



# GOVERNMENT RELATIONS

UPDATE

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

**Berks County  
Water & Sewer  
ASSOCIATION**

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## Revenue Department Releases May 2021 Collections

Pennsylvania collected \$3.9 billion in General Fund revenue in May, which was **\$1.6 billion, or 65.4 percent, more than anticipated**, Revenue Secretary Dan Hassell reported. Fiscal year-to-date General Fund collections total \$36.6 billion, which is **\$2.9 billion, or 8.5 percent, above estimate**.

Secretary Hassell noted that personal income tax (PIT) revenue in May was \$1.9 billion, \$1.0 billion above estimate. This is a direct result of the Department of Revenue extending the deadline for filing 2020 personal income tax returns and making final 2020 income tax payments. The filing deadline was moved to May 17, 2021 - about a month later than the original deadline - which resulted in PIT revenue that was originally expected in April being shifted into May.

"In addition to this expected shift, the PIT revenue that we collected in May went well beyond making up for the PIT shortfall from April," said Secretary Hassell, noting that PIT revenue in April was \$571.8 million below estimate. "We are also nearly \$2.9 billion above our estimate for the fiscal year as of today. This is very positive news with one month to go in the current fiscal year."

Secretary Hassell added that the current outlook on revenue collections is attributable to stronger-than-expected collections in nearly every tax type. This continues a positive trend from recent months as Pennsylvania's economy rebounds from the impact of the COVID-19 pandemic.

As a reminder, under Pennsylvania law the deadline for filing state income tax returns is tied to the deadline set at the federal level. The IRS also extended the federal income tax filing deadline to May 17, 2021.

Below is a full breakdown of revenue collections:

**Sales tax receipts** totaled \$1.2 billion for May, \$211.8 million above estimate. Year-to-date sales tax collections total \$11.6 billion, which is **\$741.7 million, or 6.8 percent, more than anticipated.**

**Personal income tax (PIT)** revenue in May was \$1.9 billion, \$1.0 billion above estimate. This brings year-to-date PIT collections to \$14.9 billion, which is **\$747.7 million, or 5.3 percent, above estimate.**

**May corporation tax revenue** of \$430.1 million was \$163.7 million above estimate. Year-to-date corporation tax collections total \$5.6 billion, which is **\$892.2 million, or 18.9 percent, above estimate.**

**Inheritance tax revenue** for the month was \$136.0 million, \$53.5 million above estimate, bringing the year-to-date total to \$1.2 billion, which is **\$216.5 million, or 21.1 percent, above estimate.**

**Realty transfer tax revenue** was \$56.9 million for May, \$14.8 million above estimate, bringing the fiscal-year total to \$575.1 million, which is **\$95.5 million, or 19.9 percent, more than anticipated.**

**Other General Fund tax revenue**, including cigarette, malt beverage, liquor and gaming taxes, totaled \$191.0 million for the month, \$24.5 million above estimate and bringing the year-to-date total to \$1.6 billion, which is **\$132.3 million, or 9.1 percent, above estimate.**

**Non-tax revenue** totaled \$57.7 million for the month, \$45.6 million above estimate, bringing the year-to-date total to \$1.1 billion, which is **\$42.8 million, or 4.0 percent, above estimate.**

In addition to the General Fund collections, the **Motor License Fund** received \$236.2 million for the month, \$3.1 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 \$2.6 billion, which is **\$17.6 million, or 0.7 percent, below estimate.**

**Source:** PA Department of Revenue, 6/1/2021

## Erin Wells Named DEP Regional Director of Northwest Regional Office

**E**ffective Saturday, May 1, 2021, Erin Wells became the regional director of the Pennsylvania Department of Environmental Protection's (DEP) Northwest Regional Office.

