

# GOVERNMENT RELATIONS

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

**Berks County  
Water & Sewer**  
ASSOCIATION

December 7, 2020 – Issue 137

## Pennsylvania Capitol Complex will Close to Public Due to Rising COVID-19 Cases

With the surge in COVID-19 cases continuing, starting Monday, Dec. 7, the Pennsylvania Capitol Complex will close to the public until further notice. All operations of the Governor's Office and General Assembly will continue, but access to the Capitol Complex will be limited to employees and people with badge keycard credentials.

The cancellation of visits and events applies to all interior venues in the Capitol Complex and will affect rallies, school or group tours, choir performances, receptions, and other public gatherings. The Capitol Complex includes, but is not limited to, the Main Capitol Rotunda, East Wing Rotunda, Keystone Building Atrium, Forum Auditorium and The State Museum of Pennsylvania.

To further support public health, the Department of General Services is encouraging Pennsylvanians

to add their phone to the fight against COVID-19 by downloading the COVID Alert PA app. The free and voluntary mobile app can notify those who opt-in if you have had a potential exposure to someone who tested positive for COVID-19. In addition, the app provides timely alerts that can help you get advice on how to help yourself and protect others as well as determine when to get testing. It can help reduce your risk of unknowingly spreading the virus to your friends, family, and larger community. The free app can be found in the **Google Play Store** <https://play.google.com/store/apps/details?id=gov.pa.covidtracker> and the **Apple App Store** <https://apps.apple.com/us/app/id1527125511> by searching for "covid alert pa."

Source: DGS Press Release, 12/3/2020

## EQB Meeting Cancellation

The **December 15, 2020**, meeting of the Environmental Quality Board (Board) is **cancelled**. The next regular meeting of the Board is tentatively scheduled for Tuesday, February 16, 2021. In accordance with Governor Tom Wolf's emergency disaster declaration and based on advice from the Department of Health regarding the mitigation of the spread of the novel

coronavirus (COVID-19), the Board's February meeting will be held as a virtual meeting and will begin at 9 a.m. Individuals who wish to join the meeting may do so remotely.

Information on how to join the meeting, as well as agenda and meeting materials, will be available on the Board's webpage, found through the Public Participation tab on the Department of Environmental Protection's (Department) web site at [www.dep.pa.gov](http://www.dep.pa.gov) (select "Public Participation," then "Environmental Quality Board," then "2021 Meetings").

Individuals are encouraged to visit the Board's webpage to confirm meeting date, time and location prior to each meeting. Questions concerning the February 16, 2021, meeting can be directed to Laura Griffin at [laurgriffi@pa.gov](mailto:laurgriffi@pa.gov) or (717) 783-8727.

Source: Pennsylvania Bulletin, 12/5/2020

## PUC Revises Policy Statement on Diversity at Utilities

*Updates utility diversity reporting guidelines to include minorities, women, persons with disabilities, LGBTQ, and veterans.*

The Pennsylvania Public Utility Commission (PUC) has voted 4-0 to adopt a **revised public statement on diversity at utilities** <https://www.puc.pa.gov/press-release/2020/puc-revises-policy-statement-on-diversity-at-utilities>. The revised policy statement provides guidelines identifying the information major jurisdictional utility companies should report to describe their efforts to employ and contract with members of diverse groups. It also encourages utility companies to use a common form to file annual diversity reports with the Commission.

In February of this year, PUC Chairman Gladys Brown Dutrieuille **initiated an effort** <https://www.puc.pa.gov/press-release/2020/puc-updates-policy-statement-on-diversity-at-utilities-begins-rulemaking-process-for-utility-reporting-of-diversity-information> to reinvigorate the

Commission's efforts to promote and implement effective diversity programs at our major jurisdictional utility companies.

"Earlier this year, I set a goal of revising the Commission's 25-year-old Statement of Policy on Diversity at Major Jurisdictional Utility Companies," noted Chairman Dutrieuille <https://www.puc.pa.gov/pdocs/1686165.pdf>. "Little did I know that the Commission's action of revising and refreshing the Policy Statement would coincide with a national and worldwide movement for racial equity and a push for diversity in workplaces and institutions."

