



GOVERNMENT RELATIONS

UPDATE

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

**Berks County
Water & Sewer**
ASSOCIATION

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DEP Issues Discharge Permit with PFAS Limits to Montgomery County Air National Guard Base

On March 24, 2021, the Pennsylvania Department of Environmental Protection (DEP) announced it has issued a National Pollutant Discharge Elimination System (NPDES) permit containing per- and polyfluoroalkyl substances https://www.dep.pa.gov/Citizens/My-Water/drinking_water/PFAS/Pages/default.aspx (PFAS) limits to the Biddle Air National Guard Base (ANGB), formerly known as the Horsham Air Guard Station (HAGS), in Horsham Township, Montgomery County. Water discharged from the site will have a limit of 70 parts per trillion (ppt) for the combined concentration of perfluorooctanoic acid (PFOA) and perfluorooctane sulfonate (PFOS), two of the most common PFAS compounds.

NPDES permits are required for any point source discharge to Waters of the Commonwealth. Because

ANGB has elevated concentrations of PFAS on the site, limits for these contaminants were included in the permit to control the discharge of treated stormwater and groundwater, which can become available for drinking water. The United States Environmental Protection Agency (EPA) established a drinking water Health Advisory Level (HAL) of 70 ppt for the combined concentration of PFOA and PFOS. The limit of 70 ppt in the permit limit is consistent with EPA's HAL, as well as permit limits issued to other nearby facilities.

"Establishing limits such as these in our permits is yet another example of the everyday efforts DEP is making to address PFAS in the commonwealth," said DEP Secretary Patrick McDonnell. "While we work to identify potential new source areas on a statewide level, we continue to look at this issue through a local lens; establishing permit conditions protects local waterways and affected communities."

More information on Pennsylvania's efforts to address these chemicals can be found [here](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.

Source: DEP Press Release, 3/24/2021

PennDOT Commercial Product Extensions Expiring March 31

The Pennsylvania Department of Transportation (PennDOT) reminds Pennsylvanians that expiration dates for commercial driver licenses and commercial learner's permits will end after the current extension expires for Pennsylvania residents in response to statewide COVID-19 mitigation efforts. There are no plans to implement additional extensions at this time.

The final extension is currently in place for the following products' expiration dates, and no further extensions will be given on these products:

- The expiration date for commercial driver licenses scheduled to expire from March 16, 2020, through March 31, 2021, is extended through March 31, 2021.
- The expiration date for a commercial learner's permit scheduled to expire from March 16, 2020, through March 31, 2021, is extended through March 31, 2021.

Customers with commercial products that are covered by the extension but have not yet been renewed are encouraged to renew their CDL products as soon as possible by March 31, 2021.

Additionally, expiration extension deadlines on non-commercial driver license, photo identification cards, learner's permits and camera cards ended on August 31, 2020.

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, 3/24/2021

PUC Urges Struggling Consumers and Small Businesses to #CallUtilitiesNow to Discuss Affordability Options

Communication Between Customers and Utilities is Essential to Review Assistance or Payment Options to Avoid Termination and #KeepUtilitiesOn

On March 25, 2021, the Pennsylvania Public Utility Commission (PUC) today urged consumers and small businesses who are struggling financially to #CallUtilitiesNow to discuss the options available to address any past-due balances, apply for available assistance programs, and review payment plan options - all focused on keeping households and businesses connected to vital utility services.

Utilities understand the assistance programs available in their communities - including utility-run Customer Assistance Programs (CAP) for income-qualified consumers, national programs like LIHEAP (Low Income Home Energy Assistance Program), and various hardship funds operated by utilities and non-profit organizations to #KeepUtilitiesOn. Utilities also can help enroll

consumers in assistance programs, guide them to other available resources and discuss new payment plan options to address overdue balances and help consumers move forward.

The PUC emphasized that a direct conversation between customer and utility is the best "first step" for any Pennsylvania household or business to #KeepUtilitiesOn, whether your financial difficulties are related to the COVID pandemic or other circumstances.

At-Risk Consumers in Pennsylvania

According to utility reports submitted to the PUC there are just over 890,000 residential utility accounts at-risk of termination - and while the total number of accounts has gradually declined since a peak in October 2020, when they reached almost 1.1 million, the total dollar amount owed by at-risk households has continued to grow, now topping \$856 million.

The PUC noted that millions of dollars in financial assistance is currently available from utilities and various supplemental programs, and the Commission encouraged every eligible individual and household to make use of those funds to address their balances and #KeepUtilitiesOn.

The households of greatest concern include:

- Utility customers experiencing financial difficulty for the first time and unaware of the resources available or the process for requesting assistance
- Households that did not qualify for assistance in the past, because of higher incomes, but may now be eligible because of the financial impact of the pandemic.
- CAP customers who have not renewed their assistance plan enrollment for the new year - risking removal from those programs.
- Households who qualify for LIHEAP financial assistance but have not applied for seasonal or supplemental aid.
- Individuals who may qualify for "rent and utility assistance" available through counties across Pennsylvania.

