



# GOVERNMENT RELATIONS

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



**Berks County  
Water & Sewer  
ASSOCIATION**

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## Revenue Department Releases February 2021 Collections

Pennsylvania collected \$2.7 billion in General Fund revenue in February, which was **\$593.9 million, or 28.4 percent, more than anticipated**, Revenue Secretary Dan Hassell reported on March 1, 2021. Fiscal year-to-date General Fund collections total \$23.9 billion, which is **\$901.3 million, or 3.9 percent, above estimate**.

**Sales tax receipts** totaled \$906.2 million for February, \$106.7 million above estimate. Year-to-date sales tax collections total \$8.4 billion, which is **\$171.0 million, or 2.1 percent, more than anticipated**.

**Personal income tax (PIT)** revenue in February was \$1.4 billion, \$413.4 million above estimate. This brings year-to-date PIT collections to \$9.8 billion, which is **\$177.5 million, or 1.8 percent, above estimate**.

**February corporation tax revenue** of \$114.9 million was \$22.4 million above estimate. Year-to-date corporation tax collections total \$2.5 billion, which is **\$394.1 million, or 18.9 percent, above estimate**.

**Inheritance tax revenue** for the month was \$100.8 million, \$17.1 million above estimate, bringing the year-to-date total to \$807.4 million, which is **\$46.2 million, or 6.1 percent, above estimate**.

**Realty transfer tax revenue** was \$41.8 million for February, \$17.5 million above estimate, bringing the fiscal-year total to \$413.1 million, which is **\$52.2 million, or 14.5 percent, more than anticipated**.

**Other General Fund tax revenue**, including cigarette, malt beverage, liquor and gaming taxes, totaled \$151.0 million for the month, \$21.4 million above estimate and bringing the year-to-date total to \$1.3 billion, which is **\$409 million, or 3.4 percent, above estimate**.

**Non-tax revenue totaled** \$15.0 million for the month, \$4.6 million below estimate, bringing the year-to-date total to \$706.5 million, which is **\$19.4 million, or 2.8 percent, above estimate.**

In addition to the General Fund collections, the **Motor License Fund** received \$199.8 million for the month, \$22.9 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 **\$39.1 million, or 2.1 percent, below estimate.**

**Source:** PA Department of Revenue Press Release, 3/1/2021

## **Sewage Advisory Committee Virtual Meeting Schedule for 2021**

**T**he Sewage Advisory Committee (Committee) will meet virtually at 9 a.m. on the following days: May 25, 2021; and September 14, 2021.

Individuals who wish to join the meetings may do so remotely. Information will be provided on the Committee's webpage. Individuals interested in providing public comments during a meeting must sign up prior to the start of that meeting by contacting Janice Vollero at [jvollero@pa.gov](mailto:jvollero@pa.gov) or (717) 772-5157.

Information on how to join the meetings, as well as agenda and meeting materials, will be available on the Committee'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 "Advisory Committees," then "Water Advisory Committees," then "Sewage Advisory Committee").

Individuals are encouraged to visit the Committee's webpage to confirm meeting date, time and location prior to each meeting. Questions can be directed to Janice Vollero at [jvollero@pa.gov](mailto:jvollero@pa.gov) or (717) 772-5157.

**Source:** Pennsylvania Bulletin, 3/6/2021  
<http://www.pacodeandbulletin.gov/Display/pabull?file=/secure/pabulletin/data/vol51/51-10/332.html>

## **Heffley to Host Committee Hearing to Discuss Francis E. Walter Dam Reevaluation Study**

**A**t the request of Rep. Doyle Heffley (R-Carbon), the House Majority Policy Committee will convene a virtual hearing later this month to discuss issues related to the ongoing reevaluation study of the Francis E. Walter Dam and Reservoir by the U.S. Army Corps of Engineers. The committee is chaired by Rep. Martin Causer (R-Cameron/McKean/Potter).

The virtual hearing will be held on Thursday, March 18, from 9:30 a.m. to 12:30 p.m. Members of the **public can view the proceedings live** at <http://www.pahousegop.com/livestreams> and at <http://www.repheffley.com/livestreams>.