Wells replaces James Miller, who was named regional director of the DEP's Southwest Regional Office. Wells, previously worked for DEP for 11 years as the region's local government liaison, serving as the primary point of contact for all federal, state, and local elected officials in the 14-county region. Wells will manage field operations for Armstrong, Butler, Clarion, Crawford, Elk, Erie, Forest, Indiana, Jefferson, Lawrence, McKean, Mercer, Venango, Warren counties.

"Erin brings a wealth of knowledge and experience to the position, and her years of service to the commonwealth will undoubtedly ensure the continued success in the northwest region," said DEP Secretary Patrick McDonnell.

Prior to being named regional director for DEP's Northwest Regional Office, Wells held positions as the northwest regional director at Pennsylvania Department of Community and Economic Development Governor's Action Team and mostly recently led the northwest Governor's Office as regional director. Wells holds a Bachelor of Arts degree in environmental studies/geography from Edinboro University.

"I am excited and humbled to have the opportunity to serve as DEP's northwest regional director and believe in the mission of the agency and my colleagues that serve it," said Wells. "I am confident that we can protect the environment for our children and support development in our communities to create a better quality of life in northwest Pennsylvania. I look forward to working with businesses and communities across the region to do just that."

John Holden, who served as acting regional director from January 4, 2021 to May 1, 2021, will

resume his previous role as clean water program manager in DEP's Northwest Regional Office.

**Source:** DEP Press Release, 6/2/2021

## PUC Damage Prevention Committee Meets Virtually on June 8

**T**he Pennsylvania Public Utility Commission (PUC) will hold a virtual meeting of the Damage Prevention Committee (DPC) on **Tuesday, June 8, at 9 a.m.**

Members of the public, the media and others will be able to access the virtual conference by clicking on this **Microsoft Teams**

[https://teams.microsoft.com/l/meetup-join/19%3ameeting\\_OTQzNzYyMzAtOTAwYy00Yjc1LTg5NDMtZDYyZGI2YWQ3MzE0%40thread.v2/0?context=%7b%22id%22%3a%22418e2841-0128-4dd5-9b6c-](https://teams.microsoft.com/l/meetup-join/19%3ameeting_OTQzNzYyMzAtOTAwYy00Yjc1LTg5NDMtZDYyZGI2YWQ3MzE0%40thread.v2/0?context=%7b%22id%22%3a%22418e2841-0128-4dd5-9b6c-47fc5a9a1bde%22%2c%22oid%22%3a%2266b01118-9010-4670-b905-5f1f3ebc829b%22%7d)

[47fc5a9a1bde%22%2c%22oid%22%3a%2266b01118-9010-4670-b905-5f1f3ebc829b%22%7d](https://teams.microsoft.com/l/meetup-join/19%3ameeting_OTQzNzYyMzAtOTAwYy00Yjc1LTg5NDMtZDYyZGI2YWQ3MzE0%40thread.v2/0?context=%7b%22id%22%3a%22418e2841-0128-4dd5-9b6c-47fc5a9a1bde%22%2c%22oid%22%3a%2266b01118-9010-4670-b905-5f1f3ebc829b%22%7d) event link or by calling into the telephone conference by dialing 267-332-8737, and then entering passcode 369 000 1# to listen to the meeting. The **meeting agenda** is available on the PUC's website at [https://www.puc.pa.gov/media/1538/dpc\\_agenda\\_060821.pdf](https://www.puc.pa.gov/media/1538/dpc_agenda_060821.pdf).

### 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. Creation of the committee was authorized by Act 50 of 2017, which enhances Pennsylvania's Underground Utility Line Protection Act - also known as the "One Call Law." The focus of the DPC is to reduce the number of "hits" on underground lines and utilities.

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. **Summaries of actions**

<https://www.puc.pa.gov/pipeline/damage-prevention-committee/> taken at monthly DPC meetings are available on the PUC's website.