The visibility given to the topic of diversity at our jurisdictional utilities will serve to strengthen their community ties and expand utility workforce talent pools in a time of increased employee retirements.

The updated policy statement adopted today addresses public comment received in response to the Chairman's motion and builds on the PUC's previous policy on diversity, which was initially adopted in 1995.

### Revised Policy Statement on Diversity at Major Utilities

Revisions to the PUC Diversity policy statement include:

- Updating the definition of diversity to include minorities, women, veterans, LGBTQ, and the disabled.
- A standardized reporting form with the goal of collecting the following information:
  - A copy of any corporate policy committed to improving diversity in the workplace and in the procurement process.
  - A description of any training implemented on diversity initiatives in employment and in the contract of goods and services.
  - A standardized format to account for diverse employee numbers.
  - A description of any diversity recruiting strategies.
  - A description of any diversity promotion efforts.

- A description of any diversity retention efforts.
- A brief description of any involvement with organizations promoting diversity.
- A summary of diverse owned businesses the company contracts with for goods and services, including the percentage of dollars spent with diverse-owned businesses versus non-diverse businesses.

The PUC's updated policy statement on diversity at utilities will become effective upon publication in the <https://www.pacodeandbulletin.gov/>.

### About the PUC

The Pennsylvania Public Utility Commission balances the needs of consumers and utilities; ensures safe and reliable utility service at reasonable rates; protects the public interest; educates consumers to make independent and informed utility choices; furthers economic development; and fosters new technologies and competitive markets in an environmentally sound manner.

Visit the PUC's website at <http://www.puc.pa.gov/> for recent news releases and video of select proceedings. You can also follow us on Twitter, Facebook, LinkedIn, Instagram and YouTube. Search for the "Pennsylvania Public Utility Commission" or "PA PUC" on your favorite social media channel for updates on utility issues and other helpful consumer information.

Docket No.: **M-2020-3018089**  
<https://www.puc.pa.gov/docket/M-2020-3018089>

**Source:** PUC Press Release, 12/4/2020

## **Gov. Wolf Announces Plan to Address Flooding Caused by Climate Change**

**A**s communities across Pennsylvania increasingly experience flooding caused by intense, short-duration storms due to climate change, Governor Tom Wolf today

announced executive actions that will support communities that are impacted by flooding.

"The dangers brought on by climate change are affecting Pennsylvania communities right now, endangering both lives and livelihoods. These types of storms often fail to reach the thresholds for federal disaster aid, which leave municipalities and the state struggling to cover millions of dollars in recovery costs," Gov. Wolf said. "We need to take immediate steps to mitigate those dangers and protect Pennsylvanians, especially as so many are already struggling financially due to the COVID-19 pandemic."

The governor, joined by state Sen. Anthony H. Williams (D-Philadelphia/Delaware) and House Democratic Leader Joanna McClinton (D-Philadelphia/Delaware) at a virtual press conference today, announced a plan that will address flood hazard mitigation by requiring the State Planning Board to develop a series of recommendations and best practices relative to land use, planning, zoning, and storm water management, with the emphasis on reducing the incidence of flash flooding in communities that impacts citizens and businesses. The State Planning Board will establish state goals and strategic investments to assist municipalities, which will then be incorporated by state agencies into their appropriate funding applications.

Sen. Williams and Leader McClinton, who represent the communities of Eastwick in Philadelphia and Darby in Delaware County, highlighted the communities' experiences with flooding from nearby Darby Creek, which has increased due to climate change, commercial and residential development, and natural flow of the creek downstream.

"I'd first like to thank Governor Wolf for his leadership and attention to this growing issue. To the residents of Eastwick, Darby, and other flood-prone locations across the commonwealth, today is an important first step in ensuring that our homes and businesses are safe from the growing threat of climate change," Sen. Williams said. "As severe weather escalates, we must all work together proactively to prevent the type of widespread damage seen in Eastwick this past summer and to

prepare our communities to respond appropriately when it happens."

