

GOVERNMENT RELATIONS

From Milliron and Goodman Government Relations, LLC, Harrisburg, PA

**Berks County
Water & Sewer**
ASSOCIATION

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Gov. Wolf Announces \$1.7 Million for Safer Water in Schools and Child Care Centers

On February 13, 2020, Governor Tom Wolf announced that another component of his Lead-Free Pennsylvania plan to address lead across the commonwealth was secured with a \$1.74 million federal grant for testing lead in drinking water at schools and child care programs.

The grant comes through the EPA's Water Infrastructure Improvements for the Nation (WIIN) Act, specifically Section 1459B of the Safe Drinking Water Act, which authorizes grant funding for reducing lead in drinking water. The EPA funding will cover 100 percent of the project cost of water testing.

“To build a better, healthier Pennsylvania, we need to know the extent of problems such as lead in drinking water, so I am especially pleased that we received this EPA funding,” Gov. Wolf said. “Testing the water of thousands of child care centers and schools will give us a benchmark of the work we need to do next for removing lead from

water and protecting our vulnerable school children.”

The funding will be administered by PENNVEST, in coordination with the departments of Education, Human Services, Health, and Environmental Protection. The next step is to issue a competitive RFP in the coming weeks for interested parties to coordinate voluntary testing in targeted schools and child care facilities throughout Pennsylvania. The Department of Education has a list of approximately 3,000 targeted facilities that:

- Have a high propensity for lead contamination,
- Serve large numbers of disadvantaged populations, and/or
- Serve large numbers of lower-income children under the age of 6.

The result of the testing, which is expected to conclude by the end of the first quarter of 2021, will equip commonwealth agencies with accurate information on the scope of lead exposure among our most vulnerable populations.

In late January, Gov. Wolf announced his **proposal** <https://www.governor.pa.gov/newsroom/gov-wolf-announces-billion-dollar-plan-to-fix-toxic-schools-address-lead-across-pennsylvania/> to expand the state's RACP program to include up to \$1 billion

for lead removal and remediation in Pennsylvania's toxic schools, which could mean funding for the next steps for those facilities that test high for lead levels in the water. He also announced the submission of the EPA grant request that is now officially approved with the announcement today.

Source: Governor Wolf's Press Office, 2/13/2020

Gov. Wolf Announces New Funding to Repair 10 Hazardous Dams

On February 14, 2020, Governor Tom Wolf announced the release of \$23.8 million in funding for a comprehensive, multi-year \$43.5 million plan to repair 10 hazardous dams managed by the Pennsylvania Fish and Boat Commission (PFBC).

"The lakes formed by these dams not only offer recreational opportunities in communities, they provide tremendous economic benefits through tourism," Gov. Wolf said. "Proactively replacing and upgrading hazardous dams is an important safety measure that will help ensure these tourist attractions remain available to Pennsylvanians and our visitors."

Projects identified for funding assistance under this announcement involve dams that are nearing the end of their designed structural lifespans. Proactive rehabilitation or replacement of these dams is intended to reduce potential failures, substantial property damage, and increase protections for recreation.

"We are extremely grateful to Gov. Wolf for recognizing the importance of preserving this vital infrastructure and the fishing and boating opportunities it provides," said PFBC Executive Director Tim Schaeffer. "With the commitment of these funds, our agency can move forward with plans to ensure that these lakes continue to be focal points for local recreation and drivers of regional economies."

The remaining \$19.7 million in funding to complete the dam repair projects is being provided by the PFBC.

Priority projects identified for funding assistance include:

- Cloe Lake, Jefferson County
- Fords Lake, Lackawanna County
- Harris Pond, Luzerne County
- Hemlock Lake, Indiana County
- High Point Lake, Somerset County
- Hunters Lake, Sullivan County
- Kahle Lake, Venango County
- Rose Valley Lake, Lycoming County
- Stevens Lake, Wyoming County
- Virgin Run Lake, Fayette County

Facilities listed above will remain open to public fishing, boating and other recreation during the design and permitting phases, which are expected to take several years. Construction timelines may vary based upon design, permitting, funding and environmental considerations.

Source: Governor Wolf Press Release, 2/14/2020

House Republicans Call for Executive Management Improvements

Leader and Appropriations chair call on committees to focus on executive branch overspending

Citing cost overruns, inadequate response times, and the failure of programs and services to meet core mission objectives, Majority Leader Bryan Cutler (R-Lancaster) and Appropriations Committee Chairman Stan Saylor (R-York) today called upon all standing committees of the House of Representatives to exercise their oversight authority to evaluate, review and make recommendations to promote better effectiveness and efficiencies in Pennsylvania's executive agencies.