"Like many local residents, I have some serious concerns about the impact the study may have on the future of tourism and outdoor recreation in our region," said Heffley. "I am grateful Chairman Causer and the committee have agreed to conduct an in-depth look at this issue and the possible economic consequences for northeastern Pennsylvania."

The corps began the feasibility reevaluation study last year to examine whether potential improvements to infrastructure or operational methods could allow water in the reservoir to be used for other purposes to support the ecological health of the Delaware River Basin. In particular, officials will consider management options that could release additional water under drought conditions to help reduce salinity downstream.

"The Policy Committee understands and appreciates the significant value that the Lehigh River brings to the region's tourism businesses," Causer added "This hearing will give the committee a better understanding of the status of the Army

Corp's reevaluation study of the Francis E. Walter Dam and the impact of any changes to the water flow."

Those expected to testify include officials from the U.S. Army Corps of Engineers, Delaware River Basin Commission, and New York City Department of Environmental Protection, along with the Carbon County commissioners, several business owners and representatives of economic development associations in the Pocono region.?

A listing of confirmed testifiers will be released closer to the hearing date.

**Source:** Rep. Doyle Heffley Press Release, 3/5/2021

## IRRC Submits Comments to the Environmental Quality Board

Comments are available on the IRRC website at: **Environmental Quality Board #7-556: Dam Safety and Waterway Management**  
<http://www.irrc.state.pa.us/docs/3278/IRRC/3278%2003-05-21%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/>

**Source:** IRRC Press Release, 3/5/2021

## Environmental Quality Board Meets March 16 on Final Water Quality Permit Fee Increases

The Environmental Quality Board (EQB) is scheduled to hold a virtual meeting March 16 to consider a final regulation increasing NPDES water quality permit application and annual fees.

The **agenda** also includes [https://files.dep.state.pa.us/PublicParticipation/Public%20Participation%20Center/PubPartCenterPortalFiles/Environmental%20Quality%20Board/2021/March%2016/March%2016%202021\\_EQB\\_Agenda.pdf](https://files.dep.state.pa.us/PublicParticipation/Public%20Participation%20Center/PubPartCenterPortalFiles/Environmental%20Quality%20Board/2021/March%2016/March%2016%202021_EQB_Agenda.pdf) a report on the adequacy of fees supporting the Water and Wastewater System Operators Certification Program.

The Board may also hear an update on DEP's review of a 2019 rulemaking petition that would create a cap-and-trade program to reduce carbon pollution from all major sources of greenhouse gas emissions in the state. *Read more here*  
<http://www.paenvironmentdigest.com/newsletter/default.asp?NewsletterArticleID=51584&SubjectID=8>

## Water Quality Fees

DEP began the process to update Chapter 91 and 92a wastewater and NPDES water quality permit and administration fees in 2016.

Chapter 91 wastewater facility fees have not been increased since 1971 and NPDES permit fees were last increased in 2010.

The Water Quality permit fee increases (Chapter 91) would cover from 500 to 600 applicants annually and the NPDES permit fee increases (Chapter 92a) would cover approximately 4,000 facilities.

The final fee package for most categories of permits has fees that continue to be significantly less than those of most neighboring states.

Since 2007, DEP's Clean Water Program staff has been reduced by 25 percent due to cuts in state General Fund appropriations.

DEP believes 25 additional staff are necessary in the Bureau of Clean Water to adequately carry out its responsibilities.

The U.S. Environmental Protection Agency has told DEP several times since 2010 the agency does not have adequate resources to carry out its federally mandated responsibilities for the NPDES Program, including the MS4 Stormwater Pollution Prevention Program.

DEP's changes would increase permit fees to make up for cuts in General Fund appropriations a total of \$6.5 million -- Chapter 92a NPDES -- \$4.5 million -- and Chapter 91 Water Quality -- \$2 million -- permit fees.

Documents related to this draft final regulation are posted on the **EQB webpage** at <https://www.dep.pa.gov/PublicParticipation/EnvironmentalQuality/Pages/2021-Meetings.aspx> .