"I'm proud to stand with Senator Williams and the people of Southwest Philadelphia, and to thank Governor Wolf and his team for taking swift executive action to try to mitigate the damage of flooding caused by climate change. Unfortunately, the General Assembly has failed to act on the Governor's Restore PA plan calling for a commonsense severance tax to pay for important safety protocols like flood mitigation plans, upgrades to flood walls, and a Pennsylvania disaster relief fund to help our home and business owners affected by flooding. I look forward to working on these important issues in the new legislative session," House Democratic Leader Joanna McClinton said.

According to a **2015 Department of Environmental Protection Climate Impacts Assessment**

<http://www.depgreenport.state.pa.us/elibrary/GetDocument?docId=5002&DocName=2015%20PENNSYLVANIA%20CLIMATE%20IMPACTS%20ASSESSMENT%20UPDATE.PDF%20>, Pennsylvania has seen a 10 percent increase in average yearly precipitation over the last century. By 2050, the average yearly precipitation is projected to increase by another 8 percent.

For many parts of the commonwealth, 2018 was the wettest year on record, with heavy rains demonstrating that our flood mitigation planning and infrastructure has not kept up with changing precipitation patterns. Many of these storms we are experiencing due to climate change are intense over a very short duration. Due to the short duration of these types of storms, the damages from these events rarely reach the thresholds for the commonwealth to request federal disaster aid assistance.

There are two programs within the Federal Emergency Management Agency that can provide federal aid after a flooding disaster: public assistance and individual assistance. Public assistance provides reimbursements to state, county and local governments and eligible nonprofits for costs associated with response and recovery efforts. Each county included in a public assistance request

must meet a cost threshold based on population and, in turn, the commonwealth overall must meet a threshold of \$19.5 million in damage costs. Individual assistance includes a wide range of programs for homeowners and renters, including cash grants, housing or home repair assistance.

In 2018 in Pennsylvania, more than 5,000 homes were damaged in a series of incidents, but no single incident met the threshold. That year there was also approximately \$63 million in public infrastructure damages alone that were not reimbursable through federal disaster programs.

"We cannot depend on federal aid as a reliable source of funding to recover from disasters, since the thresholds to qualify for assistance increase every year," said Pennsylvania Emergency Management Agency (PEMA) Director Randy Padfield. "Federal data shows that every dollar spent on mitigation saves on average, six dollars in recovery, so mitigation not only saves lives and property but it's also the fiscally smart thing to do."

Major rehabilitations to Pennsylvania's 120 flood control facilities, such as flood walls, levees, and channel improvements, are the responsibility of the commonwealth. Of those, only 68 of those facilities meet the eligibility criteria established by the Army Corps of Engineers Emergency Rehabilitation Program. The rest are ineligible for rehabilitation coverage under this program. That means costly repairs to these facilities after flood events would be borne by the sponsor municipality and the commonwealth.

Additionally, as land is developed for residential and commercial use, stormwater runoff can cause stream impairment.

"With increased precipitation projected in the years to come, it is critical that we lay the groundwork now to implement flood hazard mitigation efforts and protect our communities and businesses," said Dennis Davin, Secretary of the Department of Community and Economic Development. "As weather conditions continue to change, major storms and flooding have the potential to devastate counties across the state. These are spaces that are important to us-our

homes, our family and neighbors' homes. It's the financial stability of our favorite small businesses, and our places of employment. The work we do today will better prepare us for not only the immediate impact of severe storms and flooding, but also the long-term recovery that follows."

As the 2019-20 legislative session comes to an end, there is currently no imminent plan by lawmakers to address this issue or to consider the governor's **Restore Pennsylvania** <https://www.governor.pa.gov/restore-pennsylvania/> plan, which would provide funding to help towns and cities prepare for flooding and severe weather, upgrade flood walls and levees, replace high-hazard dams, and conduct stream restoration and maintenance, as well as establish a disaster relief trust fund to assist Pennsylvanians who suffer losses that are not compensated by the federal government.