### 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/> 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 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, 6/2/2021

## Wolf Administration Announces Final PFAS Statewide Sampling Results

**A**s a result of Governor Tom Wolf's executive order to address Perfluoroalkyl and **Polyfluoroalkyl Substances (PFAS) in drinking water**

[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), the Wolf Administration released the complete and final list of results of samples collected from public water systems. The results do not indicate widespread PFAS contamination.

In September 2018, the governor signed an **executive order** <https://www.governor.pa.gov/newsroom/executive-order-2018-08-perfluoroalkyl-and-polyfluoroalkyl-substances-pfas-action-team/> establishing the PFAS Action Team, moving Pennsylvania to the forefront of states taking proactive steps to address PFAS and other contaminants.

"Sampling allows us to gain a better understanding of the prevalence of PFAS within the commonwealth," said Pennsylvania Department of Environmental Protection (DEP) Secretary Patrick McDonnell. "These results will help us determine how to further address this emerging environmental issue, including developing an appropriate metric to remediate and protect our public water systems."

The statewide sampling plan began in June 2019. Samples collected by DEP were analyzed by an accredited laboratory for six PFAS chemicals: Perfluorooctanesulfonic acid (PFOS), Perfluorooctanoic acid (PFOA), Perfluorononanoic acid (PFNA), Perfluorohexane sulfonate (PFHxS), Perfluoroheptanoic acid (PFHpA), and Perfluorobutane sulfonate (PFBS). Sampling was temporarily suspended from March 2020 to July 2020 due to the COVID-19 pandemic and resulting business closures and travel restrictions established under the Governor's Emergency Declaration. Sampling resumed in August 2020 under an approved health and safety plan. Sample collection activities were completed by the end of March 2021.

For the sampling conducted beginning in 2020, the analysis method used was changed from EPA Method 537 (detects only 6 PFAS) to EPA Method 537.1 because this method can detect 18 PFAS. This change was made in order to generate

additional occurrence data, so samples were recollected from all of the facilities that were sampled in 2019.

DEP identified 493 public water system sources as potential sampling sites because they meet the criterion of being located within a half mile of a potential source of PFAS contamination, such as military bases, fire training sites, landfills, and manufacturing facilities. Of those, DEP tested 372 targeted sites and 40 sites that were not located within a half mile of a potential source of PFAS contamination to establish a baseline.

Of the PFAS chemicals sampled, PFOS and PFOA were most common, being detected at 103 and 112 sites, respectively.

Of the sites with detections, only eight PFAS were detected. The eight PFAS that were detected are: PFOS, PFOA, PFNA, PFHxS, PFHpA, PFBS, Perfluorohexanoic acid (PFHxA), and Perfluoroundecanoic acid (PFUnA). Of the 412 total samples, two of the results were above the U.S. Environmental Protection Agency (EPA) Health Advisory Level (HAL) of 70 parts per trillion (ppt) for the combined concentrations of PFOS and PFOA: State of the Art, Inc. in Centre County, and Saegertown Borough in Crawford County. Results were non-detect for the other 10 PFAS that were tested.

Led by the Action Team, the administration has taken steps to identify and address contamination and establish a cleanup plan that will address PFAS contamination in Pennsylvania including:

- Beginning the process of setting a Maximum Contaminant Level (MCL) for PFAS after the EPA did not commit to doing so in February 2019. This will mark the first time that DEP has set an MCL rather than adopting standards set by the federal government, as it has with all other regulated drinking water contaminants.
- Developing a cleanup standard for PFAS soil contamination.
- Hiring a toxicologist at the Pennsylvania Department of Health and securing additional toxicology services through a contract to move forward with setting a state limit for PFAS in drinking water.