## Operator Certification

The agenda also includes a report on the adequacy of fees supporting the Water and

## Wastewater System Operators Certification Program.

The report does not recommend changing fees for the program at this time. *Read more here* <https://files.dep.state.pa.us/PublicParticipation/Public%20Participation%20Center/PubPartCenterPortalFiles/Environmental%20Quality%20Board/2021/March%2016/Ch%20302%203yr%20Report/DEP%20Operator%20Certification%20Three%20Year%20Fee%20Report%202020.pdf>

## Carbon Pollution Reduction Petition

In November of last year, DEP told the Environmental Quality Board they expect to present a report and recommendation on a rulemaking petition proposing a cap-and-trade program to reduce carbon pollution from all major sources of greenhouse gas emissions in the state during the first quarter of 2021. *Read more here* <http://www.paenvironmentdigest.com/newsletter/default.asp?NewsletterArticleID=51584&SubjectID=8>

The EQB accepted the **407-page climate cap-and-trade petition** [https://files.dep.state.pa.us/PublicParticipation/Public%20Participation%20Center/PubPartCenterPortalFiles/Environmental%20Quality%20Board/2019/02\\_Petition\\_GHG%20Emissions/GHG%20Emission%20Petition\\_February%2028,%202019.pdf](https://files.dep.state.pa.us/PublicParticipation/Public%20Participation%20Center/PubPartCenterPortalFiles/Environmental%20Quality%20Board/2019/02_Petition_GHG%20Emissions/GHG%20Emission%20Petition_February%2028,%202019.pdf) for study on April 16, 2019. *Read more here* <http://www.paenvironmentdigest.com/newsletter/default.asp?NewsletterArticleID=46415&SubjectID=8>

The petition was submitted by Robert B. McKinstry, Jr., the Clean Air Council, Widener University Environmental Law and Sustainability Center and eco(n)law LLC. It calls for eliminating greenhouse gas emissions from all major sources in Pennsylvania by 2052.

Since the petition was submitted, the Environmental Quality Board adopted its own proposal to reduce carbon pollution from power plants which should be finalized by the end of this year.

Visit DEP's Regional **Greenhouse Gas**

**Initiative webpage**

<https://www.dep.gov/Citizens/climate/Pages/RGGL.aspx> to learn more.

The meeting will start at 9:00 a.m. **Click here to register**

[https://dep.webex.com/mw3300/mywebex/default.do?nomenu=true&siteurl=dep&service=6&rnd=0.6760796610058842&main\\_url=https%3A%2F%2Fdep.webex.com%2Fec3300%2Feventcenter%2Fevent%2FeventAction.do%3FtheAction%3Ddetail%26%26EMK%3D4832534b0000000442bb541065fb73557268caa227c0faed1660a812cad88f492892b120277e1c26%26siteurl%3Ddep%26confViewID%3D187697325951464646%26encryptTicket%3DSDJTSwAAAAQN9o7AEDZvhk5wEy6oVxuvjwJT7Vj7wd3OcbufoxZ0PQ2%26](https://dep.webex.com/mw3300/mywebex/default.do?nomenu=true&siteurl=dep&service=6&rnd=0.6760796610058842&main_url=https%3A%2F%2Fdep.webex.com%2Fec3300%2Feventcenter%2Fevent%2FeventAction.do%3FtheAction%3Ddetail%26%26EMK%3D4832534b0000000442bb541065fb73557268caa227c0faed1660a812cad88f492892b120277e1c26%26siteurl%3Ddep%26confViewID%3D187697325951464646%26encryptTicket%3DSDJTSwAAAAQN9o7AEDZvhk5wEy6oVxuvjwJT7Vj7wd3OcbufoxZ0PQ2%26) to join the meeting via WebEx.

Also join the meeting via conference call 415-655-0003 Access Code: 132 798 7106.

For more information and available handouts, visit the **EQB webpage**

<https://www.dep.pa.gov/PublicParticipation/EnvironmentalQuality/Pages/2021-Meetings.aspx>.

Questions should be directed to Laura Griffin, 717-772-3277, [laurgriffi@pa.gov](mailto:laurgriffi@pa.gov).

**Source:** PA Environmental Digest, 3/8/2021

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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.*