**Source:** Governor Wolf's Press Office, 12/2/2020

## **PennDOT Extends Expiration Dates on Commercial Driver Licenses, Commercial Learner's Permits**

**O**n December 2, 2020, the Pennsylvania Department of Transportation (PennDOT) announced that expiration dates for commercial driver licenses and commercial learner's permits will be extended for Pennsylvania residents in response to statewide COVID-19 mitigation efforts.

The following products' expiration dates will be extended:

- The expiration date for a commercial learner's permit scheduled to expire from March 16, 2020, through December 31, 2020, is extended through December 31, 2020.
- The expiration date for commercial driver licenses scheduled to expire from March 16,

2020, through December 31, 2020, is extended through December 31, 2020.

Expiration extension deadlines on non-commercial driver license, photo identification cards, learner's permits and camera cards ended on August 31.

For a list of open driver license and photo license centers and the services provided, as well as their hours of operation, please visit <http://www.dmv.pa.gov/>.

Customers may continue to complete various transactions and access multiple resources online at <http://www.dmv.pa.gov/>. Driver and vehicle online services are available 24 hours a day, seven days a week and include driver's license, photo ID and vehicle registration renewals; driver-history services; changes of address; driver license and vehicle registration restoration letters; ability to pay driver license or vehicle insurance restoration fee; driver license and photo ID duplicates; and schedule a driver's exam. There are no additional fees for using online services.

PennDOT will continue to evaluate these processes and will communicate any changes with the public.

Additional COVID-19 information is available at <http://www.health.pa.gov/>. For more information, visit <http://www.dmv.pa.gov/> or <http://www.penndot.gov/>.

**Source:** PennDOT Press Release, 12/2/2020

## **Revenue Department Releases November 2020 Collections**

**P**ennsylvania collected \$2.3 billion in General Fund revenue in **November**, Revenue Secretary Dan Hassell reported. Fiscal year-to-date General Fund collections total \$14.8 billion.

November collection data does not include a comparison against anticipated amounts because monthly revenue estimates for the fiscal year are not yet finalized. As part of the state budget recently

signed by Gov. Tom Wolf, an amendment to the Fiscal Code requires the Department of Revenue to revise revenue estimates for the 2020-21 Fiscal Year. Work to publish those monthly estimates is ongoing.

Below is an overview of November revenue collections:

- **Sales tax receipts** totaled \$984.3 million in November.
- **Personal income tax (PIT)** revenue in November was \$683.9 million.
- **Corporation tax revenue** was \$140.9 million for November.
- General Fund revenue figures for November included \$94.6 million in **inheritance tax** and \$55.1 million in **realty transfer tax**.
- **Other General Fund revenue**, including cigarette, malt beverage, liquor and gaming taxes totaled \$176.8 million for the month.
- **Non-tax revenue** totaled \$203.0 million for the month
- In addition to the General Fund collections, the **Motor License Fund** received \$257.7 million for the month, which includes the commonly known gas and diesel taxes, as well as other license, fine and fee revenues.

Source: PA DOR, 12/1/2020

## Gov. Wolf Signs HB 770, Vetoes HB 21 and HB 1737

**O**n November 30, 2020, Governor Tom Wolf signed into law House Bill 770, which updates requirements regarding the education, training and registration of pharmacy technicians and permits pharmacies and pharmacists in Pennsylvania to order and perform certain laboratory examinations and procedures.

The governor also vetoed House bills 21 and 1737.

House Bill 21 would have created a new license for home inspectors regulated by the State Board of Certified Real Estate Appraisers, separate and apart from the existing regulatory framework provided by

Act 114 of 2000. View the governor's **House Bill 21 veto message** <https://www.governor.pa.gov/wp-content/uploads/2020/11/20201130-Veto-Message-HB-21.pdf>.