- Taking steps to address remediation of the chemicals by working to change groundwater and soil remediation standards for three PFAS compounds.
- Taking steps to assist communities and private well owners if PFAS contamination is above the EPA HAL of 70 ppt.
- Developing uniform, science-based operating procedures to guide the identification and assessment of commercial and industrial properties that have contaminated private and/or public drinking water sources.
- Approving more than \$20 million in grants to address PFAS groundwater contamination.
- Testing all water supplies to Pennsylvania Army National Guard facilities and state-owned homes for veterans for PFAS. While all sample results returned with non-detectable levels of PFAS, the water wells will continue to be monitored.
- Taking steps at the Horsham Air Guard Station to ensure adequate treatment of affected public drinking water supplies to the nearby Horsham Township in Montgomery County and Warminster and Warrington townships in Bucks County.

Full results and additional information about PFAS can be found at <http://www.dep.pa.gov/pfas>.

Source: DEP Press Release, 6/3/2021

## Senator Collett Reiterates Need for Immediate Action to Set PFAS Standards following DEP Sampling Results

On June 3, 2021, the Pennsylvania Department of Environmental Protection (DEP) announced the final results of their statewide Perfluoroalkyl and Polyfluoroalkyl Substances (PFAS) sampling efforts.

"For decades, my constituents unknowingly consumed drinking water contaminated by firefighting foam runoff at local military bases,"

said Senator Collett (D-12, Montgomery/Bucks). "I appreciate the Wolf Administration's early commitment to this issue, and I commend the DEP on the completion of this important study. Despite the delays, I'm grateful that the DEP has not abandoned the process of ultimately establishing a Maximum Contaminant Level (MCL) for these dangerous substances."

The DEP tested 412 drinking water samples from 372 targeted sites and 40 sites that were not near potential sources of PFAS contamination. PFOS and PFOA - two of the oldest and most toxic of known PFAS - were the most frequently observed, found at 103 and 112 sites, respectively. Of the 412 samples, two exceeded the EPA Health Advisory Level of 70 parts per trillion (PPT) for combined concentrations of PFOS and PFOA. However, that number is not an enforceable limit. It is also based largely on outdated research and an assumption of short-term exposure. Many studies, including the well-known C8 study, show an association between PFAS exposure and a range of negative health effects, including infertility, high cholesterol, and a variety of cancers, and the US Agency for Toxic Substances and Disease Registry (ATSDR) is conducting a nationwide multisite community health study which will include Pennsylvania's Bucks and Montgomery Counties, to learn even more about the health impacts of drinking PFAS-contaminated water.

Senator Collett added: "There is enough existing research to know that Pennsylvanians are at an immediate an ongoing risk when drinking water are at levels much lower than 70 PPT."

Senator Collett has re-introduced two pieces of legislation to address the PFAS crisis immediately, and plans to introduce a third:

### Senate Bill 611

<https://www.legis.state.pa.us/cfdocs/billInfo/billInfo.cfm?sYear=2021&sInd=0&body=s&type=b&bn=611> (formerly introduced as SB 581) lowers the acceptable level of Per- and Polyfluoroalkyl Substances (PFAS) in our drinking water from 70 PPT to 10 PPT on an interim basis, until either the Governor, the DEP or EPA sets an MCL.

## Senate Bill 612

<https://www.legis.state.pa.us/cfdocs/billInfo/billInfo.cfm?sYear=2021&sInd=0&body=s&type=b&bn=612> (formerly introduced as SB 582) classifies PFAS as "hazardous substances" under Pennsylvania's Hazardous Sites Cleanup Act (HSCA), triggering the ability to seek legal recourse and recoup remediation costs.

**Senate Bill 613** will require advisory signage to the public for waters known to contain PFAS where fishing is permitted.

According to the DEP's final results, 90 samples exceeded the 10 ppt combined MCL that would be established by SB 611. The 90 samples spanned 26 counties across the Commonwealth. Of those 90 samples, the average combined occurrence of PFAS was 42.33 ppt.

"The results highlight what we always suspected, that while the 12th District may be at the forefront and epicenter, this is a statewide problem. While I understand the next steps outlined by the DEP, we can't afford to wait any longer to set a maximum contaminant level. By immediately setting an interim MCL and classifying PFAS as hazardous substances, our DEP will be empowered to begin delivering safe, clean drinking water to residents living near those 90 sites and AG Shapiro will finally have cause to go after the polluters," explained Senator Collett. "I urge my fellow legislators to support this critical legislation."