"The people of Pennsylvania deserve our best efforts to identify ways to improve operations, promote greater value and manage results," Cutler said. "While our standing committees have

traditionally been focused on passing legislation, having them review and oversee the executive departments will help maximize existing investments."

Saylor noted that over the past several years, Pennsylvania has enjoyed budget surpluses. However, the potential benefits of a surplus have been eliminated due to consistent overspending by Wolf and his administration.

"Taxpayers should be getting a break during these times of economic prosperity, but instead, this governor continues to ask for more from Pennsylvanians' wallets," Saylor said. "Our committee leaders will take thorough looks at all state agencies and expenditures, examining which programs are helping move our Commonwealth forward, and which are only holding us back."

Cutler noted that the emphasis on good management is a shared goal in state government. "Gov. Wolf, through the Office of Performance through Excellence, has been working diligently to improve executive agency operations. Our goal is to be an active partner in promoting best management practices and to cut red tape, remove inefficiencies, improve services and achieve measurable results."

Cutler and Saylor delivered their message to committee leaders this week, ahead of the scheduled Appropriations Committee budget hearings that start on Tuesday, Feb. 18. The examination process will continue in the months leading up to the budget deadline.

Source: Rep. Cutler Press Release, 2/11/2020

Small Water Systems Technical Assistance Center (TAC) Advisory Board

The Small Water Systems Technical Assistance Center (TAC) Advisory Board will meet on Wednesday, February 26, 2020 at 9:00 am in Room 105, Rachel Carson State Office Building.

The following are links to the agenda and handouts:

Agenda

<http://files.dep.state.pa.us/PublicParticipation/Advisory%20Committees/AdvCommPortalFiles/TAC/2020/February/Agenda%20for%20Feb262020%20TAC%20Mtg.pdf>

Draft Minutes of the November 14, 2019 Meeting

http://files.dep.state.pa.us/PublicParticipation/Advisory%20Committees/AdvCommPortalFiles/TAC/2020/February/draft%20Minutes_Nov%2014%202019%20TAC%20meeting.pdf

Draft Guidance on Trenchless Technology Presentation

http://files.dep.state.pa.us/PublicParticipation/Advisory%20Committees/AdvCommPortalFiles/TAC/2020/February/Small%20Water%20TAC_TT%20TGD.pdf

Trenchless Technology Technical Guidance Document

http://files.dep.state.pa.us/PublicParticipation/Advisory%20Committees/AdvCommPortalFiles/TAC/2020/February/TGD%201_DRAFT.pdf

Source: DEP Website

<https://www.dep.pa.gov/PublicParticipation/AdvisoryCommittees/WaterAdvisory/TAC/Pages/default.aspx>

EQB Sets 3 Public Hearings on Proposed Changes to Land Recycling Program Regulations Setting First PFOS/PFOA/PFAS Cleanup Standards

The Environmental Quality Board published notice in the **February 15 PA Bulletin**

<http://www.pacodeandbulletin.gov/Display/pabull?file=/secure/pabulletin/data/vol50/50-7/238.html> of proposed changes to Land Recycling Program regulations.

should not be used as a substitute for appropriate legal advice.

Among other changes in the regulations are establishing the first groundwater and soil PFOS, PFAS and PFOA cleanup standards for brownfields remediation projects.

Three public hearings are scheduled starting at 6:00 p.m. to accept comments on the proposal:

- March 17: DEP's Southcentral Regional Office, 909 Elmerton Avenue, Harrisburg;
- March 18: DEP's Southwest Regional Office, 400 Waterfront Driver, Pittsburgh; and
- March 25: Warminster Township Library, 1076 Emma Lane, Warminster, Bucks County.

The deadline for all public comments is April 13.

Comments may be submitted via DEP's webpage <http://www.ahs.dep.pa.gov/eComment>, by sending email to RegComments@pa.gov or in writing to Environmental Quality Board, P.O. Box 8477, Harrisburg, PA 17105-8477.

Read the entire **PA Bulletin notice** <http://www.pacodeandbulletin.gov/Display/pabull?file=/secure/pabulletin/data/vol50/50-7/238.html> for an explanation of why it is being proposed, a summary of the regulation, the text of the proposed changes and further information on submitting comments.

Visit DEP's **PFAS in Pennsylvania webpage** https://www.dep.pa.gov/Citizens/My-Water/drinking_water/PFAS/Pages/default.aspx to learn more about these contaminants. Click here for a copy of the **PFAS Action Team Initial Report and recommendations** <https://www.governor.pa.gov/wp-content/uploads/2019/12/201912004-PFAS-Action-Team-Initial-Report-Pennsylvania.pdf>.

Source: PA Environmental Digest Blog, 2/14/2020

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This newsletter provides general information, not legal advice as to any specific matter. It