House Bill 1737 would have undermined COVID-19 mitigation efforts and endangered the public health by enacting overly broad immunity protections from civil liability due to the pandemic.

View the governor's **House Bill 1737 veto message** <https://www.governor.pa.gov/wp-content/uploads/2020/11/20201130-Veto-Message-HB-1737.pdf>.

Source: Governor Wolf's Press Office, 11/30/2020

## DEP Advisory Committee to Discuss Final PFOS/PFOA/PFAS Soil, Water Cleanup Standards Dec. 16

**D**EP's Cleanup Standards Scientific Advisory Board is scheduled to hold a virtual meeting December 16 on a final regulation setting soil and water cleanup standards for PFOS/PFOA/PFAS contamination and a cleanup level for lead found in soil.

The regulation was published for public comment in February and DEP held three public hearings on the proposal.

Read the entire **PA Bulletin notice** 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. <http://www.pacodeandbulletin.gov/Display/pabull?file=/secure/pabulletin/data/vol50/50-7/238.html>.

DEP met with the Cleanup Advisory Board on July 30 to go over the **public comments received on the proposal** <http://files.dep.state.pa.us/EnvironmentalCleanupBrownfields/LandRecyclingProgram/LandRecyclingProgramPortalFiles/CSSAB/2020/July30/Ch%20250%20Rulemaking%20Comment->

[Response%20Presentation.pdf](#). Click here to review the approximately 140 comments submitted via the **eComment webpage** <https://www.ahs.dep.pa.gov/eComment/ViewComments.aspx?enc=DN064MT8R38NKyiRv2iU7FHnH2URyMArVt8wwjhsEa0%3d>.

The handouts for the December 16 meeting include draft final text for the regulation. Click here for a copy of **DEP's presentation for the meeting** [http://files.dep.state.pa.us/EnvironmentalCleanupBrownfields/LandRecyclingProgram/LandRecyclingProgramPortalFiles/CSSAB/2020/December16/CH\\_250\\_RULEMAKING\\_FINAL\\_ANNEX\\_PRESENTATION.pdf](http://files.dep.state.pa.us/EnvironmentalCleanupBrownfields/LandRecyclingProgram/LandRecyclingProgramPortalFiles/CSSAB/2020/December16/CH_250_RULEMAKING_FINAL_ANNEX_PRESENTATION.pdf).

Visit **DEP's PFAS in Pennsylvania webpage** [https://www.dep.pa.gov/Citizens/My-Water/drinking\\_water/PFAS/Pages/default.aspx](https://www.dep.pa.gov/Citizens/My-Water/drinking_water/PFAS/Pages/default.aspx) to learn more about these contaminants. A copy of the **PFAS Action Team Initial Report and recommendations** is also available <https://www.governor.pa.gov/wp-content/uploads/2019/12/201912004-PFAS-Action-Team-Initial-Report-Pennsylvania.pdf>.

The meeting will start at 1:00 p.m. Visit the **Board webpage** <https://www.dep.pa.gov/PublicParticipation/AdvisoryCommittees/Cleanup%20and%20Brownfields%20Advisory%20Committees/CSSABoard/Pages/Agendas-and-Handouts.aspx> to register to attend via Webex. An audio conference option is also available: 1-415-655-0003 Access code: 132 970 9761.

### Public Comments

Anyone interested in providing public comments during the meeting must sign up prior to the start of the meeting by contacting Diana Welke by sending email to: [diwelker@pa.gov](mailto:diwelker@pa.gov).

For more information and available handouts, visit **DEP's Cleanup Standards Scientific Advisory Board webpage** <https://www.dep.pa.gov/PublicParticipation/AdvisoryCommittees/Cleanup%20and%20Brownfields%20Advisory%20Committees/CSSABoard/Pages/Agendas-and-Handouts.aspx>. Questions should be

directed to Diana Welke by sending email to: [diwelker@pa.gov](mailto:diwelker@pa.gov).

**Source:** PA Environmental Digest, 12/6/2020

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