Source: Senator Collett Press Release, 6/3/2021

## Senate Agriculture Committee Meets June 7 on Bill Establishing On-Farm Conservation Program, If Funded

The Senate Agriculture and Rural Affairs Committee is scheduled to meet June 7 to consider **Senate Bill 465**

<https://www.legis.state.pa.us/cfdocs/billInfo/billInfo.cfm?sYear=2021&sInd=0&body=S&type=B&bn=0465> (Yaw-R-Lycoming, Comitta-D-Chester)

which would establish an Agricultural Conservation Assistance Program (ACAP), providing funding and technical support to expand on-farm conservation practices throughout Pennsylvania, including high-priority areas such as the Chesapeake Bay Watershed [if funded].

On April 26, the Pennsylvania Farm Bureau and the Chesapeake Bay Foundation called on the Senate and House to adopt and fund legislation to expand opportunities for farmers to partner with conservation district staff in their communities on locally focused projects that protect natural resources and improve water quality.

"As stewards of the land, Pennsylvania farmers know that protecting the environment and natural resources is vital to the success and future of our farms and communities," said PFB President Rick Ebert, a farmer from Westmoreland County. "Farmers in the Keystone State have been leaders in implementing practices to improve water quality, but we know there is more to be done. Many of the investments needed are too costly for farms to afford on our own, especially in a difficult farm economy. Senate Bill 465 would provide much needed support for farmers to work with our conservation partners to grow our conservation efforts."

"We haven't met a farmer that didn't want to leave the farm better than when they found it. Increasingly, farmers want conservation to be part of their legacy," said Shannon Gority, executive director of CBF's Pennsylvania Office. "We all want agriculture to succeed, and farmers can succeed with the right amount of resources and technical assistance to finish the job. Our economy, health, heritage, and quality of life depend on it."

The proposed ACAP would work similarly to the State Conservation Commission's Dirt and Gravel Roads program.

Funding would be distributed to county conservation districts throughout the Commonwealth using a formula that benefits all parts of the state while directing additional resources to areas with the greatest opportunity for improvement.

Conservation districts would then partner with farmers and landowners in their communities to complete the conservation projects that make the most sense locally.

No specific funding source is identified in the bill; however, Sen. Yaw has proposed to allocate \$250 million from the federal American Rescue Plan Act to establish a Clean Streams Fund for Pennsylvania. *Read more here*  
<https://www.legis.state.pa.us/cfdocs/Legis/CSM/showMemoPublic.cfm?chamber=S&SPick=20210&cosponId=35126>.

Senators John Gordner (R-Columbia) and Bob Mensch (R-Montgomery) have proposed allocating \$500 million from the federal American Rescue Plan to fund Growing Greener watershed, farm conservation, mine reclamation and recreation projects. *Read more here*  
<https://www.legis.state.pa.us/cfdocs/Legis/CSM/showMemoPublic.cfm?chamber=S&SPick=20210&cosponId=35059>.

The meeting will be held in Room 461 Main Capitol and start at 12:45 p.m. The meeting may be available online through the **Senate Agriculture Committee's webpage**  
<https://agriculture.pasenategop.com/>.

Sen. Elder Vogel (R-Beaver) serves as Majority Chair of the Senate Agriculture Committee, and can be contacted by calling 717-787-3076 or sending email to: [evogel@pasen.gov](mailto:evogel@pasen.gov). Sen. Judy Schwank (D-Berks) serves as Minority Chair and can be contacted by calling 717-787-8925 or sending email to: [SenatorSchwank@pasenate.com](mailto:SenatorSchwank@pasenate.com).

**Source:** PA Environmental Digest, 6/4/2021

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