.pa.gov/transport/gassafe/pdf/DPC_Agendas/2020/DPC031020.pdf also can be viewed.

A comprehensive list of **summaries and actions** http://www.puc.pa.gov/utility_industry/transportation/pa_one_call_enforcement/dpc_agendas_Actions.aspx from DPC meetings is available on the PUC's website. 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

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/PA811/Public/> 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 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 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. The DPC holds public meetings in Hearing Room 1 of the Commonwealth Keystone Building in Harrisburg. Each meeting is **livestreamed on the PUC's website**

http://www.puc.pa.gov/about_puc/live_streaming_video.aspx where **summaries of actions** http://www.puc.pa.gov/utility_industry/transportation/pa_one_call_enforcement/dpc_agendas_Actions.aspx taken at those meetings also can be viewed.

Modeled after successful programs in other states, the focus of the DPC is to reduce the number of "hits" on underground lines and utilities.

Creation of the committee was authorized by **Act 50 of 2017**

http://www.puc.pa.gov/about_puc/press_releases.aspx?ShowPR=3918, 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 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, 3/4/2020

Pennsylvania's Unemployment Rate at 4.7 Percent

On March 6, 2020, the Pennsylvania Department of Labor & Industry (L&I) released its employment situation report for January 2020.

Pennsylvania's unemployment rate was up one-tenth of a percentage point over the month to 4.7 percent in January. The national rate was also up a tenth from December to 3.6 percent. The commonwealth's unemployment rate increased by six-tenths of a percentage point from January 2019 while the national rate was down four-tenths of a percentage point over the year.

Pennsylvania's civilian labor force – the estimated number of residents working or looking for work – was up 11,000 over the month to a record high of 6,549,000 due to gains in both employment and unemployment.

Pennsylvania's total nonfarm jobs rose 13,500 from December to a record high of 6,093,000. Jobs were up in seven of the 11 industry supersectors. The largest volume supersector gain was in construction, which rose to match the record high set in January 2007. Although no other supersectors were at record highs in January, three others were at record high levels in November 2019 – professional & business services, education & health services, and leisure & hospitality.

Over the year, total nonfarm jobs in Pennsylvania were up 40,400 with gains in seven of the 11 supersectors. The largest volume 12-month change among supersectors was an increase of 17,600 jobs in education & health services.

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.

Source: PA Department of Labor & Industry,
3/6/2020

EQB Meeting Cancellation

The Environmental Quality Board's March 17, 2020, meeting is **cancelled**. The next regular meeting of the board is scheduled for Tuesday, April 21, 2020, at 9 a.m. in the Rachel Carson State Office Building, Harrisburg.

Questions concerning the board's next scheduled meeting may be directed to Laura Edinger at ledinger@pa.gov or (717) 783-8727. The agenda and meeting materials are available through the Department of Environmental Protection's website <https://www.dep.pa.gov/PublicParticipation/EnvironmentalQuality/Pages/default.aspx>.

Source: Pennsylvania Bulletin, 3/7/2020
<http://www.pacodeandbulletin.gov/Display/pabull?file=/secure/pabulletin/data/vol50/50-10/356.html>

SRBC to Hold Business Meeting in Harrisburg, PA Voting on 10 water project applications

The Susquehanna River Basin Commission (SRBC) is conducting its quarterly business meeting Friday, March 13, 2020, 9 a.m., at the Susquehanna River Basin Commission, 4423 N. Front St., Harrisburg, Pa. The meeting is open to the public.

The Commissioners will act on several agenda items, including:

- 10 project applications, including one diversion and two Commission-initiated modifications;
- approval of grants and agreements;
- reconciliation and final adoption of the Commission expense budget for fiscal year 2021;
- adoption of a Final Rulemaking regarding consumptive use mitigation and adoption of a Consumptive Use Mitigation Policy;

- adoption of a Guidance For The Preparation Of A Metering Plan & A Groundwater Elevation Monitoring Plan For Water Withdrawals, Consumptive Uses, And Diversions ("Metering Plan Guidance").

Opportunities for public comment on project applications were previously provided and additional comments will not be accepted at the meeting. However, the Commissioners may accept general public comments at the conclusion of the meeting.

SRBC's guidelines for quarterly business meetings include:

- Attendees must sign-in and show photo identification.
- Signage, posters, banners or other display media will be permitted only in designated areas.
- The press will be permitted to set up and use video and recording devices in a designated area.
- The public will be permitted to use small, hand-held devices that remain in their possession and are used in a non-disruptive manner.

Click here to view the **agenda** for the Business Meeting <https://www.govinfo.gov/content/pkg/FR-2020-02-12/pdf/2020-02736.pdf>. Click here to view the **list of project applications** <https://www.govinfo.gov/content/pkg/FR-2020-01-09/pdf/2020-00159.pdf>. For the full set of meeting guidelines, visit **SRBC's website** at <https://www.srbc.net/about/meetings-events/>.

Source: SRBC Press Release, 3/5/2020

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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.