#CallUtilitiesNow is the best way to identify what help may be available to you, your family and your business. Also, be sure to call all your utilities: electric, natural gas, water/wastewater and telecommunication because each may have different programs or resources available.

Payment Plans & Flexible Income Verification

On March 11, 2021, the PUC required all Commission-regulated electric, natural gas, water, wastewater, telecommunications, and steam utilities to modify their existing collection policies to provide additional payment plan options <https://www.puc.pa.gov/press-release/2021/puc-creates-added-2021-safeguards-to-help-households-and-small-businesses-address-past-due-utility-bills> for residential and small business customers.

Residential customers qualify for payment arrangements to gradually pay down their previous balances over an extended period - with a minimum length of one to five years, depending on their income level (lower income levels qualify for longer payment periods) - and small business customers qualify for payment arrangements with a minimum length of 18 months.

Additionally, utilities and the PUC's Bureau of Consumer Services may continue to use flexible means for income verification and business status information - such as over-the-phone or via electronic mail, for the purpose of qualifying customers for payment arrangements and/or universal service programs.

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.

Source: PUC Press Release, 3/25/2021

PUC Damage Prevention Committee Actions Posted

The Public Utility Commission's (PUC's) Damage Prevention Committee (DPC) has published its latest enforcement actions taken during the March 2021 meeting https://www.puc.pa.gov/media/1438/dpc_case_summaries031621v2.pdf.

The DPC is tasked with enforcing the state's Underground Utility Line Protection Act - also known as the "PA One Call Law." 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

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.palcall.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.

When the PUC first took on the role of enforcing the state's One Call Law, underground lines across the state were struck more than 6,000 times per year - but the situation continues to steadily improve,

thanks to education, public awareness and enforcement.

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

https://www.puc.pa.gov/media/1253/2021_dpc_meeting_schedule.pdf 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 and actions**

<https://www.puc.pa.gov/pipeline/damage-prevention-committee/> taken at monthly DPC

meetings are available on the PUC's

website. Creation of the committee was authorized by **Act 50 of 2017** <https://www.puc.pa.gov/press-release/by-id/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, 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, 3/26/2021

Pennsylvania's February Unemployment Rate Unchanged at 7.3 Percent

The employment count was up 30,000 last month.

On March 26, 2021, the Pennsylvania Department of Labor & Industry (L&I) released its employment situation report for February 2021.

Pennsylvania's unemployment rate was unchanged over the month, remaining at 7.3 percent in February. The U.S. rate declined one-tenth of a percentage point from January to 6.2 percent. The commonwealth's unemployment rate was 2.3 percentage points above its February 2020 level while the national rate was up 2.7 points over the year.

Pennsylvania's civilian labor force – the estimated number of residents working or looking for work – increased 35,000 over the month due mostly to a gain in employment of 30,000.

Pennsylvania's total nonfarm jobs were up 16,600 over the month to 5,656,700 in February, the ninth gain in the past 10 months. Jobs increased in 8 of the 11 industry supersectors with the largest volume gain in leisure & hospitality (+12,800).

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 Labor & Industry Press Release, 3/26/2021

Laboratory Accreditation Advisory Committee Meeting Cancellation

The Department of Environmental Protection's Laboratory Accreditation Advisory Committee's meeting scheduled for April 8 has been canceled. The next regular meeting of the committee is scheduled for 9 a.m. on Thursday, July 15, 2021, and will be held virtually. Connection information and other materials may be found on the **committee's website** at <https://www.dep.pa.gov/PublicParticipation/AdvisoryCommittees/Pages/Lab-Accreditation-Advisory-Committee.aspx>.

Individuals who wish to join the meeting may do so remotely. Individuals interested in providing public comments during the meeting must sign up prior to the start of that meeting by contacting Annmarie Beach at anbeach@pa.gov or (717) 346-8212. Other questions may also be directed to Beach.

Source: Pennsylvania Bulletin, 3/27/2021
<http://www.pacodeandbulletin.gov/Display/pabull?file=/secure/pabulletin/data/vol51/51-13/480.html>

PUC Working Group on Medical Certificate, Other Court Order and Privacy Guidelines

The Public Utility Commission announced the intent to issue a final order on medical certificates and other court orders related to domestic violence and privacy guidelines, following a public input period. Interested parties may submit written comments referencing Docket No. L-2015-2508421 within 45 days through the PUC webpage at <https://www.puc.pa.gov/filing-resources/efiling/>. Documents filed relative to this docket are available for inspection by searching under Docket No. L-2015-2508421 on the commission's website at <https://www.puc.pa.gov/search/document-search/>.

The contact persons for this matter are Matthew Hrivnak, mhrivnak@pa.gov, Bureau of Consumer Services, 717-783-1678, and Patricia T. Wiedt, pwiedt@pa.gov, Law Bureau, 717-787-5000.

Source: Pennsylvania Bulletin, 3/27/2021
<http://www.pacodeandbulletin.gov/Display/pabull?file=/secure/pabulletin/data/vol51/51-13/500.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.